

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

Blue Sheet No. 20060282-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution and recording of one (1) Utility Easement, as a donation of one (1) 6" diameter fire line, one (1) fire hydrant, one (1) 1-1/2" diameter water service and one (1) 4" diameter force main connection to provide potable water service, fire protection and sanitary sewer service to *The Church of Jesus Christ of Latter Day Saints a/k/a Bonita Springs Ward*, a recently constructed place of worship. This is a Developer Contributed asset project located on the east side of Three Oaks Parkway approximately 1 mile north of Corkscrew Road.

2. What Action Accomplishes:

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Operations Manual.

3. Management Recommendation:

Approval.

4. Departmental Category: 10 -

C 10 D

5. Meeting Date:

04-11-2006

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose (specify)

- Statute
- Ordinance
- Admin. Code
- Other Approval

8. Request Initiated:

Commissioner _____
 Department Public Works
 Division Utilities
 By: S. I. Velez 3/23/06
 S. I. Velez, P. E., Acting Util. Dir.

9. Background:

Fire hydrants, fire lines, single water services and force main connections 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. The developer elected to construct a privately owned and maintained gravity collection system that connects to the infrastructure within the right-of-way of Three Oaks Parkway. Funds are available for recording fees in account number OD5360748700.504930.

SECTION 26 TOWNSHIP 46S RANGE 25E DISTRICT #5 COMMISSIONER ALBION

10. Review for Scheduling

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager / P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>J. Lavender</i> Date: <u>3/24/06</u>	N/A	N/A	<u>T.O.</u> T. Osterhout Date: <u>3/23</u>	<u>S. Covert</u> Date: _____	<u>PM</u> <u>3/23/06</u>	<u>MR</u> <u>3/29/06</u>	<u>GR</u> <u>3/23/06</u>	<u>Mgr.</u> <u>3/23/06</u>	<i>J. Lavender</i> Date: <u>3/24/06</u>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN: [Signature]
3/27/06
4:05 PM
 COUNTY ADMIN
 FORWARDED TO: [Signature]
3/27/06
4:05 PM

Rec. by CoAtty
 Date: 3/27/06
 Time: 3:55 PM
 Forwarded to:
Co. Admin

RESOLUTION NO.

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

WHEREAS, it is the desire of "THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS", owner of record, to make a contribution to Lee County Utilities of water facilities (one 6" diameter fire line, one fire hydrant, one 1-1/2" diameter water service), and sewer facilities (one 4" diameter force main connection), serving "THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS A.K.A BONITA SPRINGS WARD"; 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 **\$45,806.00** 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 Bob Janes: _____ (1)
- Commissioner Douglas St. Cerny: _____ (2)
- Commissioner Ray Judah: _____ (3)
- Commissioner Tammara Hall: _____ (4)
- Commissioner John Albion: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, 2006.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
DEPUTY CLERK

By: _____
TAMMARA HALL, CHAIRWOMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

BS 20060282

COPY

LETTER OF COMPLETION

DATE: 2/7/2006

Department of Lee County Utilities
Division of Engineering
Post Office Box 398
Fort Myers, FL 33902

Gentlemen:

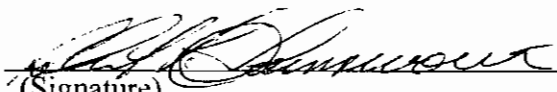
This is to certify that the **force main extension/connection ,
fire line up to and including 1st OS + Y valve(s) and fire hydrant(s)** located at
The Church of Jesus Christ of Latter Day Saints AKA Bonita Springs Ward
(Name of Development/Project)

were designed by me and have been constructed in conformance with:
the revised plans, attached and the approved specifications

Upon completion of the work, we observed the following successful tests of the facilities:
Pressure Test(s) - Water Main and Pressure Test(s) - Force Main

Very truly yours,

Robert L. Farnsworth, P.E.
(Owner or Name of Corporation/Firm)


(Signature)

Robert L. Farnsworth, President
(Name and Title)

(Seal of Engineering Firm)

CHURCH OF JESUS CHRIST LATTER-DAY SAINT a.k.a. BONITA SPRINGS WARD

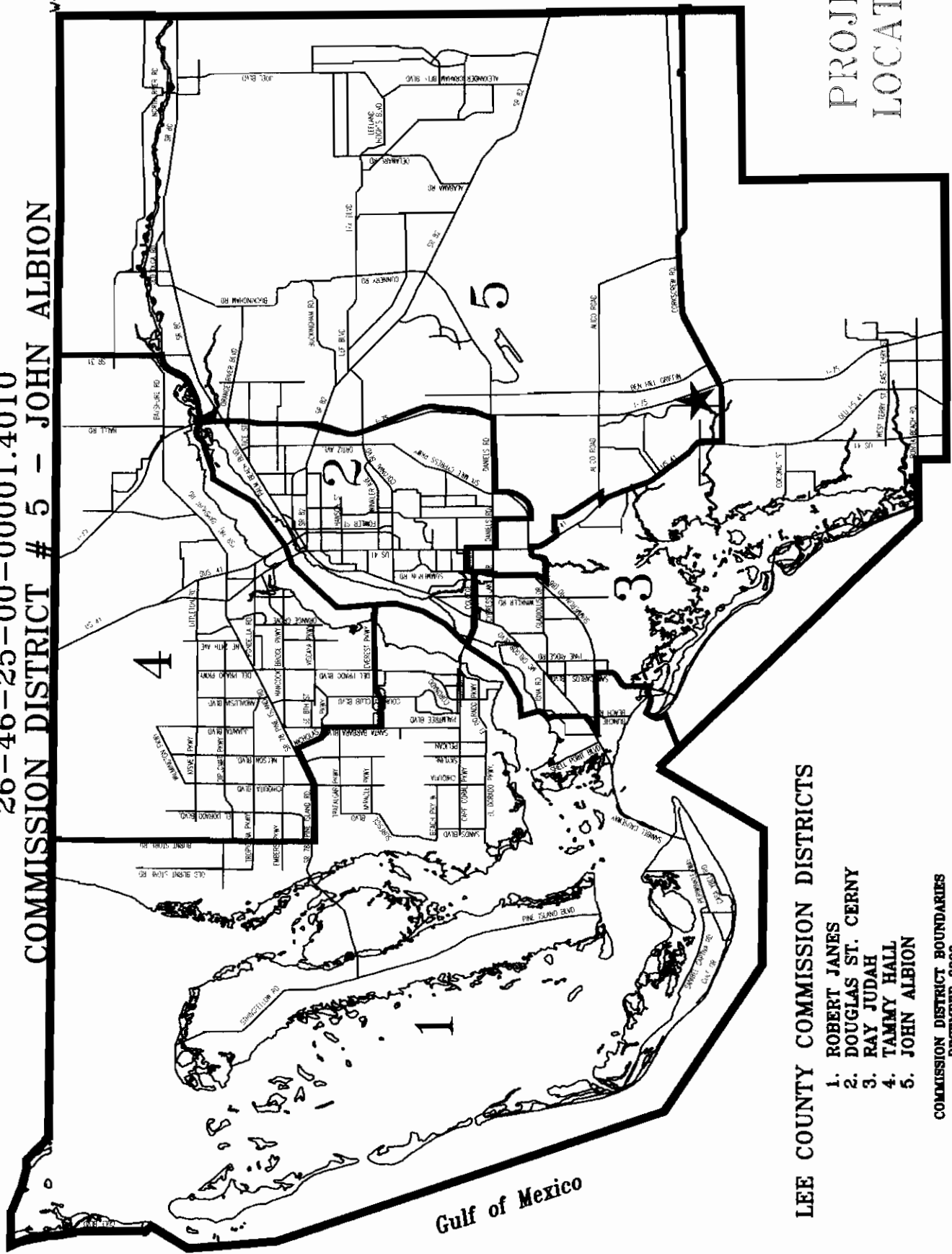
26-46-25-00-00001.4010

COMMISSION DISTRICT # 5 - JOHN ALBION



COPY

PROJECT LOCATION



LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

Gulf of Mexico

COPY


WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of The Church of Jesus Christ of Latter Day Saints 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.

B.J. Enterprises, Inc.
(Contractor/Company Name)

Michael Sappah, President
(Authorized Representative, Title)

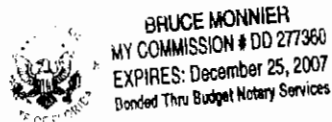
BY: 
(Signature)

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 15 th day of December, 2005 by Michael Sappah who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

Bruce Monnier
Printed Name of Notary Public



(Notary Seal & Commission Number)

WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT

COPY

The undersigned lienor, in consideration of the final payment in the amount of
Forty Five Thousand Eight Hundred Six & 00/100's (\$45,806.00) hereby waives and releases its lien
and right to claim a lien for labor, services, or materials furnished to Church of Jesus Christ of Latter Day
Saints on the job of The Church of Jesus Christ of Latter Day Saints to the following described property:

The Church of Jesus Christ of Latter Day Saints
(Name of Development/Project) aka Bonita Springs Ward
20601 Three Oaks Pkwy Estero, FL 33928
(Location)

Fire Hydrant(s), Water /or Sewer Service(s) and
Force Main Extension/Connection
(Facilities Constructed)
26-46-25-00-00001.4010
(Strap # or Section, Township & Range)

Dated on: December 15, 2005

By: [Signature]
(Signature of Authorized Representative)

B.J. Enterprises, Inc.
(Name of Firm or Corporation)

By: Michael Sappah
(Print Name of Authorized Representative)

8102 Grady Dr
(Address of Firm or Corporation)

Title: President

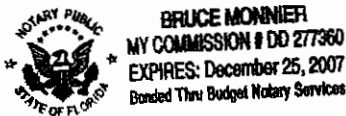
N Fort Myers, FL 33917-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)731-2333 Ext.

Fax#: (239)731-5205

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 15 th day of December, 2005
by Michael Sappah who is personally known to me - , and who did not take an oath.



(Notary Seal & Commission Number)

[Signature]
(Notary Public Signature)

Bruce Monnier
(Printed Name of Notary Public)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: The Church of Jesus Christ of Latter Day Saints AKA Bonita Springs Ward

STRAP NUMBER: 26-46-25-00-00001.4010

LOCATION: 20601 Three Oaks Pkwy Estero, FL 33928

OWNER'S NAME: (as shown on Deed) Church of Jesus Christ of Latter Day Saints

OWNER'S ADDRESS: 22nd Floor 50 East North Temple Street

OWNER'S ADDRESS: Salt Lake City,UT 84150-

TYPE UTILITY SYSTEM: SANITARY SEWER

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system from the drop-down list provided.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
TAPPING SLEEVE W/VALVE FORCE MAIN	12" x 4"	1.0	EA	\$3,150.00	\$3,150.00
PVC C-900 DR-14 FORCE MAIN	4'	70.0	LF	\$17.00	\$1,190.00
PLUG VALVE FORCE MAIN	4'	1.0	EA	\$750.00	\$750.00
ASSORTED FITTINGS FORCE MAIN	4'	2.0	EA	\$500.00	\$1,000.00
TOTAL					\$6,090.00

(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:

X Michael Sappah
(Signature of Certifying Agent)

Michael Sappah - President
(Name & Title of Certifying Agent)

B.J. Enterprises, Inc.
(Name of Firm or Corporation)

8102 Grady DR
(Address of Firm or Corporation)

N Fort Myers, FL 33917 -

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 15 th day of December, 2005 by Michael Sappah who is personally known to me - _____, and who did not take an oath.

[Signature]

Notary Public Signature

Bruce Monnier
Printed Name of Notary Public



BRUCE MONNIER
MY COMMISSION # DD 277360
EXPIRES: December 25, 2007
Donated Thru Budget Notary Services

Notary Commission Number

(NOTARY SEAL)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: The Church of Jesus Christ of Latter Day Saints aka Bonita Springs Ward

STRAP NUMBER: 26-46-25-00-00001.4010

LOCATION: 20601 Three Oaks Pkwy Estero, FL 33928

OWNER'S NAME: (as shown on Deed) Church of Jesus Christ of Latter Day Saints

OWNER'S ADDRESS: 22nd Floor 50 East North Temple Street

OWNER'S ADDRESS: Salt Lake City, UT 84150-

TYPE UTILITY SYSTEM: POTABLE WATER

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system from the drop-down list provided.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC C-900 DR-18 WATER MAIN	10"	139.0	LF	\$25.50	\$3,544.50
STEEL CASING	20"	130.0	LF	\$135.00	\$17,550.00
TAPPING SLEEVE W/VALVE WATER MAIN	12" x 10"	1.0	EA	\$4,500.00	\$4,500.00
ASSORTED FITTINGS	10"	3.0	EA	\$425.00	\$1,275.00
PVC C-900 DR-18	6"	139.0	LF	\$18.50	\$2,571.50
ASSORTED FITTINGS	6"	3.0	EA	\$325.00	\$975.00
FIRE HYDRANT ASSEMBLY	6'	1.0	EA	\$2,850.00	\$2,850.00
GATE VALVE	6'	2.0	EA	\$1,050.00	\$2,100.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	6"	1.0	EA	\$1,850.00	\$1,850.00
SINGLE WATER SERVICE/COMPLETE	1.5"	1.0	EA	\$2,500.00	\$2,500.00
TOTAL					\$39,716.00

(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:

X Michael Sappah
(Signature of Certifying Agent)

Michael Sappah - President
(Name & Title of Certifying Agent)

B.J. Enterprises, Inc.
(Name of Firm or Corporation)

8102 Grady Dr
(Address of Firm or Corporation)

North Fort Myers, FL 33917 -

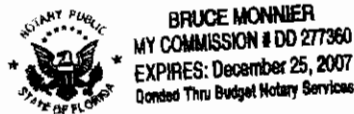
STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 15th day of December, 2005 by Michael Sappah who is personally known to me - _____, and who did not take an oath.

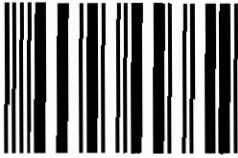
[Signature]
Notary Public Signature

Bruce Monnier
Printed Name of Notary Public

Notary Commission Number



(NOTARY SEAL)



FLORIDA DEPARTMENT OF REVENUE
RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY
 (PLEASE READ INSTRUCTIONS BEFORE COMPLETING)



FDOR10240300
 DR-219
 R. 07/98

Use black ink. Enter numbers as shown below. If typing, enter numbers as shown below.

0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9

1. Parcel Identification Number (If Parcel ID not available please call County Property Appraiser's Office) →

26462500000014010

2. Mark (x) all that apply

Multi-parcel transaction? →

Transaction is a split or cutout from another parcel? →

Property was improved with building(s) at time of sale/transfer? →

3. Grantor (Seller):

BS 20060282

EASEMENT:

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

Last First MI Corporate Name (if applicable)
 22ND FLOOR 50 E NORTH TEMPLE ST SALT LAKE CITY UT 84150

4. Grantee (Buyer):

S. IVAN VELEZ PE ACTING UTIL DIR FOR LEE CO. BD. OF CO. COMMISSIONERS
 Last First MI Corporate Name (if applicable)
 P. O. BOX 398 FT. MYERS FL 33902 (239) 4798181

5. Date of Sale/Transfer

4 / 11 / 2006
 Month Day Year

Sale/Transfer Price

\$ 10,000.00
 (Round to the nearest dollar.)

Property Located In Lee

6. Type of Document

Contract/Agreement for Deed
 Warranty Deed
 Quit Claim Deed

Other

7. Are any mortgages on the property? If "Yes", outstanding mortgage balance:

YES / NO

(Round to the nearest dollar.) \$ 0.00

8. To the best of your knowledge, were there unusual circumstances or conditions to the sale/transfer such as: Forced sale by court order? Foreclosure pending? Distress Sale? Title defects? Corrective Deed? Mineral rights? Sale of a partial or undivided interest? Related to seller by blood or marriage.

YES / NO

9. Was the sale/transfer financed? YES / NO If "Yes", please indicate type or types of financing:

Conventional Seller Provided Agreement or Contract for Deed Other

10. Property Type:

Mark (x) all that apply

Residential Commercial Industrial Agricultural Institutional/Miscellaneous Government Vacant Acreage Timeshare

11. To the best of your knowledge, was personal property included in the sale/transfer? If "Yes", please state the amount attributable to the personal property. (Round to the nearest dollar.)

YES / NO

\$ 0.00 Cents

12. Amount of Documentary Stamp Tax →

\$ 70

13. If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s. 201.02(6), Florida Statutes?

YES / NO

Under penalties of perjury I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer his/her declaration is based on all information of which he/her has any knowledge

Signature of Grantor or Grantee or Agent

[Signature]

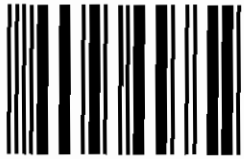
Date

3/23/06

WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE DEPARTMENT OF REVENUE SHALL RESULT IN A PENALTY OF \$25.00 IN ADDITION TO ANY OTHER PENALTY IMPOSED BY THE REVENUE LAW OF FLORIDA

To be completed by the Clerk of the Circuit Court's Office	Clerks Date Stamp
This copy to Property Appraiser	
O. R. Book and Page Number and File Number	
Date Recorded	

This copy to Property Appraiser



FLORIDA DEPARTMENT OF REVENUE
RETURN FOR TRANSFERS OF INTEREST IN REAL PROPERTY
 (PLEASE READ INSTRUCTIONS BEFORE COMPLETING)



FDOR10240300
 DR-219
 R. 07/98

Enter numbers as shown below.

If typing, enter numbers as shown below.

1. Parcel Identification Number
 (If Parcel ID not available
 please call County Property
 Appraiser's Office) →

0 1 2 3 4 5 6 7 8 9 0123456789
 26462500000014010

2. Mark (x) all Multi-parcel Transaction is a split Property was improved
 that apply transaction? → or cutout from another parcel? → with building(s) at time
 of sale/transfer? →
 BS 20060282 **EASEMENT:** CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS

3. Grantor (Seller):
 Last First MI Corporate Name (if applicable)
 22ND FLOOR 50 E NORTH TEMPLE ST SALT LAKE CITY UT 84150

Mailing Address City State Zip Code Phone No.
 4. Grantee (Buyer): S. IVAN VELEZ PE ACTING UTIL DIR FOR LEE CO. BD. OF CO. COMMISSIONERS

Last First MI Corporate Name (if applicable)
 P. O. BOX 398 FT. MYERS FL 33902 2394798181

Mailing Address City State Zip Code Phone No.

5. Date of Sale/Transfer Sale/Transfer Price Property Located In County Code
 4 11 2006 \$ \$10 . 00 46
 Month Day Year (Round to the nearest dollar.)

6. Type of Document Contract/Agreement for Deed Other 7. Are any mortgages on the property? If "Yes", outstanding mortgage balance: YES NO
 Warranty Deed Quit Claim Deed (Round to the nearest dollar.) \$. 00

8. To the best of your knowledge, were there unusual circumstances or conditions to the sale/transfer such as: Forced sale by court order? Foreclosure pending? Distress Sale? Title defects? Corrective Deed? Mineral rights? Sale of a partial or undivided interest? Related to seller by blood or marriage. YES NO

9. Was the sale/transfer financed? YES NO if "Yes", please indicate type or types of financing:

Conventional Seller Provided Agreement or Contract for Deed Other

10. Property Type: Residential Commercial Industrial Agricultural Institutional/Miscellaneous Government Vacant Acreage Timeshare
 Mark (x) all that apply

11. To the best of your knowledge, was personal property included in the sale/transfer? If "Yes", please state the amount attributable to the personal property. (Round to the nearest dollar.) YES NO \$. 00
 12. Amount of Documentary Stamp Tax \$ 0.70

13. If no tax is due in number 12, is deed exempt from Documentary Stamp Tax under s. 201.02(6), Florida Statutes? YES NO

Under penalties of perjury I declare that I have read the foregoing return and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration is based on all information of which he/her has any knowledge.

Signature of Grantor or Grantee or Agent *J. S. G. Y.* Date 3/23/06

WARNING: FAILURE TO FILE THIS RETURN OR ALTERNATIVE FORM APPROVED BY THE DEPARTMENT OF REVENUE SHALL RESULT IN A PENALTY OF \$25.00 IN ADDITION TO ANY OTHER PENALTY IMPOSED BY THE REVENUE LAW OF FLORIDA.

To be completed by the Clerk of the Circuit Court's Office	Clerks Date Stamp
This copy to Department of Revenue	
O. R. Book and Page Number and File Number	
Date Recorded	
Month Day Year	

This copy to Department of Revenue

TO: RECORDERS OFFICE

PLEASE PUT MY NAME ON THE ATTENTION LINE:

Sue Gulledge

**CHARGE TO: LEE COUNTY UTILITIES -
LCU 500283**

ACCOUNT NO. OD5360748700.504930

THANK YOU.

FOR UTILITIES USE ONLY:

BLUE SHEET NO. 20060282-UTL

**PROJECT NAME: THE CHURCH OF JESUS
CHRIST LATTER-DAY SAINTS A.K.A BONITA
SPRINGS WARD**

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

Strap Numbers:

26-46-25-00-00001.4010

LCU 500283
THIS SPACE RESERVED FOR RECORDING

GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT

THIS INDENTURE is made and entered into this ____ day of _____ 2006, by and between **“Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole”**, Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, a political subdivision of the State of Florida, 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.

BS 20060282-UTL



3. The public utility easement will 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 this 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 may 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 will 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 from any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the right, 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, agrees to assume all liability 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 located within the above-described easement.

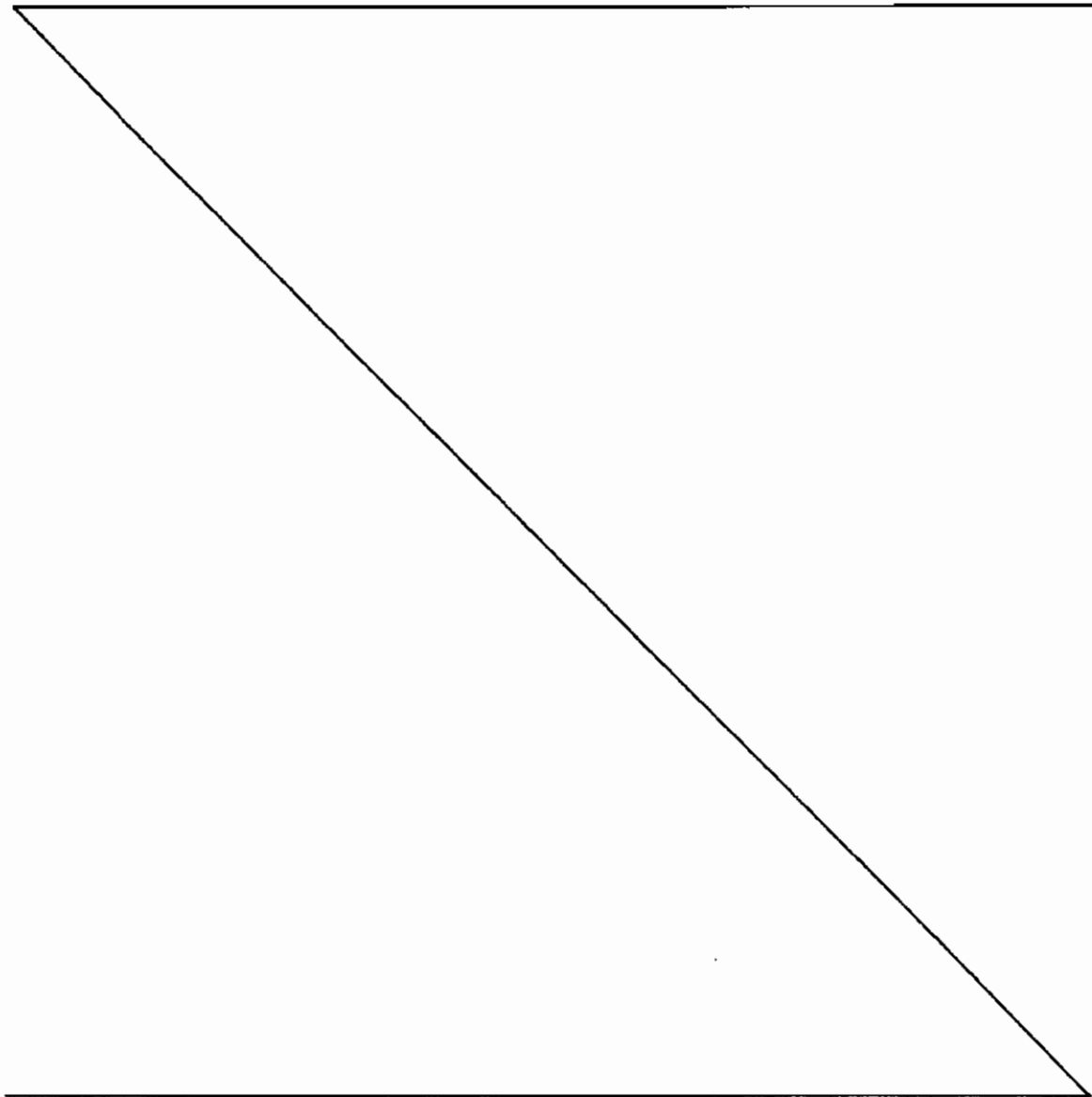
7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment 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, amended or renumbered from time to time.

8. GRANTEE will 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 any associated roads. The easement is strictly for utility purposes.

10. This easement will be binding upon the parties hereto, their successors in interest and any assigns.

(Balance of Page Left Intentionally Blank)



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

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole

Anna Leggett
[1st Witness' Signature]

Anna Leggett
[Type or Print Name]

Valerie A. Shoemaker
[2nd Witness' Signature]

Valerie A. Shoemaker
[Type or Print Name]

BY: Wayne S. Facek
[Signature Grantor's/Owner's] *WS*

WAYNE S. FACEK
[Type or Print Name]

AUTHORIZED AGENT
[Title]



STATE OF FLORIDA UTAH

(see next page)

COUNTY OF SAGE LAKE

The foregoing instrument was signed and acknowledged before me this 13th day of MARCH 2026 by _____ who produced the following as identification _____ or is personally know to me, and who did/did not take an oath.

[stamp or seal]

*(SEE ATTACHED)
NOTARY*

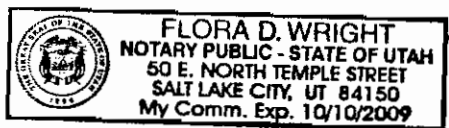
[Signature of Notary]

[Typed or Printed Name]

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this 13th day of March, 2006, personally appeared before me Wayne G. Facer, personally known to me to be an Authorized Agent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, who acknowledged before me that he signed the foregoing instrument as Authorized Agent for the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, and that the seal impressed on the within instrument is the seal of said Corporation; and that said instrument is the free and voluntary act of said Corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said Corporation and that said Corporation executed the same.

WITNESS my hand and official seal.



Flora D. Wright

Notary Public
Residing at: Salt Lake City, Utah
My commission expires: October 10, 2009

Approved and accepted for and on behalf of Lee County, Florida, this _____ day of _____, 2006.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Tammara Hall, Chairwoman

APPROVED AS TO FORM

BY: _____
Office of the County Attorney

BBLs
SURVEYORS AND MAPPERS
1502-A RAILHEAD BLVD.
NAPLES, FLORIDA 34110
TELEPHONE: (239)-597-1315
FAX: (239)-597-5207

LEGAL DESCRIPTION
UTILITY EASEMENT
(CHURCH OF LATTER DAY SAINTS)

A PORTION OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 26; THENCE N.89°40'25"E., ALONG THE SOUTH LINE OF SAID SECTION 26, A DISTANCE OF 80.01 FEET; THENCE N.01°18'46"W., A DISTANCE OF 1,803.69 FEET; THENCE S.90°00'00"E., A DISTANCE OF 20.02 FEET; THENCE N.01°18'46"W., A DISTANCE OF 299.92 FEET; THENCE S.90°00'00"E., A DISTANCE OF 50.01 FEET; THENCE N.01°18'46"W., A DISTANCE OF 154.94 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.01°18'46"W., A DISTANCE OF 166.81 FEET; THENCE S.90°00'00"E., A DISTANCE OF 20.01 FEET; THENCE S.01°18'46"E., A DISTANCE OF 166.35 FEET; THENCE S.88°41'14"W., A DISTANCE OF 20.00 FEET TO THE **POINT OF BEGINNING**.

BEARINGS SHOWN HEREON REFER TO AN ASSUMED BEARING OF N.89°40'25"E., ALONG THE SOUTH LINE OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

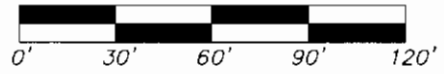

02/01/06
STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296)
BBLs SURVEYORS AND MAPPERS INC., (L.B. #6753)

PROOFED BY  02/02/06

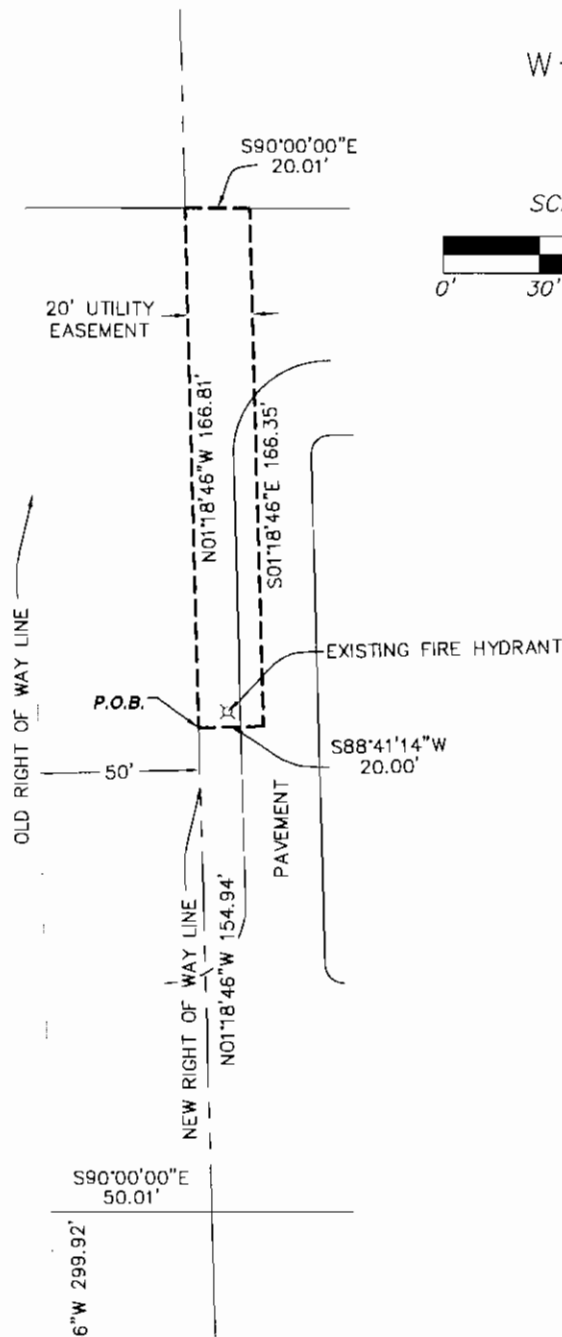
(SEE ATTACHED SKETCH-SHEET 2 OF 2)



SCALE: 1" = 60'



THREE OAKS PARKWAY



P.O.C.
 SOUTHWEST CORNER OF
 SECTION 26, TOWNSHIP 46
 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA.

27 / 26
 34 / 35

N89°40'25"E 80.01'
 N01°18'46"W 1,803.69'
 SOUTH LINE OF SECTION 26

NOTES:

- 1.) BEARINGS REFER TO AN ASSUMED BEARING OF N.89°40'25"E., ALONG THE SOUTH LINE OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.
- 2.) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

THIS IS NOT A SURVEY

SHEET 2 OF 2

DATE 02/01/06
FIELD BOOK
PLANS
DRAWN BY: MAC
APPROVED: SEB
FIELD-UTL. EASE OR UT. EASE
SCALE 1" = 60'

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

UTILITY EASEMENT
 A PORTION OF
 SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA

BBL'S SURVEYORS & MAPPERS INC.
 1502-A RAIL HEAD BLVD.
 NAPLES, FLORIDA 34110 (239)597-1315

RECEIVED

IAN 03 2006

Utah Rev. Of Corp. & Comm. Code

(To be included as part of Exhibit A)

CERTIFICATE OF AUTHORITY

I, H. David Burton, do hereby certify (a) that I am the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a religious association, and by virtue of such office I am the incumbent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole; (b) that I am the person designated in the Articles of Incorporation of said corporation sole to sign and execute deeds and other instruments in writing and transact all business of said corporation pursuant to the provisions of Section 16-7-8 of the Utah Code Annotated, 1953, as amended; and (c) that, pursuant to said Section 16-7-8, I hereby designate and appoint Wayne G. Facer as an agent authorized and empowered for and in behalf of said corporation sole to take the following actions for transactions whose dollar value does not exceed \$5,000,000:



- (a) To execute deeds, easements and other instruments, purchase, sale, architectural, construction, repair, maintenance and other contracts, promissory notes, mortgages, bills of sale, assignments, notices, reports, title documents and other documents relating to the acquisition, purchase, sale, exchange, development, use, lease, maintenance, repair, improvement, taxation, encumbrance and release thereof, or other disposition of real and personal property of any kind; and
(b) To execute, file and prosecute building permit applications, petitions, complaints and protests relating to real and personal property of any kind.

This Certificate of Authority supersedes and replaces that Certificate of Authority, dated April 24, 2003, granted to Dean M. Davies by H. David Burton, the incumbent of said Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints.

EXECUTED and DATED at Salt Lake City, Utah this 28th day of December, 2005.

Department of Commerce
Division of Corporations and Commercial Code
I hereby certified that the foregoing has been filed and approved on this 3 day of Jan 2006 in this office of this Division and hereby issued This Certificate thereof.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

Examiner [Signature] Date: 10-00

By [Signature] H. David Burton, incumbent



Kathy Berg
Division Director

STATE OF UTAH)
COUNTY OF SALT LAKE)

ss.

On the 28th day of December, 2005, personally appeared before me H. David Burton, personally known to me to be the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, and acknowledged to me that he signed the foregoing instrument as incumbent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, and the said H. David Burton acknowledged to me that said corporation executed the same.



[Signature]
NOTARY PUBLIC in and for said County and State

01-03-06P03:06 RCVD