

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

Project: Littleton Road Widening - Corbett Road to US 41, No. 5028
Parcel No.: 350-A (TCE), 350-B (TCE) and 350-C (TCE)
Part of STRAP No.: 33-43-24-01-00001.00CE

given in lieu of condemnation

TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

THIS AGREEMENT ("Agreement") is made and entered into this 26th day of May, 202², between **Six Lakes Country Club, Inc.**, a Florida Corporation, whose address is 9151 Littleton Road, North Fort Myers, Florida 33903 (hereinafter referred to as "*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 referred to as "*County*").

Grantor is the owner of the lands described in attached Exhibit "X", and as such has the power to grant County a temporary interest in these lands (hereinafter the "Temporary Construction Easement Area").

Grantor, for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to the County, permission to enter upon the Temporary Construction Easement Area for the purpose of ingress and egress by workers, machinery, and vehicles, and for the purpose of staging, storing, and/or stockpiling materials and equipment within the Temporary Construction Easement Area as necessary to harmonize the driveway elevation, facilitate construction of a sidewalk, perform drainage and gravity wall improvements within the existing right-of-way, perform grading and restoration activities, and to facilitate removal and re-installation of any perimeter metal fencing and/or gates in conjunction with the Littleton Road Widening - Corbett Road to US 41, Project No. 5028.

County, including County officials, employees, and agents, have the right to enter upon the Temporary Construction Easement Area at reasonable times with the necessary equipment, personnel and vehicles in order to exercise the rights granted herein. County's exercise of its rights may not unreasonably interfere with Grantor's access across the existing driveway. The County has the right and authority to remove and dispose of dirt, rocks, vegetation and improvements, to include, but not be limited to fencing, signs, landscaping and trees within the Temporary Construction Easement Area.

All rights granted to the County by this Agreement commence upon the County's issuance of the Notice to Proceed for the project construction. The rights granted by this Agreement will terminate upon completion of the harmonization/restoration activities or 36 months, after the issuance of the Notice to Proceed, whichever occurs first, unless extending in writing by Grantor and County.

This Agreement will be recorded in the Public Records of Lee County, Florida.

County will restore the Temporary Construction Easement Area to a reasonably safe and aesthetic condition, as such existed prior to the project, as may be reasonably practicable. The restoration work is limited to restoring or replacing sod, curbing, pavement, grading and striping located within the Temporary Construction Easement Area. County is not responsible for restoring or replacing any trees, signage, or landscaping other than sod. Grantor acknowledges that Grantor is solely responsible for restoring or replacing any trees, signage, or landscaping other than sod. County will remove and re-install any portion of the existing perimeter metal fence and metal entrance/exit gates within the Temporary Construction Easement Area as needed to facilitate construction. Temporary fencing within the Temporary Construction Easement Area will be installed to secure the property during construction. County will have a reasonable right of access across Grantor's property for the purpose of reaching the Temporary Construction Easement Area and completing the harmonization or restoration work.

(Balance of Page Left Intentionally Blank)

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

WITNESSES:

Corrine Collins
[1st Witness' Signature]

Corrine Collins
[Type or print name]

Claudia Miller
[2nd Witness' Signature]

Claudia Miller
[Type or print name]

GRANTOR:

Six Lakes Country Club, Inc., a Florida Corporation

By: Deborah S. Miknis

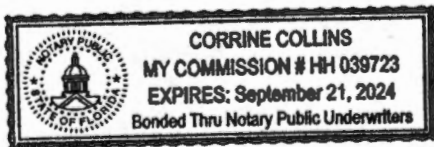
Name: Deborah S. Miknis

Title: Vice-President

STATE OF Florida

COUNTY OF Lee

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 26 day of May 2022, by Deborah S. Miknis as Vice-President,
(Name and Title of Officer or Agent)
of Six Lakes Country Club, Inc., a Florida Corporation, on behalf of the corporation. He/She is personally known to me or has produced Driver License as identification.
(type of identification)

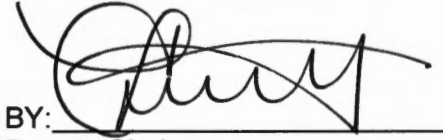


Corrine Collins
Notary Public
[Affix stamp/seal]

Approved and accepted for and on behalf of Lee County, Florida, this 26th day of

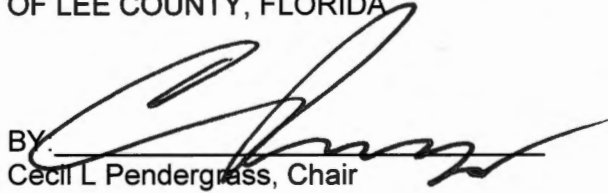
May, 2022.

ATTEST:
KEVIN KARNES, CLERK



BY:
Deputy Clerk

COUNTY:
BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA



BY:
Cecil L. Pendergrass, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY



County Attorney's Office

SKETCH & DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-A, 350-B AND 350-C
 LYING WITHIN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST
 LEE COUNTY, FLORIDA

Exhibit "X"

Page 1 of 8

SHEET INDEX:

SHEET 1 = NOTES AND ABBREVIATIONS

SHEET 2 = KEY SHEET


SHEET 3 - 4 = T.C.E. PARCEL 350-A

SHEET 5 - 6 = T.C.E. PARCEL 350-B

SHEET 7 - 8 = T.C.E. PARCEL 350-C

NOTES:

1. THE CERTIFICATE OF AUTHORIZATION NUMBER OF T2UES, INC. IS LB-8336.
2. BEARINGS SHOWN ARE BASED ON THE NORTH LINE THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING S 89°52'34" W.
3. LEGAL DESCRIPTION AND SKETCH OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. ADDITIONS AND DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. NOT VALID WITHOUT ALL SHEETS.


 SCOTT R. URQUHART
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 6524
 (FOR THE FIRM - LB 8336)
 SIGNED THIS 19 DAY OF APRIL, 2021

ABBREVIATIONS:

BRG. = BEARING
 CCMB = COUNTY COMMISSION MINUTE BOOK
 COR. = CORNER
 D.B. = DEED BOOK
 DIST. = DISTANCE
 DWG = DRAWING
 ESMT. = EASEMENT
 FT. = FOOT
 INC. = INCORPORATED
 INST = INSTRUMENT
 LB = LICENSED BUSINESS
 LCEC = LEE COUNTY ELECTRIC CO-OP
 O.R. = OFFICIAL RECORD BOOK
 NO. = NUMBER
 PG. = PAGE
 P.O.B. = POINT OF BEGINNING
 P.O.C. = POINT OF COMMENCEMENT
 REV. = REVISION
 RW = RIGHT OF WAY
 SEC. = SECTION
 S.F. = SQUARE FEET
 SKD = SKETCH AND DESCRIPTION
 S.R. = S.R.
 T.C.E. = TEMPORARY CONSTRUCTION EASEMENT

LEE COUNTY	
COUNTY:	LEE
PROJECT NO.:	190601
DRAWING NO.:	190601 SKD
REVISION:	
DWG DATE:	2/17/2021
DRAWN BY:	RJO
CHECKED BY:	SU
REV. DATE:	
FOR:	

J:\2019\190601 LITTLETON\DRAWING\SKD\S\CONST. ESMT\S\TCE PARCEL 350-A, B & C\190601 LITTLETON TCE PARCEL 350-A, B & C.DWG

SKETCH & DESCRIPTION
 T.C.E. - PARCEL 350-A, 350-B AND 350-C
 LYING IN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST



5670 Zip Drive
 Fort Myers, FL 33905
 Tel: 239.277.0722
 Fax: 239.277.7179

SKETCH & DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-A, 350-B AND 350-C
 LYING WITHIN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST
 LEE COUNTY, FLORIDA

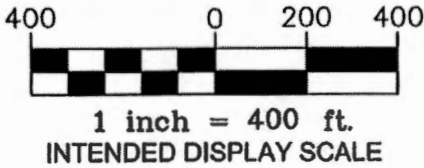
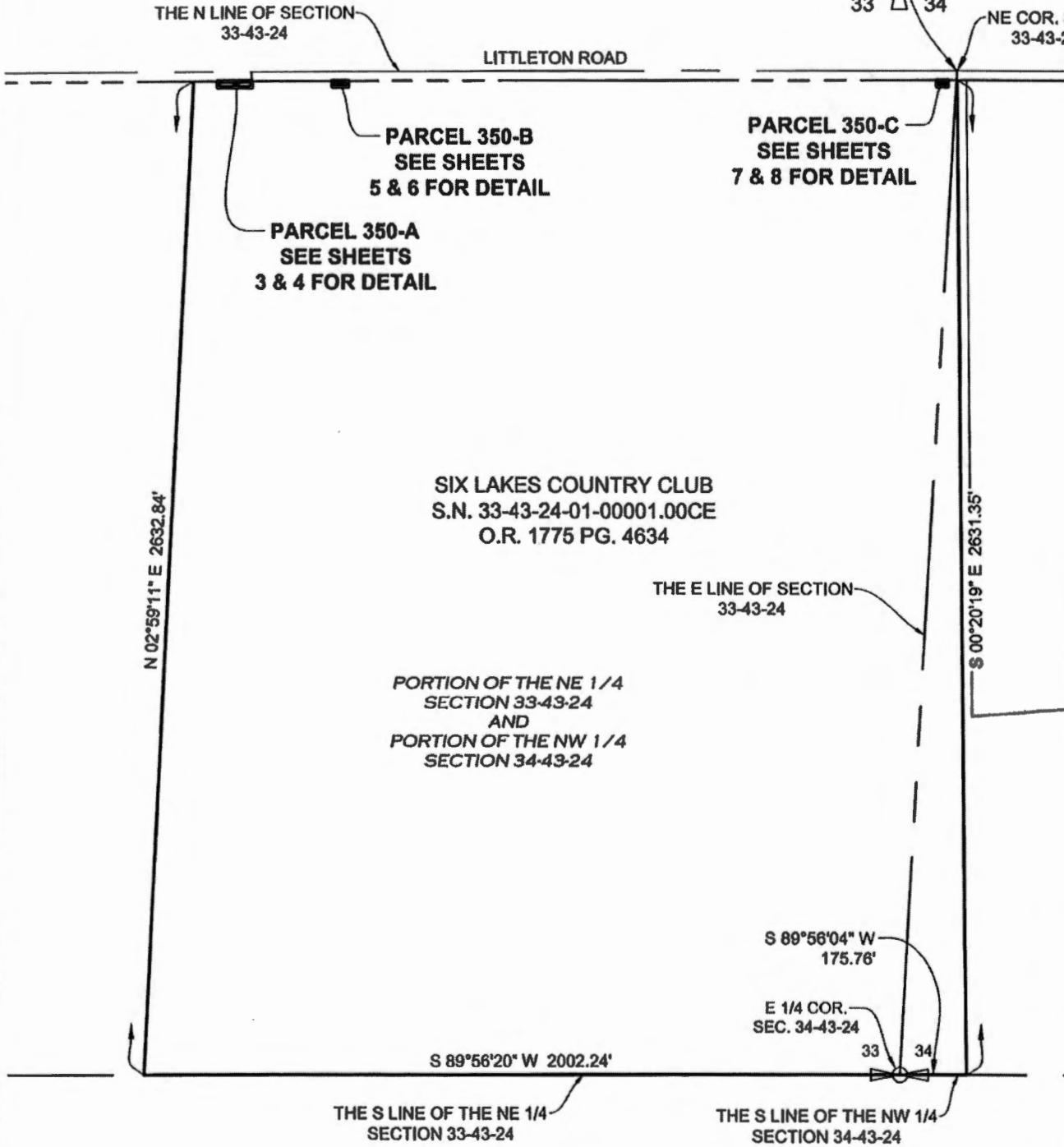
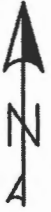


Exhibit "X"
 Page 2 of 8



FOR:	
DWG DATE: 2/17/2021	RJO
DRAWN BY:	SU
CHECKED BY:	
REV. DATE:	
COUNTY: LEE	LEE COUNTY
PROJECT NO.: 190601	
DRAWING NO.: 190601 SKD	
REVISION:	

KEY SHEET

J:\2019\190601 LITTLETON\DRAWING\SKD\S\CONST. ESMT\SITCE PARCEL 350-A, B & C\190601 LITTLETON TCE PARCEL 350-A, B & C.DWG

SKETCH & DESCRIPTION
 T.C.E. - PARCEL 350-A, 350-B AND 350-C
 LYING IN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST



5670 Zip Drive
 Fort Myers, FL 33905
 Tel: 239.277.0722
 Fax: 239.277.7179

SKETCH & DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-A
 LYING WITHIN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST
 LEE COUNTY, FLORIDA

Exhibit "X"
 Page 3 of 8

LEGAL DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-A

A PARCEL OF LAND LYING WITHIN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST AND BEING A PORTION OF THE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK 1775, PAGE 4634, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE RUN S 89°52'34" W ALONG THE NORTH LINE OF SAID SECTION 33 A DISTANCE OF 1870.66 FEET; THENCE DEPARTING SAID SECTION LINE RUN S 00°07'26" E A DISTANCE OF 25.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LITTLETON ROAD AS PER COUNTY COMMISSION MINUTE BOOK 5, PAGE 580, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE S 00°07'26" E A DISTANCE OF 15.00 FEET; THENCE S 89°52'34" W A DISTANCE OF 90.05 FEET; THENCE N 00°07'26" W A DISTANCE OF 15.00 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF LITTLETON ROAD; THENCE N 89°52'34" E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 90.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,351 SQUARE FEET MORE OR LESS

J:\2019\190601 LITTLETON\DRAWING\SKD\CONSTR. ESMT\TCE PARCEL 350-A, B & C\190601 LITTLETON TCE PARCEL-350-A, B & C.DWG

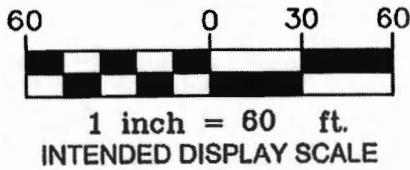
FOR:		LEE COUNTY	
COUNTY:	LEE	DWG DATE:	2/17/2021
PROJECT NO.:	190601	DRAWN BY:	RJO
DRAWING NO.:	190601 SKD	CHECKED BY:	SU
REVISION:		REV. DATE:	

SEE SHEET 4 OF 8 FOR SKETCH

SKETCH & DESCRIPTION
 T.C.E. - PARCEL 350-A, 350-B AND 350-C
 LYING IN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST

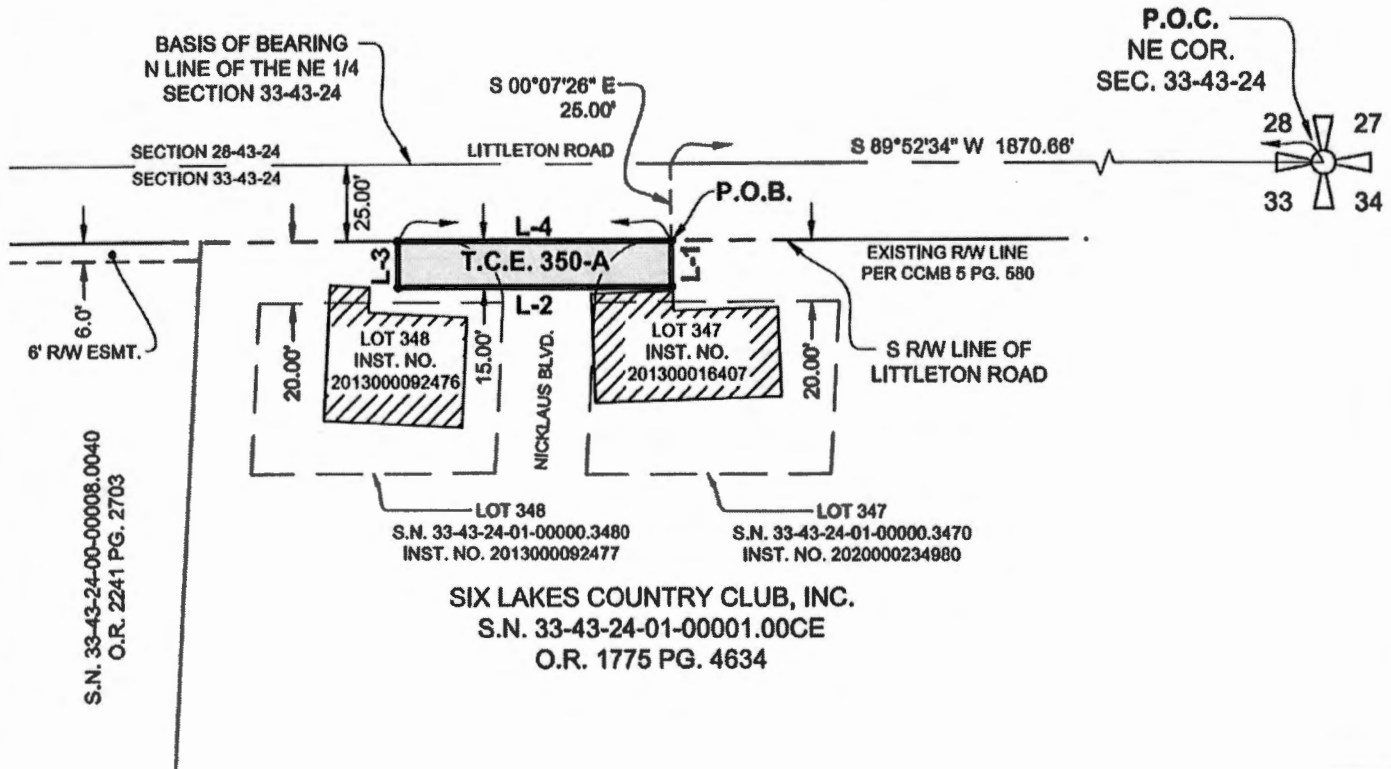


5670 Zip Drive
 Fort Myers, FL 33905
 Tel: 239.277.0722
 Fax: 239.277.7179



SKETCH & DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-A
LYING WITHIN
SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA



SIX LAKES COUNTRY CLUB, INC.
S.N. 33-43-24-01-00001.00CE
O.R. 1775 PG. 4634

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 00°07'26" E	15.00'
L-2	S 89°52'34" W	90.05'
L-3	N 00°07'26" W	15.00'
L-4	N 89°52'34" E	90.05'

Exhibit "X"
Page 4 of 8

SEE SHEET 3 OF 8 FOR DESCRIPTION

J:\2019\190601 LITTLETONDRAWINGS\SKD\CONSTR. ESMT\SITE PARCEL 350-A, B & C\190601 LITTLETON TCE PARCEL-350-A, B & C.DWG

SKETCH & DESCRIPTION
T.C.E. - PARCEL 350-A, 350-B AND 350-C
LYING IN
SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST



5670 Zlp Drive
Fort Myers, FL 33905
Tel: 239.277.0722
Fax: 239.277.7179

FOR: LEE COUNTY			
COUNTY:	LEE	DWG DATE:	2/17/2021
PROJECT NO.:	190601	DRAWN BY:	RJO
DRAWING NO.:	190601 SKD	CHECKED BY:	SU
REVISION:		REV. DATE:	

SKETCH & DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-B
 LYING WITHIN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST
 LEE COUNTY, FLORIDA

LEGAL DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-B

A PARCEL OF LAND LYING WITHIN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST AND BEING A PORTION OF THE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK 1775, PAGE 4634, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE RUN S 89°52'34" W ALONG THE NORTH LINE OF SAID SECTION 33 A DISTANCE OF 1615.12 FEET; THENCE DEPARTING SAID SECTION LINE RUN S 00°07'26" E A DISTANCE OF 25.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LITTLETON ROAD AS PER COUNTY COMMISSION MINUTE BOOK 5, PAGE 580, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE S 00°07'26" E A DISTANCE OF 15.00 FEET; THENCE S 89°52'34" W A DISTANCE OF 40.01 FEET; THENCE N 00°07'26" W A DISTANCE OF 15.00 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF LITTLETON ROAD; THENCE N 89°52'34" E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 600 SQUARE FEET MORE OR LESS

J:\2019\190601 LITTLETON\DRAWING\SKD\CONSTR. ESMT\SITCE PARCEL 350-A, B & C\190601 LITTLETON TCE PARCEL-350-B.DWG

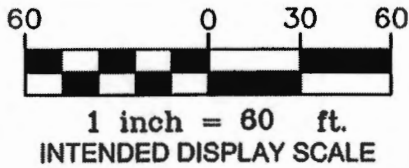
FOR:		LEE COUNTY	
COUNTY:	LEE	DWG DATE:	2/17/2021
PROJECT NO.:	190601	DRAWN BY:	RJO
DRAWING NO.:	190601 SKD	CHECKED BY:	SU
REVISION:		REV. DATE:	

SEE SHEET 6 OF 8 FOR SKETCH

SKETCH & DESCRIPTION
 T.C.E. - PARCEL 350-A, 350-B AND 350-C
 LYING IN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST

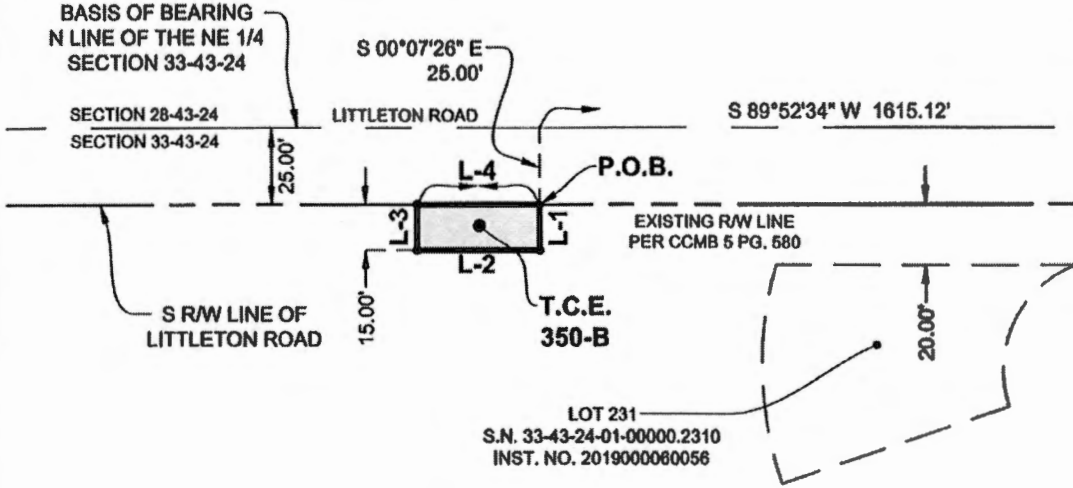
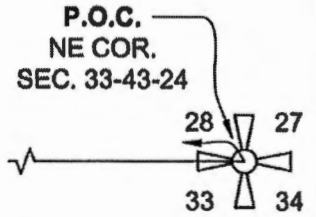


5670 Zip Drive
 Fort Myers, FL 33905
 Tel: 239.277.0722
 Fax: 239.277.7178



SKETCH & DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-B
LYING WITHIN
SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA



SIX LAKES COUNTRY CLUB, INC.
S.N. 33-43-24-01-00001.00CE
O.R. 1775 PG. 4634

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 00°07'26" E	15.00'
L-2	S 89°52'34" W	40.01'
L-3	N 00°07'26" W	15.00'
L-4	N 89°52'34" E	40.01'

Exhibit "X"
Page 6 of 8

J:\2019\190601 LITTLETON\DRAWING\SKD\CONSTR. ESMT\SITCE PARCEL 350-A, B & C\190601 LITTLETON TCE PARCEL-350-B.DWG

SEE SHEET 5 OF 8 FOR DESCRIPTION

SKETCH & DESCRIPTION
T.C.E. - PARCEL 350-A, 350-B AND 350-C
LYING IN
SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST



5670 Zip Drive
Fort Myers, FL 33905
Tel: 239.277.0722
Fax: 239.277.7179

FOR:		LEE COUNTY	
COUNTY:	LEE	DWG DATE:	2/17/2021
PROJECT NO.:	190601	DRAWN BY:	RJO
DRAWING NO.:	190601 SKD	CHECKED BY:	SU
REVISION:		REV. DATE:	

SKETCH & DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-C
LYING WITHIN
SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

LEGAL DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-C

A PARCEL OF LAND LYING WITHIN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST AND BEING A PORTION OF THE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK 1775, PAGE 4634, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST; THENCE RUN S 89°52'34" W ALONG THE NORTH LINE OF SAID SECTION 33 A DISTANCE OF 24.91 FEET; THENCE DEPARTING SAID SECTION LINE RUN S 00°07'26" E A DISTANCE OF 25.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LITTLETON ROAD AS PER COUNTY COMMISSION MINUTE BOOK 5, PAGE 580, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE S 00°20'19" E ALONG THE WEST LINE OF A 50-FOOT DRAINAGE EASEMENT AS RECORDED IN DEED BOOK 237, PAGE 564 AND OFFICIAL RECORD BOOK 2084, PAGE 2319 - 2327 PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 15.00 FEET; THENCE S 89°52'34" W A DISTANCE OF 27.87 FEET; THENCE N 00°07'26" W A DISTANCE OF 15.00 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF LITTLETON ROAD; THENCE N 89°52'34" E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 27.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 418 SQUARE FEET MORE OR LESS

J:\2019\190601 LITTLETON\DRAWING\SKD\SICONS.T. ESMT\SITCE PARCEL 350-A, B & C\190601 LITTLETON TCE PARCEL-350-C.DWG

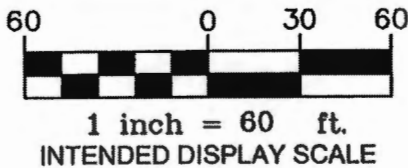
FOR:		LEE COUNTY	
COUNTY:	LEE	DWG DATE:	2/17/2021
PROJECT NO.:	190601	DRAWN BY:	RJO
DRAWING NO.:	190601 SKD	CHECKED BY:	SU
REVISION:		REV. DATE:	

SEE SHEET 8 OF 8 FOR SKETCH

SKETCH & DESCRIPTION
T.C.E. - PARCEL 350-A, 350-B AND 350-C
LYING IN
SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST

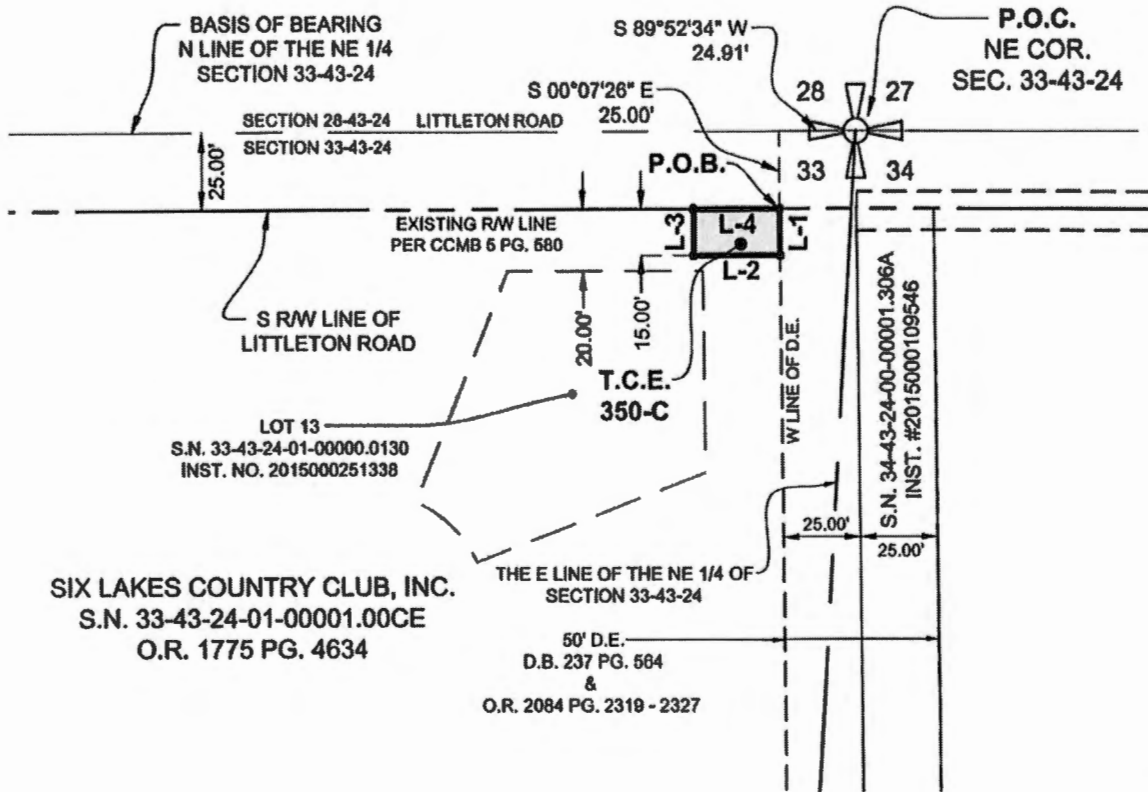


5670 Zip Drive
Fort Myers, FL 33905
Tel: 239.277.0722
Fax: 239.277.7179



SKETCH & DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT - PARCEL 350-C
 LYING WITHIN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST
 LEE COUNTY, FLORIDA



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 00°20'19" E	15.00'
L-2	S 89°52'34" W	27.87'
L-3	N 00°07'26" W	15.00'
L-4	N 89°52'34" E	27.82'

Exhibit "X"
 Page 8 of 8

SEE SHEET 7 OF 8 FOR DESCRIPTION

J:\2019\190601 LITTLETONDRAWING\SKD\CONSTR. ESMT\SITCE PARCEL 350-A, B & C\190601 LITTLETON TCE PARCEL-350-C.DWG

FOR:		LEE COUNTY	
COUNTY:	LEE	DWG DATE:	2/17/2021
PROJECT NO.:	190601	DRAWN BY:	FJO
DRAWING NO.:	190601 SKD	CHECKED BY:	SU
REVISION:		REV. DATE:	

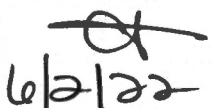
SKETCH & DESCRIPTION
 T.C.E. - PARCEL 350-A, 350-B AND 350-C
 LYING IN
 SECTION 33, TOWNSHIP 43 SOUTH, RANGE 24 EAST



5670 Zip Drive
 Fort Myers, FL 33905
 Tel: 239.277.0722
 Fax: 239.277.7179

The attached document has been approved by the Board of County Commissioners. Please review the instructions below and forward to the appropriate office when complete.

Meeting Date:	12/07/2021
Agenda Item #:	C13
Agenda Item Title:	Authorize Binding Offer for Littleton Road Widening—Corbett Road to US 41 (Parcel 350-TCE)
Attachment(s):	(1) Temporary Construction Easement Agreement

Department	Instructions
County Attorney	Please review the attached document(s) at the BLUE sticker. If you have any questions concerning the document(s), contact the originating department. After completion, forward to the CHAIR/VICE CHAIR for signature.
Chair/Vice Chair	Sign the attached document(s) at the RED sticker. After completion, forward to the MINUTES OFFICE for execution.
Minutes Office 	Execute the attached document(s). After document(s) are completely executed, return the remaining originals to Laurel Chick, County Administration for distribution.

Date out from Administration: 06/01/22

Return to Dept. Novus

RECEIVED
MINUTES OFFICE
2022 JUN -2 AM 10:31

2022 JUN -1 AM 11:08
RECEIVED BY
LEE CO. ATTORNEY

**MEMORANDUM
FROM
COUNTY LANDS**

DATE: 5/26/2022

To: Laurel Chick
Internal Services Manager
County Administration

FROM: 
Marja Borkert
Property Acquisition Assistant

**RE: Temporary Construction Easement Agreement- Littleton Road Widening
Corbett Road to US 41, No 5028
Parcel 350-A (TCE), 350-B (TCE) and 350-C (TCE)**

On December 7, 2021, in accordance with County Lands Consent Agenda Item No. 13, the Lee County Board of County Commissioners authorized County staff to handle and accept all documentation to complete the acquisition of the Binding Offer for Littleton Road Widening-Corbett Road to US 41 (Parcel 350- TCE).

Pursuant to the above Board Action, please find the following item requiring your signature:

- Temporary Construction Easement Agreement

For your convenience, we have attached a copy of the Agenda Item Report.

COUNTY ATTORNEY:

Please approve the Temporary Construction Easement Agreement and affix your signature in the space provided. Upon approval, please forward the Temporary Construction Easement Agreement to Commissioner Pendergrass's Office.

COMMISSIONER Pendergrass

Please sign the Temporary Construction Easement Agreement where indicated on the signatory page, then forward to the Minutes Department.

MINUTES DEPARTMENT:

Please affix the Clerks seal and signature where indicated on the signatory page.

**Please return all originals to Department of County Lands via interoffice mail.
Thank you.**

**AGENDA ITEM REPORT**

DATE: December 7, 2021
DEPARTMENT: County Lands
REQUESTER: Robert Clemens
TITLE: Authorize Binding Offer for Littleton Road Widening—Corbett Road to US 41 (Parcel 350-TCE)

I. MOTION REQUESTED

- A) Authorize County Lands to make a binding offer to Six Lakes Country Club, Inc., a Florida Corporation, in the amount of \$7,000 to acquire a temporary construction easement interest in Parcels 350-A (TCE) (+/- 1,351 square feet), 350-B (TCE) (+/- 600 square feet) and 350-C (TCE) (+/- 418 square feet) for the Littleton Road Widening – Corbett Road to US 41, Project No. 5028 (formerly identified as 8414), pursuant to the terms and conditions of the Easement Purchase Agreement;
 B) Authorize the Chair on behalf of the Board to execute the Easement Purchase Agreement and Temporary Construction Easement Agreement, should the offer be accepted;
 C) Authorize payment of necessary fees and costs to complete the transaction, estimated to be \$1,500; and
 D) Authorize County Lands to handle and accept all documentation necessary to complete the transaction.

II. ITEM SUMMARY

Approves an offer of \$7,000 to acquire a temporary construction easement interest in Parcels 350-A (TCE) (+/- 1,351 square feet), 350-B (TCE) (+/- 600 square feet) and 350-C (TCE) (+/- 418 square feet) for the Littleton Road Widening – Corbett Road to US 41, Project No. 5028. This offer is necessary to accommodate the construction schedule, should condemnation actions be required. The estimated cost to close this acquisition is \$1,500. The appraised value is \$5,500 (inclusive of land, improvements and cost to cure). The recommended increase of \$1,500 is to avoid condemnation and its costs and expenses.

III. BACKGROUND AND IMPLICATIONS OF ACTIONA) Board Action and Other History

On February 21, 2017, Administrative Agenda Item A3, Blue Sheet No. 201700052, the Board approved an alignment study to analyze alternative alignments and determine the right-of-way needs for the future widening of Littleton Road.

On January 15, 2019, Consent Agenda Item 25, the Board approved a three-lane alternative, which includes two (2) 11-foot travel lanes, one (1) 12-foot bi-directional lane, on-road bicycle lanes, and a 6-foot sidewalk on each side of Littleton Road.

The Resolution of Necessity (No. 21-05-34) for this parcel was adopted by the Board of County Commissioners on May 18, 2021 in Administrative Agenda Item 1.

B) Policy IssuesC) BoCC Goals
TransportationD) Analysis

The Department of Transportation completed the design plans and is finalizing permits for the Littleton Road Widening – Corbett Road to US 41, Project No. 5028. Construction is anticipated to commence in Fiscal Year 2021/22.

Owner: Six Lakes Country Club, Inc., a Florida Corporation
 Site Address: 9151 Littleton Road, North Fort Myers, FL 33903
 Part of STRAP No.: 33-43-24-01-00001.00CE

The property has not sold within the prior five years.

Binding Offer Amount/Purchase Price: \$7,000
 Estimated Closing Costs: \$1,500 (Costs include title commitment, policy and closing expenses)

Appraised Value: \$5,500 (Includes land, improvements and cost to cure)
 Company: DL Valuation, LLC

Staff is of the opinion that the purchase price of \$7,000 can be justified, considering the costs of condemnation to be between \$7,500 and \$10,000, excluding land value adjustments and additional owner's attorney fees/costs.

E) Options**IV. FINANCIAL INFORMATION**

A)	Current year dollar amount of item:	\$8,500
B)	Is this item approved in the current budget?	Yes
C)	Is this a revenue or expense item?	Expense
D)	Is this Discretionary or Mandatory?	Discretionary
E)	Will this item impact future budgets? If yes, please include reasons in III(D) above.	Yes
F)	Fund: Transportation Capital Improvements Program: Capital Projects Project: Littleton Road Widening – Corbett Road to U.S. 41 Account Strings: 20502838822	
G)	Fund Type?	Other: Road Impact Fees
H)	Comments:	

V. RECOMMENDATION

Approve

VI. TIMING/IMPLEMENTATION

VII. FOLLOW UP

ATTACHMENTS:

Description	Upload Date	Type
Easement Purchase Agreement	11/9/2021	Agreement
Appraisal Executive Summary	11/9/2021	Backup Material
Title Data	11/9/2021	Backup Material
Location Maps	11/9/2021	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
County Lands	Clemens, Robert	Approved	11/17/2021 - 12:02 PM
County Lands	Cerchie, Randy	Approved	11/17/2021 - 12:06 PM
Budget Services	Guttery, Angela	Approved	11/18/2021 - 2:07 PM
Budget Services	Winton, Peter	Approved	11/18/2021 - 3:49 PM
County Attorney	Halverson, David	Approved	11/27/2021 - 4:14 PM
County Manager	Mora, Marc	Approved	11/29/2021 - 4:43 PM