

THIS INSTRUMENT PREPARED BY:

Keene Development LLC  
10970 S. Cleveland Ave., Ste 405  
Fort Myers, Fl. 33907

STRAP No.:

21-44-25-00-00004.0000

21-44-25-00-00004.0010

24-44-25-00-00004.0020

---

**PERPETUAL DRAINAGE EASEMENT AND MAINTENANCE COVENANT**

This INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020, between Euro Construction, LLC, whose address is 16251 North Cleveland Avenue, North Fort Myers, Florida 33903, ("Grantor"), and Lee County, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, ("County"):

WHEREAS, Grantor desires to construct a storage project known as Euro RV Storage and has applied for a development order (DOS2019-00042) approval from County;

WHEREAS, Grantor will be constructing an 18" storm drain pipe and associated catch basins, mitered end sections, backfill and sod in an existing drainage ditch which passes across the easterly end of its project;

WHEREAS, Grantor has received a permit (36-101918-P) from the South Florida Water Management District for its proposed work;

WHEREAS, Section 10-327(b) of the Land Development Code requires a suitable maintenance covenant for storm water management systems which runs with the land; and

WHEREAS, Section 10-328(b) of the Lee County Land Development Code requires the dedication of a 15 feet wide drainage easement for a closed drainage system;

WITNESSETH:

For good and valuable consideration, receipt of which is hereby acknowledged, Grantor grants to the County, its successors and assigns, a 15 feet drainage easement situated in Lee County, Florida, and located and described as set forth in attached Exhibit "A" ("Easement Parcel").

Grantor will constructed the drainage improvement within the Easement Parcel as proposed in the development order application solely at its own expense.

Grantor, and its successors and assigns, shall be responsible for maintenance of the storm piping and drainage improvements within the Easement Parcel.

Grantor may utilize the Easement Parcel as needed provided it does not interfere with County's rights contained in this easement.

Grantor's required landscape plantings shall not interfere with the function of the Easement Parcel or the drainage improvement therein.

Grantor shall not construct any fencing that would prohibit access to the Easement Parcel by County.

County, its successors, appointees and assigns, are granted the right, privilege, and authority, but not the obligation, to construct, and maintain storm water drainage improvements, including storm water pipe, a catch basin, swales and other appurtenances, to be located under, across, upon and through the Easement Parcel 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, dig into pavement, and remove fences when reasonable necessary for the proper operation of the said drainage facilities.

County has the right and authority to remove and dispose of dirt, rocks and vegetation within the Easement Parcel. The storm water drainage easement will not be limited to any one (1) diameter size or type and/or number of connections to other storm water lines for providing drainage. The area of this storm water drainage easement is reserved for the swales, ditches, pipe and catch basin, except it may be used for landscaping (excluding trees), walkways, roadways, drainage way, or similar uses that do not conflict with the County's use of the Easement Parcel. Houses, buildings, carports, garages, storage sheds, and other similar type structures may never be built the Easement Parcel.

Title to any improvements constructed by the County within the Easement Parcel will remain in the County, its successor or assigns.

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 covenants that he is lawfully seized and possessed of the real property described in Exhibit "A", has good and lawful right and power to convey it, and that the property is free and clear of all liens and encumbrances, except as herein stated or recorded in the Public Records of Lee County, Florida and accordingly, Grantor will forever warrant and defend the title and terms to this easement and the quiet possession thereof against all claims and demands of all other entities.

This easement and maintenance covenant runs with the land and is binding upon the parties, their successors and assigns.

IN WITNESS WHEREOF, this Covenant is executed this \_\_\_\_ day of \_\_\_\_\_, 2020.

Signed, sealed and delivered  
in the presence of:

**Euro Construction, LLC**  
A Florida Limited Liability Company

\_\_\_\_\_  
[1<sup>st</sup> Witness' Signature]

\_\_\_\_\_  
[Type or Print Name]

\_\_\_\_\_  
[2<sup>nd</sup> Witness' Signature]

\_\_\_\_\_  
[Type or Print Name]

BY: \_\_\_\_\_

Joseph F. Campbell  
Manager

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing Agreement was acknowledged before me by means of \_\_\_\_ physical presence or \_\_\_\_ online notarization, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by Joseph F. Campbell, as Member of and on behalf of Euro Construction, LLC, a Florida Limited Liability Company.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed name:

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_\_ day  
\_\_\_\_\_ of \_\_\_\_\_, 2020.

MANAGER, DEVELOPMENT SERVICES  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
ON BEHALF OF THE BOARD OF  
COUNTY COMMISSIONERS OF  
LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
Jessica Sulzer, P.E.  
Manager, Development Services  
Department of Community Development

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY:

By: \_\_\_\_\_  
Lee County Attorney's Office

Attachment – Exhibit “A” – Legal Description

**SKETCH AND DESCRIPTION**  
**OF A PARCEL OF LAND LYING IN**  
**SECTION 21, TOWNSHIP 44 SOUTH, RANGE 25 EAST,**  
**LEE COUNTY, FLORIDA**

**Exhibit A**

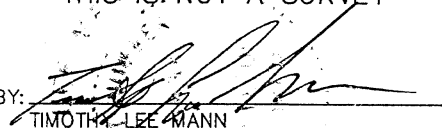
**DRAINAGE EASEMENT**

AN EASEMENT LOCATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PORTION OF LOT 3, PINE CREST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 3, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 3, PINE CREST, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 3, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.88°13'11"W., ALONG THE SOUTH LINE OF SAID LOT 3, FOR A DISTANCE OF 15.00 FEET; THENCE N.00°50'11"W., PARALLEL AND 15 FEET WEST OF THE EAST LINE OF SAID LOT 3, FOR A DISTANCE OF 276.72 FEET TO THE NORTH LINE OF SAID LOT 3; THENCE N.89°16'41"E., ALONG THE NORTH LINE OF SAID LOT 3, FOR A DISTANCE OF 15.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE S.00°50'11"E., ALONG THE EAST LINE OF SAID LOT 3, FOR A DISTANCE OF 276.44 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3,000 SQUARE FEET, OR 0.069 ACRE, MORE OR LESS

\* THIS IS NOT A SURVEY \*

BY:   
TIMOTHY LEE MANN  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. LS# 5838

DATE SIGNED: Sept 4, 2019

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


**NOTES:**

1. BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 3, PINE CREST AS BEING S.88°13'11"W.

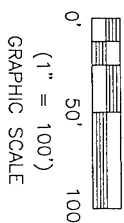
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.

3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

4. RECORDING INFORMATION SHOWN HEREON RELATES TO THE PUBLIC RECORDS OF LEE COUNTY.

<b>TITLE: LEGAL DESCRIPTION</b>			
		<b>METRON</b> <b>SURVEYING &amp; MAPPING, LLC</b> LAND SURVEYORS • PLANNERS LB# 7071	
10970 S. CLEVELAND AVE. SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457  www.metronfl.com			
FILE NAME: 14593 DE SK	FIELD BOOK/PAGE: N/A	PROJECT NO.: 14593	SHEET: 1 OF 2
EXHIBIT DATE: 9/04/19	DRAWN BY: BUD	SCALE: 1" = 100'	CHECKED BY: TLM  FILE NO. (S-T-R) 21-44-25

# SKETCH AND DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA



NW COR OF NE 1/4  
OF NW 1/4 SEC 25,  
TWP 44S, RNG 25E

LOT 3  
P.B. 42, PG 62  
(OCCUPIED)

LOT 4  
P.B. 42, PG 62  
(VACANT)

NORTH LINE OF OLD IMOKALEE ROAD  
OLD IMOKALEE ROAD (50')  
(PER PLAT, NOT CONSTRUCTED)

SOUTH LINE OF P.B. 42, PG 62  
CENTERLINE

LOT 1  
P.B. 42, PG 62  
(OCCUPIED)

40' ROAD PER PLAT  
(NOT CONSTRUCTED)

PARCEL 2  
21-44-25-01-00004.0020  
4565 DR MLK JR BLVD  
(VACANT)

PARCEL 1  
21-44-25-01-00004.0000  
4563 DR MLK JR BLVD  
(VACANT)

LOT 3, PINE CREST  
P.B. 5, PG 3

PARCEL 3  
21-44-25-01-00004.0010  
NO ADDRESS GIVEN  
(VACANT)

LOT 4  
P.B. 5, PG 3  
(OCCUPIED)

- LEGEND:**  
D.E. = DRAINAGE EASEMENT  
P.O.B. = POINT OF BEGINNING  
P.B. = PLAT BOOK  
PG = PAGE  
SEC = SECTION  
TWP = TOWNSHIP  
RNG = RANGE  
R/W = RIGHT OF WAY  
N = NORTHING  
E = EASTING

P.O.B.  
SE CORNER LOT 3,  
PINE CREST  
P.B. 5, PG 3  
N: 838636.57  
E: 715678.93

DR MARTIN LUTHER KING JR. BLVD  
A VARIABLE WIDTH PUBLIC RIGHT OF WAY

R/W

## NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 3, PINE CREST AS BEING S.88°13'11"W.
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
4. RECORDING INFORMATION SHOWN HEREON RELATES TO THE PUBLIC RECORDS OF LEE COUNTY.

## LINE TABLE

LINE	BEARING	DISTANCE
L1	S 88°13'11" W	15.00'
L2	N 89°16'41" E	15.00'

## SKETCH OF DESCRIPTION

\* THIS IS NOT A SURVEY \*



**METRON**  
SURVEYING & MAPPING, LLC

LAND SURVEYORS-PLANNERS

LB# 7071

www.metronfl.com

10970 S. CLEVELAND AVE.  
SUITE #605  
FORT MYERS, FLORIDA 33907  
PHONE: (239) 275-8575  
FAX: (239) 275-8457

FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
14593 DE SK	N/A	14593	1 OF 2
EXHIBIT DATE:	DRAWN BY:	CHECKED BY:	FILE NO. (S-T-R)
9/04/19	BUD	TLM	21-44-25