

MEMORANDUM

Accepted in Open Session
Manatee County Board of County Commissioners

3/20/18



To: Ed Hunzeker
County Administrator

Thru: Ron Schulhofer, Director
Public Works Department

From: Carmen Mosley, Sr. Fiscal Services Mgr./
Jane Oliver, Bond Coordinator
Public Works Department

Date: March 6, 2018

Subject: **SAVANNA AT LAKEWOOD RANCH, PHASE II, SUBPHASE A & B
PDR-14-09/16-S-21 (F)
ACCEPT BILL OF SALE**

On December 12, 2017, a defect security agreement securing potable water and sanitary sewer improvements was accepted. A Bill of Sale was required for this project, however, was never obtained. By acceptance of this Bill of Sale, the developer is meeting the requirements of Manatee County. We therefore, per Resolution R-14-86, respectively request the County Administrator to approve the following:

- **Accept, Execute and Record** Bill of Sale in conjunction with Section 1.5 "Maintenance, Defects" of the *Agreement for Public Subdivision Improvements* accepted securing potable water and sanitary sewer improvements.

Instructions to Board Records

1. Copies of release request to: Claudia Campos (Claudia.campos@ManateeClerk.com), Julie Jensvold (Julie.jensvold@ManateeClerk.com), Abby Lindecamp (abby.lindecamp@ManateeClerk.com), Terrence Kirschner (Terry.Kirschner@Lennar.com), and Jane Oliver (jane.oliver@mymanatee.org).

**MANATEE COUNTY, a political
subdivision of the State of Florida**

By: Board of County Commissioners

By: 
County Administrator, per R-14-86

RS/CM/jo

cc: Records Management
Sia Mollanazar, P.E., Deputy Director – Engineering Services
Chad Butzow, P.E., Deputy Director – Field Services Operations
Ken LaBarr, Infrastructure Inspections Division Manager
Terry Kirschner, Lennar Homes, LLC

Attachments

Public Works Department
Fiscal Services Division
1022 26th Avenue East, Bradenton, FL 34208
Phone number: (941)708-7450

RESOLUTION NO.R-14-86

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE DELEGATION OF CERTAIN AUTHORITY TO THE COUNTY ADMINISTRATOR AND COUNTY ATTORNEY REGARDING PERFORMAMCE SECURITIES AND DEFECT SECURITIES PURSUANT TO SECTION 910 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE; REPEALING RESOLUTION NO. R-08-169; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 910 of the Manatee County Land Development Code (the "Code") sets forth the procedures for approval of subdivision plats, including requirements for the posting of performance securities and defect securities with the County to secure the completion of certain public and private improvements; and

WHEREAS, pursuant to Resolution No. R-08-169, the Board of County Commissioners of Manatee County, Florida, (the "Board") delegated certain authority to the County Administrator and County Attorney to exercise the County's rights against such securities in accordance with the Code; and

WHEREAS, it is in the best interest of the public health, safety and welfare of the County for the Board to repeal Resolution No. R-08-169 in its entirety and replace it with this Resolution, to further implement the provisions of Section 910 of the Code; and

WHEREAS, the Board finds that by delegating the authority in the specific circumstances set forth herein, the County is better able to protect the public interest.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Manatee County, Florida:

Section 1. Findings. The findings set forth above are hereby adopted as findings of the Board and incorporated herein by reference.

Section 2. Delegation of Authority. The Board hereby delegates to the County Administrator and the County Attorney, and their respective designees, the authority to accept, hold and draw upon performance securities and defect securities posted with the County pursuant to Section 910 of the Code. Such authority shall apply to any subdivision for which (a) the Board has approved the subdivision plat and a related improvements agreement in accordance with Section 910 of the Code. Such authority shall include, without limitation, the following:

- i. The authority to accept, hold, maintain and, upon completion of required improvements or expiration of the required defect guaranty period,

release performance securities and defect securities posted with the County pursuant to Section 910 of the Code;

- ii. The authority to administer and exercise the County's rights under any related improvements agreement, and to release such improvements agreement in accordance with the provisions thereof upon full performance by the developer;
- iii. The authority to sign and issue upon the County's behalf any notices of default when a developer defaults in its obligations under an improvements agreement (such notices of default to be issued to the obligor in default of its obligations and to any third-party guarantor, including any entity holding a letter of credit or surety bond in the County's favor);
- iv. The authority to call upon any such third-party guarantor to complete the required work or to provide the guaranteed monies to the County for the completion of same (in accordance with the performance security or defect security and the related agreement);
- v. The authority to draw upon a performance security or defect security whenever the County has the right to do so and it is necessary to do so in order to protect the public interest; and
- vi. The authority of the County Attorney to initiate judicial or administrative proceedings to enforce the County's rights under a performance security or defect security and related improvements agreement.

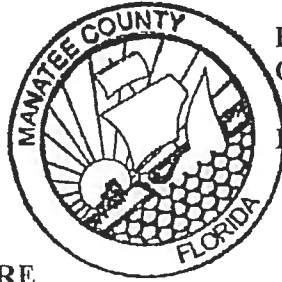
Such authority shall be vested concurrently in the County Administrator and the County Attorney. Should both such officials be unavailable, the authority shall rest with any Deputy County Administrator or any Assistant County Attorney designated in writing by the County Administrator or County Attorney, respectively.

Section 3. Repeal of Resolution No. R-08-169. Resolution No. R-08-169 is hereby repealed.

Section 4. Severability. If any section, sentence, clause, or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption by the Board of County Commissioners.

PASSED AND DULY ADOPTED with a quorum present and voting this 9th day of September, 2014.



BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: Larry Butta
Chairperson

ATTEST: R.B.SHORE
Clerk of the Circuit Court

By: Robin Liberty
Deputy Clerk

WHEREFORE, the County and Developer and/or CDD have executed this Bill of Sale as of this 1st day of March, 2018.

MANATEE COUNTY, a political subdivision of the State of Florida

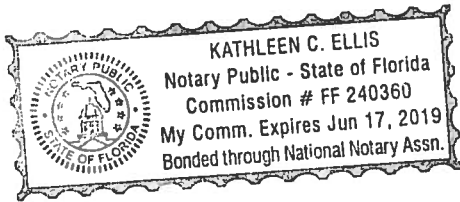
By: Board of County Commissioners

By: [Signature]
County Administrator

STATE OF: Florida

COUNTY OF: Manatee

The foregoing instrument was acknowledged before me this 1st day of March, 2018, by ED HUNZEKER (County Administrator) for and on behalf of the Manatee County Board of County Commissioners who is personally known to me or has produced N/A as identification



[Signature]

NOTARY PUBLIC Signature

KATHLEEN C. ELLIS

Printed Name

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that Lennar Homes, LLC, a Florida limited liability company, whose address is 10481 Ben C. Pratt Pkwy, Fort Myers, Florida 33966 (hereinafter referred to as SELLER), for and in consideration of the sum of Ten and No Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, from Manatee County, Florida, a political subdivision of the State of Florida, whose address is Post Office Box 1000, Bradenton, Florida 34206 (hereinafter referred to as COUNTY), has granted, bargained, sold, transferred, conveyed and delivered to the COUNTY, its executors, administrators, successors and assigns forever, the following located within Savanna at Lakewood Ranch, Phase II, Subphase A & B:

1. All wastewater lines, pipes, valves, pumps, laterals, force mains, tees, bends, joints, lift stations, facilities, equipment and appurtenances thereto, located within or upon that certain real property owned by the SELLER as described in Exhibit "A-1" and further depicted on Exhibit "A-2", including that certain lift station as described in Exhibit "A-3", attached hereto and made a part hereof situate, lying and being in the County of Manatee, State of Florida; and

2. All potable water lines, pipes, valves, pumps, laterals, force mains, tees, bends, joints, pump stations, facilities, equipment, and appurtenances thereto, located within or upon that certain real property owned by the SELLER as described in Exhibit "A-1" and further depicted in Exhibit "A-2, attached hereto and made a part hereof situate, lying and being in the County of Manatee, State of Florida.

TO HAVE AND TO HOLD the same unto the COUNTY, its executors, administrators, successors and assigns forever. The COUNTY shall have all rights and title to the above described personal property.

AND the SELLER hereby covenants to and with the COUNTY and assigns that SELLER is the lawful owner of the said personal property; that said personal property is free from all liens and encumbrances; that SELLER has good right and lawful authority to sell said personal property; and that SELLER fully warrants title to said personal property and shall defend the same against the lawful claims and demands of all persons whomsoever. *Savanna at Lakewood Ranch, Phase II, Subphase A & B*

Savanna at Lakewood Ranch, Phase II, Subphase A & B

IN WITNESS WHEREOF, the SELLER has hereunto set its hand and seal, by and through its duly authorized representatives, this the 13 day of December, 2017.

WITNESSES:

Lennar Homes, LLC, a Florida limited liability company

Signature: [Signature]
Print Name: KIRK

By: _____
Darin McMurray Vice President

Signature: [Signature]
Print Name: LINA BOOS

STATE OF Florida
COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 13th day of December, 2017, by Darin McMurray as Vice President of Lennar Homes, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced _____ as identification.

[Signature]
Signature of Notary Public

Susan Marie Smith
Name Typed, Printed or Stamped

Commission No.: _____

My Commission Expires: _____



EXHIBIT "A-1"

DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land located within Savanna at Lakewood Ranch, Phase II, Subphases A and B, recorded in Plat Book 61, Page 143 of the Public Records of Manatee County, Florida and lying in Section 4, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Tract 202 (Lift Station Tract) of said Savanna at Lakewood Ranch, Phase II, Subphases A and B;

ALSO INCLUDING:

A portion of Tract 301 of said plat of Savanna at Lakewood Ranch, Phase II, Subphases A and B described as follows:

All of that portion of said Tract 301 described as Savanna Palms Court on said plat and all of that portion of said Tract 301 described as Scrub Creek Run on said plat and all of that portion of said Tract 301 described as Flat Woods Terrace on said plat lying west of the following described east limit line:

Commence at the point of intersection of the centerline of said Flat Woods Terrace and said Scrub Creek Run; thence S.71°31'49"E., a distance of 53.83 feet to the south right-of-way line of said Flat Woods Terrace for the POINT OF BEGINNING; thence N10°58'48"W., a distance of 50.00 feet to the north right-of-way line of said Flat Woods Terrace and there terminating.

NOTES:

1. BEARINGS SHOWN HEREON ARE RELATIVE TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 19 EAST, HAVING A BEARING OF S.00°08'20"E., AND DO NOT REFER TO THE TRUE MERIDIAN.
2. THIS IS A SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
3. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER, THIS SKETCH, DRAWING, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY.

STANTEC CONSULTING SERVICES, INC.
 Licensed Business No. LB7866
 State of Florida

Robert W. Coleman, P.S.M.
 Florida Registration No. 5478

 Date of Signature

**SEE SHEET 1 FOR OVERALL
 SEE SHEET 2 FOR DETAIL**

FOR: **This is NOT a Survey and Not valid without all sheets.**

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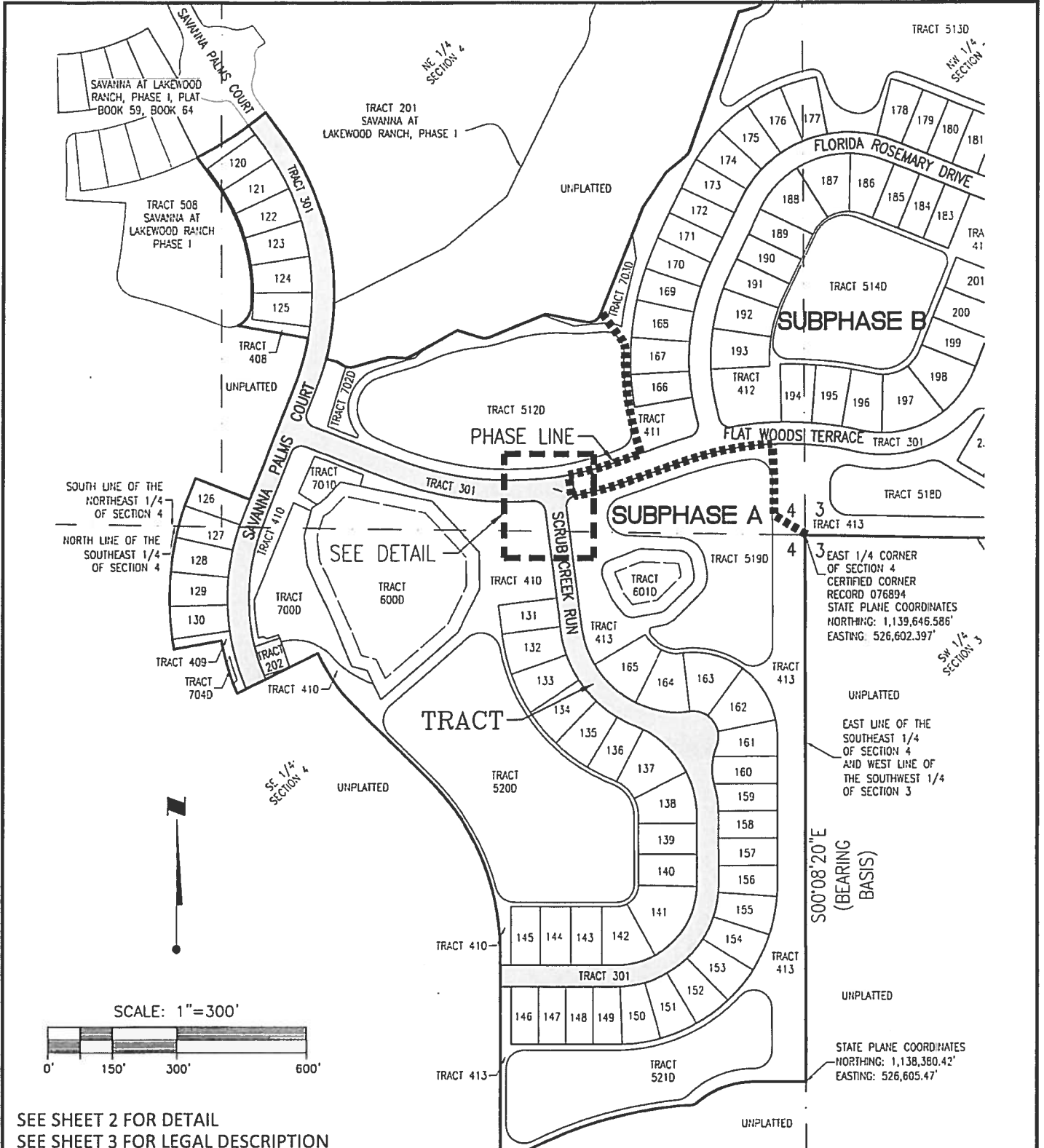
SKETCH & DESCRIPTION OF TRACT 202 & A PORTION OF TRACT 301
 SAVANNA AT LAKEWOOD RANCH, PHASE II, SUBPHASE A & B
 SECTION 4, TOWNSHIP 35 S., RANGE 19 E.,
 MANATEE COUNTY, FLORIDA



Stantec

6900 Professional Parkway East, Sarasota, FL 34240-8414
 Phone 941-907-6900 • Fax 941-907-6910
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 Licensed Business Number 7666

TASK CODE: 550	DRAWN BY: EDM	CHKD BY: RWC	CAD FILE: 215612893v-sk0004*	PROJECT NO: 215612893	SHEET 3 OF 3	DRAWING INDEX NO: A215612893-sk0004*	REV:
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SEE SHEET 2 FOR DETAIL
SEE SHEET 3 FOR LEGAL DESCRIPTION
FOR:

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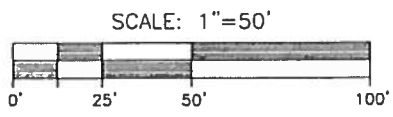
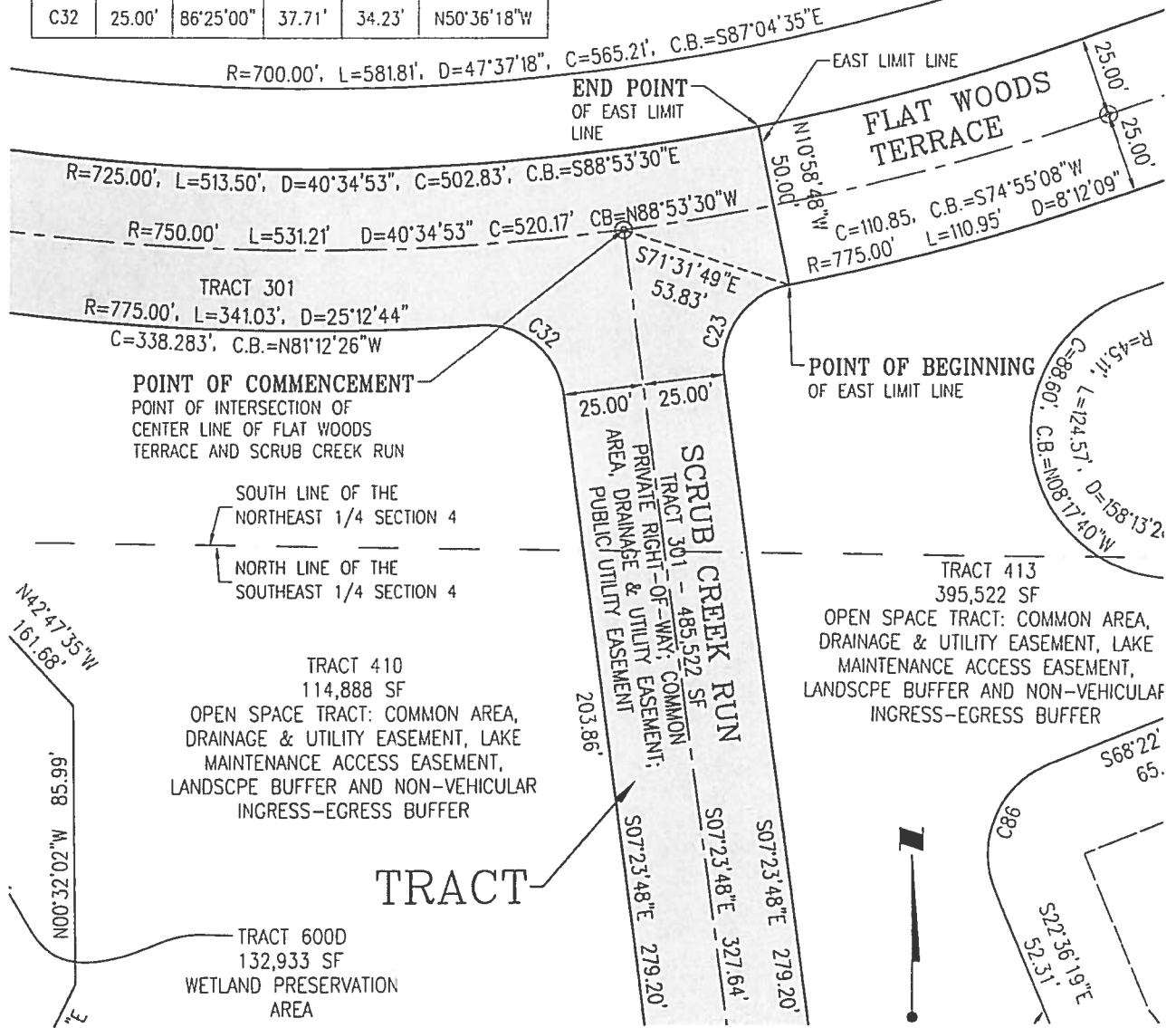
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CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C23	25.00'	86°25'00"	37.71'	34.23'	S35°48'42"W
C32	25.00'	86°25'00"	37.71'	34.23'	N50°36'18"W



FOR: This is NOT a Survey and Not valid without all sheets.

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**LIFT STATION INFORMATION FORM
EXHIBIT "A-3"**

PROJECT NAME	Savanna at Lakewood Ranch Ph2	PUMP #1	
ENGINEER	Stantec, Inc.	MAKE:	Hydromatic
CONTRACTOR	C&M Road Builders, Inc.	MODEL:	S4K 4000M4-4
LIFT STATION NAME / RTU		SERIAL#	10319839
STREET ADDRESS	3525 Savanna Palms Court	HORSEPOWER:	40
CITY	Bradenton, FL 34211	DISCHARGE SIZE:	4"
GPM	227	IMPELLER SIZE:	12"
TDH	161	VOLTAGE:	460
WET WELL SIZE (DIAMETER)	6'	PHASE:	3
WET WELL TOP ELEVATION	37.62	R.P.M.:	1750
PUMP GUIDE RAIL MODEL	BPIU-34	PUMP #2	
WET WELL(PUMP DISCHARGE) PIPE SIZE	4"	MAKE:	Hydromatic
WET WELL(PUMP DISCHARGE) PIPE TYPE	4"	MODEL:	S4K 4000M4-4
INFLUENT LINE SIZE	8"	SERIAL#	10319840
INFLUENT LINE ELEVATION	20.08	HORSEPOWER:	40
WET WELL BOTTOM SLAB ELEVATION	12.70	DISCHARGE SIZE:	4"
GATE VALVE MANUFACTURER	American Flow Control 2500-1	IMPELLER SIZE:	12"
CHECK VALVE MANUFACTURER	Kennedy 1106LW	VOLTAGE:	460
GATE & CHECK VALVE SIZE	4"	PHASE:	3
ROUGH SERVICE(PUMP OUT) SIZE	4"	R.P.M.:	1750
ELECTRICAL SERVICE VOLTS	480	PUMP#3 (IF APPLICABLE)	
ELECTRICAL SERVICE PHASE	3	MAKE:	
MAIN CIRCUIT BREAKER MODEL NO.	Sq.D HGL 36125	MODEL:	
CONTROL CIRCUIT BREAKER MODEL NO.	Sq. D QOU115	SERIAL#	
PUMP CIRCUIT BREAKER MODEL NO.	Sq. D HGL36080 & S29450	HORSEPOWER:	
MOTOR STARTER MAKE & SIZE	Siemens 14HUG32AF NEMA 3	DISCHARGE SIZE:	
ELECTRIC METER NUMBER	920248506	IMPELLER SIZE:	
WATER METER NUMBER		VOLTAGE:	
BACKFLOW SERIAL NUMBER	4539800	PHASE:	
FORCE MAIN SIZE	6"	R.P.M.:	
FORCE MAIN PIPE TYPE	PVC C-900		
FORCE MAIN LENGTH	1404'		
DOWNSTREAM LIFT STATION			
FORCE MAIN TERMINATION LOCATION	Savanna Palms Court 22' E of C/L Rdwy and 160' S of C/L circle Saw Palm Creek Trail		
FORCEMAIN VALVE LOCATIONS	Savanna Palms Court 26' E of C/L Rdwy and 298' S of C/L of Flat Woods Ter. Intersection		