

**Lee County Board of County Commissioners**

**Agenda Item Summary**

**Blue Sheet No. 20021281**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve the Amended Resolution of Necessity for the acquisition and condemnation of parcels required for the Alico Road Six Laning, Project No. 4030.

**WHY ACTION IS NECESSARY:** To acquire parcels that are necessary for the Alico Road Six Laning Project.

**WHAT ACTION ACCOMPLISHES:** The Amended Resolution of Necessity allows the County to proceed with condemnation, if necessary, so parcels can be acquired for the Alico Road Six Laning Project, from east of Old U.S. 41 to Interstate 75.

**2. DEPARTMENTAL CATEGORY:** 12

**COMMISSION DISTRICT #:** 3 & 5

*A 12 A*

**3. MEETING DATE:**

*11-26-2002*

**4. AGENDA:**

- CONSENT
  - ADMINISTRATIVE
  - APPEALS
  - PUBLIC
  - WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

- (Specify)
- STATUTE 73, 74, 125, 127
  - ORDINANCE
  - ADMIN.
  - OTHER

**6. REQUESTOR OF INFORMATION**

- A. COMMISSIONER
  - B. DEPARTMENT County Attorney
  - C. DIVISION Litigation
  - BY: John Turner, Assistant County Attorney
- RC 10-30-02/02*

**7. BACKGROUND:**

The Alico Road Six Laning Project No. 4030, will improve the roadway between Old U.S. 41 and Interstate 75.

Approval of the Resolution of Necessity is required should condemnation proceedings be necessary for the acquisition of parcels required for this project.

The Resolution is being amended to add Parcels 125, 263, and 300 for fee acquisitions, to add Parcels 103-B, 111/112, 300-A and B-3953 for drainage easement acquisitions; to add Parcels B-3944-1 and B-3952 for water line easement acquisitions; to add Parcels 205 and 209-A for bikepath/sidewalk easement acquisitions and to add Parcels 209-B and 209-C for road right of way easements.

Funds will be available in Account No. 20403018804.506110.30

- 20 - Capital Projects
- 4030 - Alico Road 4 Laning
- 188 - Impact Fees-Roads
- 04 - Road Impact Fees SFM/Iona/BC
- 506110 - Land and Court Registry
- 30 - Construction

Staff recommends the Board approve the Requested Motion.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>[Signature]</i>				<i>[Signature]</i>	<i>OA</i> <i>11/4/02</i>	<i>OM</i> <i>11/7/02</i>	<i>RISK</i> <i>11/7/02</i>	<i>GC</i> <i>11/4/02</i>	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

**Rec. by CoAtty**  
 Date: *10/31/02*  
 Time: *2:30 pm*  
 Forwarded To: *CAD 11/22/02*

**RECEIVED BY**  
 COUNTY ADMIN.  
*11-4-02*  
*10:45*  
 COUNTY ADMIN.  
 FORWARDED TO: *DS*  
*11/7 11:30*

**AMENDED RESOLUTION OF NECESSITY  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

**WHEREAS**, after consideration of the availability of alternative routes, the costs of the project, environmental factors, long range area planning, and safety concerns, The Board of County Commissioners of Lee County, Florida, desires to exercise its right to condemn property for public use or purpose and that the property to be condemned is necessary for that use.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA, that:**

The Capital Improvement Project provides for the construction of the Alico Road Six Laning, Project No. 4030, by improving/widening Alico Road, from east of Old U.S. 41 to Interstate 75.

**SECTION ONE: USE, NECESSITY AND DESCRIPTION OF PROPERTY**

The Board of County Commissioners finds that the fee simple properties described in the attached Exhibit "A", "B", "C", "D", and "E" are necessary for the Alico Road Six Laning Project, and are being acquired for the specific public use or purpose of constructing a public road, related drainage, utilities and bikepath/sidewalk, to promote public safety. Parcels 125, 263 and 300, are necessary to the project, and being acquired in fee simple interest. Parcels 103-B, 111/112, 300-A and B-3953, described in the attached Exhibit "B", are necessary for the project and being acquired for drainage purposes as perpetual drainage easements. Parcels B-3944-1 and B-3952, described in the attached Exhibit "C", are necessary for the project and being acquired for the purpose of a water transmission line, the interest being acquired is in the form of a perpetual water line utility easement. Parcels 205 and 209-A, described in the attached Exhibit "D", are necessary for the project and being acquired for the purpose of a bikepath/sidewalk, the interest being acquired is a perpetual bikepath/sidewalk easement. Parcels 209-B and 209-C, described in the attached Exhibit "E", are necessary for the project and being acquired for the purpose of road right of way, the interest being acquired is in the form of a perpetual road right of way easement.

**Amended Resolution of Necessity**

Page 2

**SECTION TWO: AUTHORITY AND ESTATE**

By virtue of the authority granted to the Board of County Commissioners of Lee County by Chapters 73, 74, 125 and 127, Florida Statutes, and all other statutory or common law which grant to the Board of County Commissioners the power to institute and proceed with acquiring property under the exercise of the power of eminent domain, the Board of County Commissioners hereby authorizes and directs the County Attorney's Office to commence and prosecute any and all proceedings necessary to acquire in fee simple the properties described in Exhibit "A" and easement interests of properties described in Exhibits "B", "C", "D", and "E" for the above described public use or purpose.

Provided further, that should the compensation resulting from the condemnation of any parcel of land hereinabove identified be equal to or greater than the compensation necessary to acquire the entire tract of which such parcel forms a part, then the County Attorney is authorized and directed to amend, supplement, or institute proceedings to condemn the entire parent tract of any such parcel.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote was as follows:

Bob Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Andrew W. Coy	_____
John E. Albion	_____

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

**Amended Resolution of Necessity**  
Page 3

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

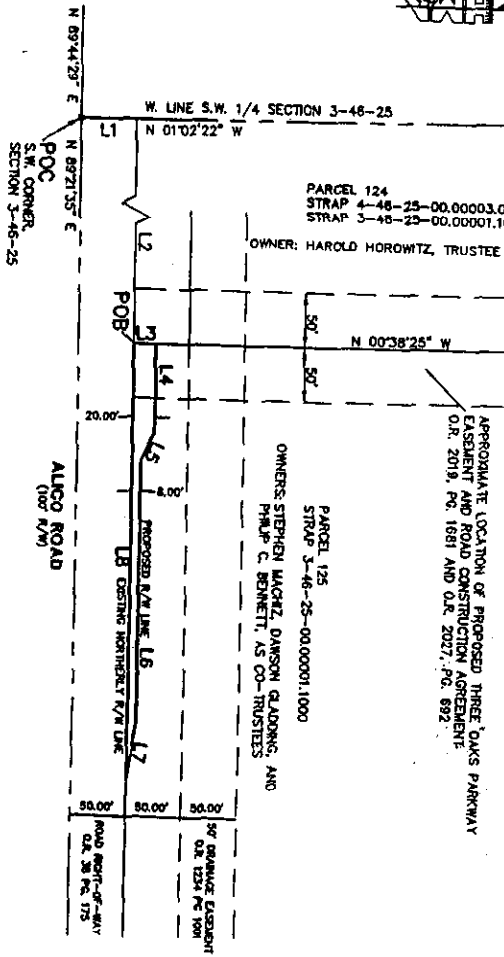
\_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Office of County Attorney

LEGEND:  
POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT

LINE	DIRECTION	DISTANCE
L1	N 01°02'22" W	50.00'
L2	N 89°21'35" E	1535.55'
L3	N 00°38'25" W	20.00'
L4	N 89°21'35" E	81.01'
L5	S 64°59'57" E	27.73'
L6	N 89°21'35" E	239.24'
L7	S 81°33'00" E	80.64'
L8	S 89°21'35" W	395.25'



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

LEGAL DESCRIPTION OF A PROPOSED RIGHT-OF-WAY TAKE PARCEL 125

\*NOT A SURVEY\*

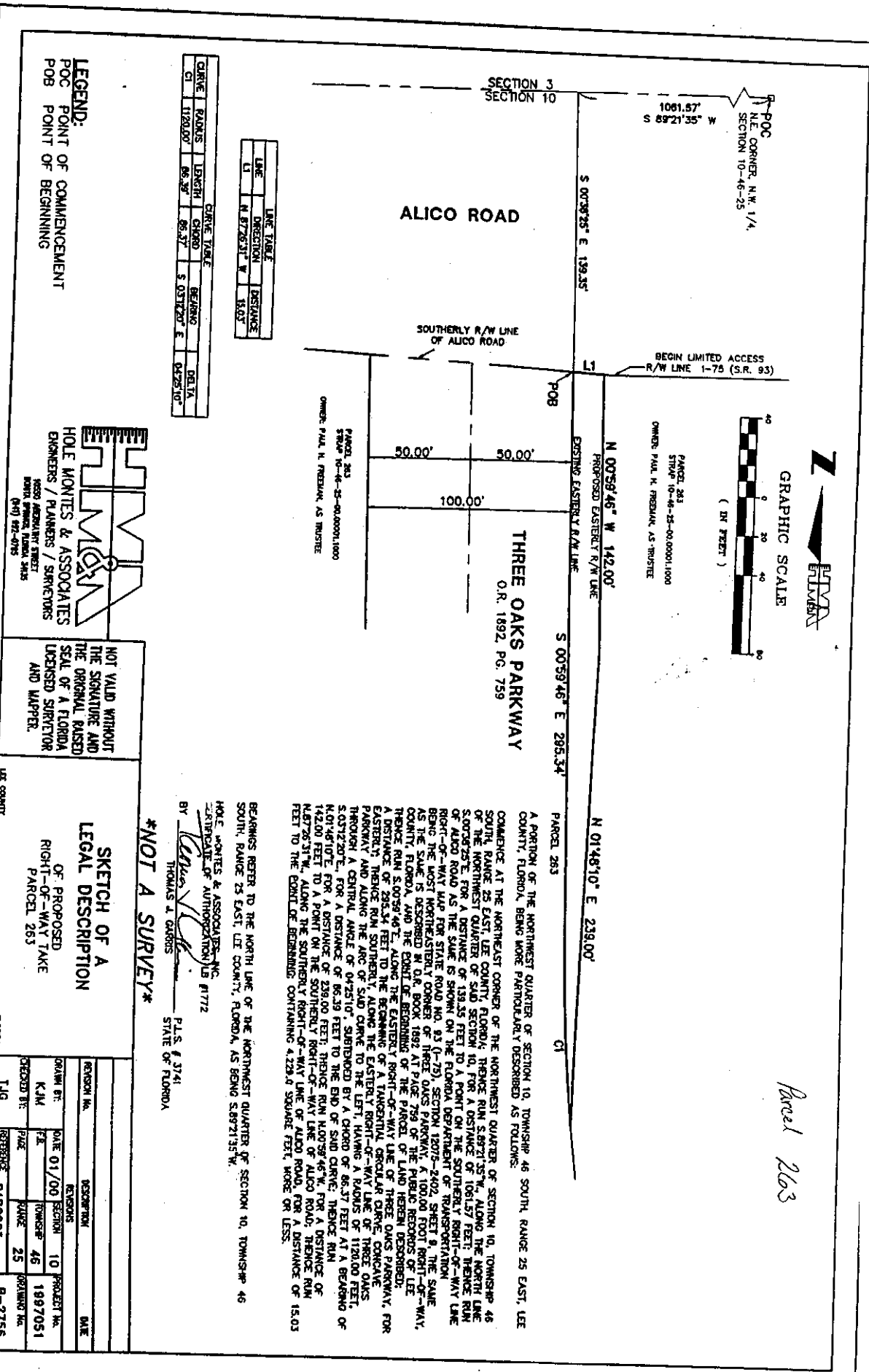
BY *Thomas J. Garris*  
THOMAS J. GARRIS  
P.L.S. # 3741  
STATE OF FLORIDA

PARCEL 125  
A PORTION OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN N 01°02'22" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ALDO ROAD; THENCE RUN N 89°21'35" E, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1535.55 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N 00°38'25" W, FOR A DISTANCE OF 20.00 FEET TO A POINT 70.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE RUN S 89°21'35" E, FOR A DISTANCE OF 81.01 FEET; THENCE RUN S 64°59'57" E, FOR A DISTANCE OF 27.73 FEET; THENCE RUN N 89°21'35" E, FOR A DISTANCE OF 239.24 FEET; THENCE RUN S 81°33'00" E, FOR A DISTANCE OF 50.64 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ALDO ROAD; THENCE RUN S 89°21'35" W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 395.25 FEET TO THE POINT OF BEGINNING, CONTAINING 4,094.0 SQUARE FEET, MORE OR LESS.  
THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.  
BEARINGS REFER TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING N.89°21'35"E.  
HOLE MONTES & ASSOCIATES, INC.  
CERTIFICATE OF AUTHORIZATION LB #1772

REVISION NO.	DESCRIPTION	DATE

OWNER: BT	DATE: 01/00	SECTION: 3	PROJECT NO.: 1997051
DRAWN BY: KJM	SCALE: AS SHOWN	TOWNSHIP: 46	DRAWING NO.:
CHECKED BY:	DATE:	RANGE: 25	
T10	REFERENCE: 125A		

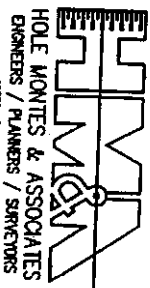
B-2478-1



CHANCE	ROUNDS	LENGTH	CHORD	BEARING	DATA
C1	1720.00'	66.37'	66.37'	S 03°12'00" E	PARCEL 263

LINE	DIRECTION	DISTANCE
L1	N 87°26'31" W	15.03'

**LEGEND:**  
 POC POINT OF COMMENCEMENT  
 POB POINT OF BEGINNING



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

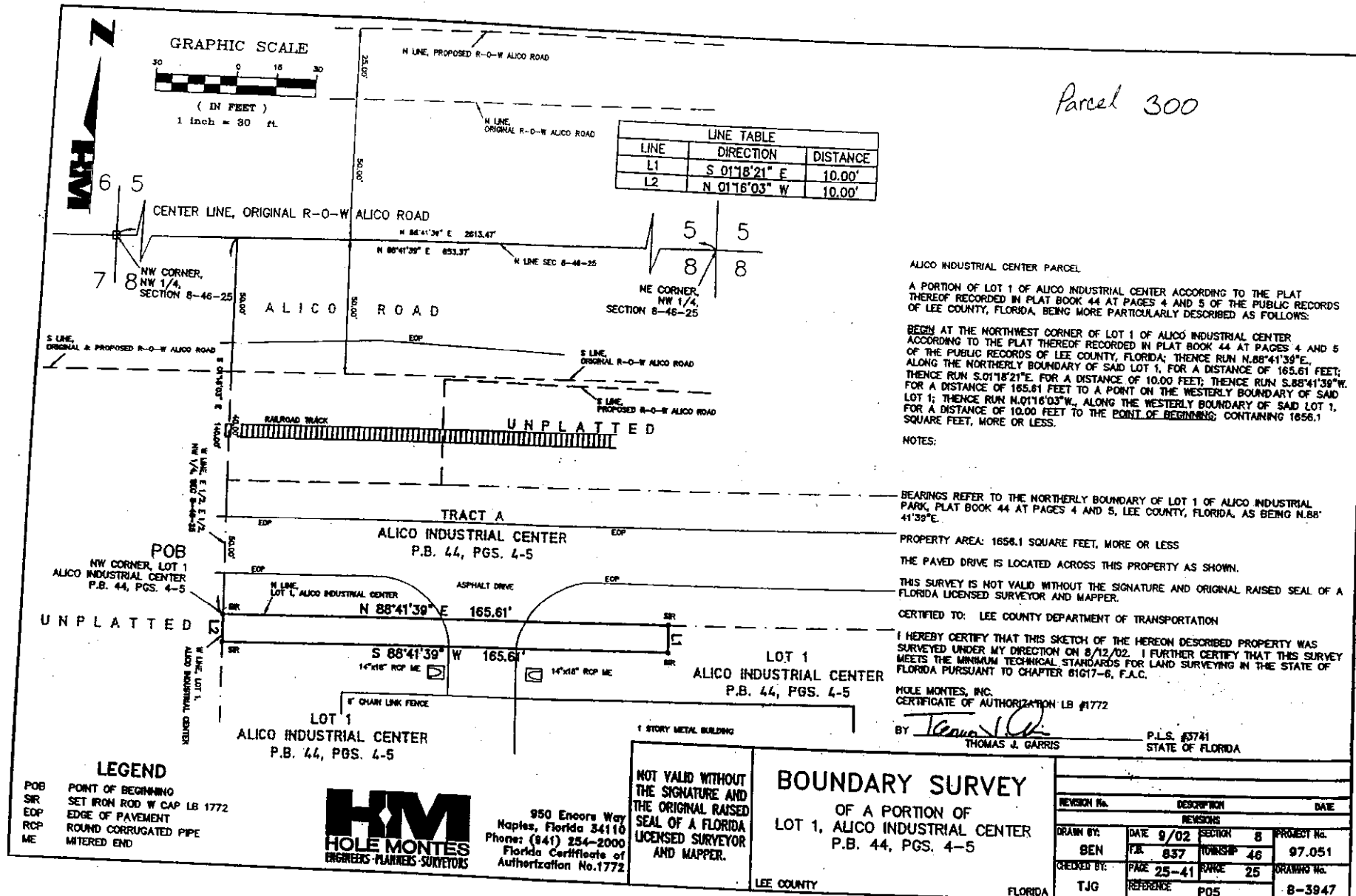
**SKETCH OF A LEGAL DESCRIPTION**  
 OF PROPOSED RIGHT-OF-WAY TAKE  
 PARCEL 263

**\*NOT A SURVEY\***

BEARINGS REFER TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING S 89°21'35" W.  
 HOLE MONTES & ASSOCIATES, INC.  
 SURVEYOR (STATE OF FLORIDA) No. 81772  
 BY *Thomas J. Garros*  
 THOMAS J. GARROS  
 STATE OF FLORIDA

A PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S 89°21'35" W. ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1061.57 FEET; THENCE RUN S 07°39'25" E. FOR A DISTANCE OF 139.35 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD AS THE SAME IS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR STATE ROAD NO. 83 (I-75), SECTION 12075-2402 SHEET 8, IN THE SAME COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN S 00°59'46" E. ALONG THE EASTERN RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY, FOR A DISTANCE OF 295.34 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CHORD CONCAVE EASTWARD TOWARD THE RIGHT-OF-WAY LINE OF SAID ROAD, HAVING A RADIUS OF 1120.00 FEET, THROUGH A CENTRAL ANGLE OF 04°25'10"; SUBDIVIDED BY A CHORD OF 66.37 FEET AT A BEARING OF S 03°12'00" E., FOR A DISTANCE OF 66.37 FEET TO THE END OF SAID CURVE; THENCE RUN N 01°48'10" E. FOR A DISTANCE OF 239.00 FEET; THENCE RUN N 00°59'46" W. FOR A DISTANCE OF 142.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD; THENCE RUN N 87°26'31" W. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD, FOR A DISTANCE OF 15.03 FEET TO THE CORNER OF BEGINNING CONTAINING 4,229.0 SQUARE FEET, MORE OR LESS.

REVISION NO.	DESCRIPTION	DATE
1	DATE 01/00 SECTION 10 PROJECT NO.	1997051
2	DATE 01/00 SECTION 10 PROJECT NO.	1997051
3	DATE 01/00 SECTION 10 PROJECT NO.	1997051
4	DATE 01/00 SECTION 10 PROJECT NO.	1997051
5	DATE 01/00 SECTION 10 PROJECT NO.	1997051
6	DATE 01/00 SECTION 10 PROJECT NO.	1997051
7	DATE 01/00 SECTION 10 PROJECT NO.	1997051
8	DATE 01/00 SECTION 10 PROJECT NO.	1997051
9	DATE 01/00 SECTION 10 PROJECT NO.	1997051
10	DATE 01/00 SECTION 10 PROJECT NO.	1997051



ALICO INDUSTRIAL CENTER PARCEL

A PORTION OF LOT 1 OF ALICO INDUSTRIAL CENTER ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 44 AT PAGES 4 AND 5 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 1 OF ALICO INDUSTRIAL CENTER ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 44 AT PAGES 4 AND 5 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.88°41'39"E, ALONG THE NORTHERLY BOUNDARY OF SAID LOT 1, FOR A DISTANCE OF 165.61 FEET; THENCE RUN S.01°18'21"E FOR A DISTANCE OF 10.00 FEET; THENCE RUN S.88°41'39"W, FOR A DISTANCE OF 165.61 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID LOT 1; THENCE RUN N.01°16'03"W, ALONG THE WESTERLY BOUNDARY OF SAID LOT 1, FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; CONTAINING 1656.1 SQUARE FEET, MORE OR LESS.

BEARINGS REFER TO THE NORTHERLY BOUNDARY OF LOT 1 OF ALICO INDUSTRIAL CENTER, PLAT BOOK 44 AT PAGES 4 AND 5, LEE COUNTY, FLORIDA, AS BEING N.88°41'39"E.

PROPERTY AREA: 1656.1 SQUARE FEET, MORE OR LESS

THE PAVED DRIVE IS LOCATED ACROSS THIS PROPERTY AS SHOWN.

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

CERTIFIED TO: LEE COUNTY DEPARTMENT OF TRANSPORTATION

I HEREBY CERTIFY THAT THIS SKETCH OF THE HEREON DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION ON 8/12/02. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 61G17-6, F.A.C.

HOLE MONTES, INC.  
CERTIFICATE OF AUTHORIZATION LB #1772

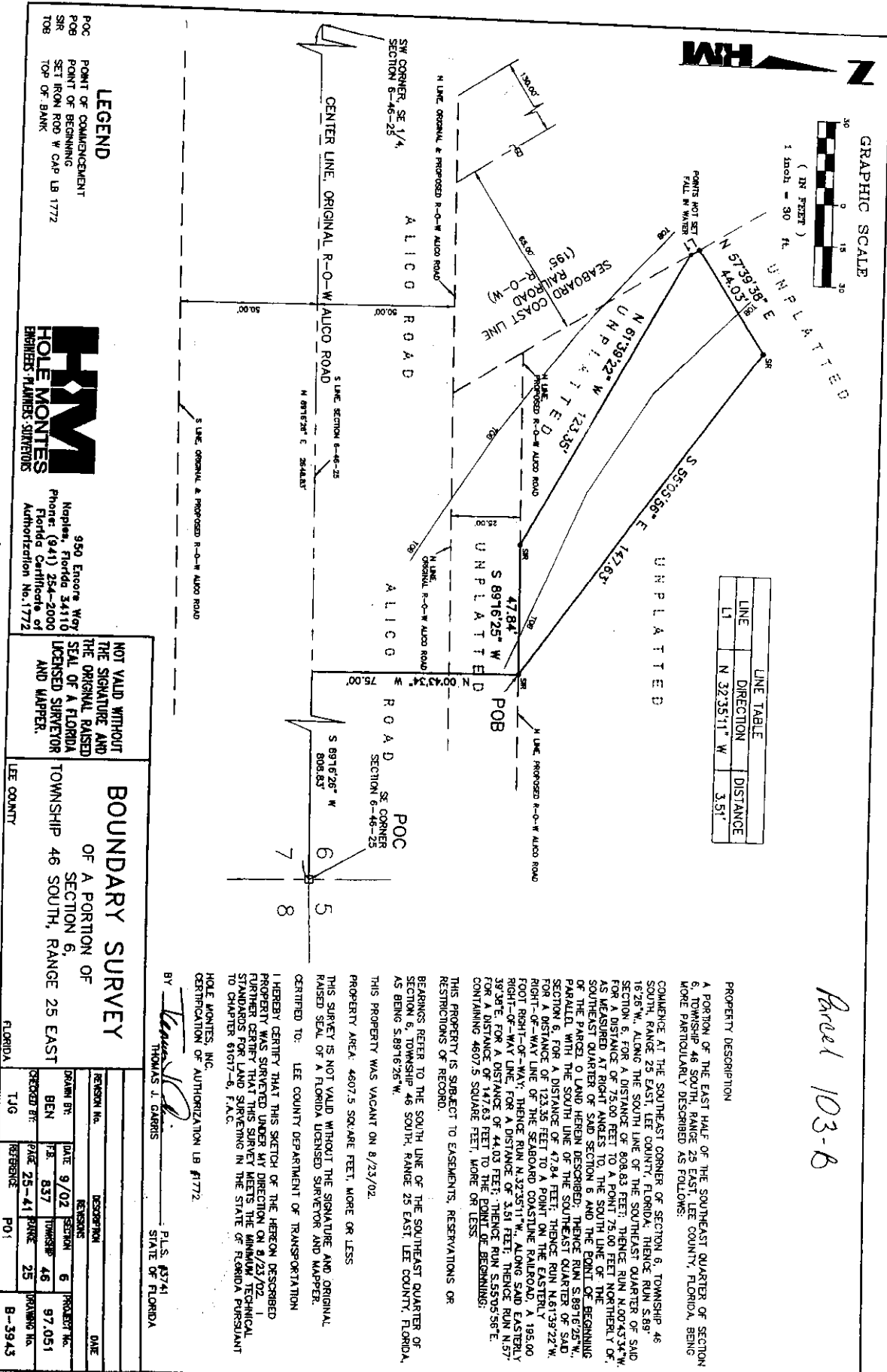
BY *Thomas J. Garris*  
THOMAS J. GARRIS P.L.S. #3741  
STATE OF FLORIDA

**H.M.**  
HOLE MONTES  
ENGINEERS-PLANNERS-SURVEYORS

950 Encore Way  
Naples, Florida 34110  
Phone: (841) 254-2000  
Florida Certificate of  
Authorization No.1772

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

REVISION No.	DESCRIPTION	DATE
DRAWN BY:	DATE 9/02	SECTION 8
BEN	P.L. 837	TOWNSHIP 46
CHECKED BY:	PAGE 25-41	FRAME 25
TJG	REFERENCE	POS
PROJECT No.		97.051
DRAWING No.		B-3947



LINE	DIRECTION	DISTANCE
L1	N 32°35'11\" W	3.51'

Parcel 103-B

PROPERTY DESCRIPTION

A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S. 89° 18' 26\" W, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6, FOR A DISTANCE OF 808.83 FEET; THENCE RUN N. 00° 43' 34\" W, FOR A DISTANCE OF 75.00 FEET TO A POINT 75.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6 AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREN DESCRIBED; THENCE RUN S. 89° 16' 25\" W, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6, FOR A DISTANCE OF 47.84 FEET; THENCE RUN N. 61° 39' 22\" W, A DISTANCE OF 123.35 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD; A 195.00 FOOT SOUTHWAY LINE; THENCE RUN N. 32° 35' 11\" W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 3.51 FEET; THENCE RUN N. 57° 39' 38\" E, FOR A DISTANCE OF 44.03 FEET; THENCE RUN S. 55° 05' 56\" E, CONTAINING 4607.5 SQUARE FEET, MORE OR LESS.

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

BEARINGS REFER TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING S. 89° 16' 25\" W.

THIS PROPERTY WAS VACANT ON 8/23/02. PROPERTY AREA: 4607.5 SQUARE FEET, MORE OR LESS.

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. CERTIFIED TO: LEE COUNTY DEPARTMENT OF TRANSPORTATION

I HEREBY CERTIFY THAT THIS SKETCH OF THE HEREN DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION ON 8/23/02. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 61G17-6, F.A.C.

HOLE MONTES, INC.  
 CERTIFICATION OF AUTHORIZATION LB #1772  
 BY *Thomas J. Garriss*  
 THOMAS J. GARRISS  
 P.L.S. #3741  
 STATE OF FLORIDA

BOUNDARY SURVEY

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

LEE COUNTY  
 TOWNSHIP 46 SOUTH, RANGE 25 EAST  
 SECTION 6

REVISION NO.	DESCRIPTION	DATE
1	BEN	9/02
2	BEN	8/27
3	BEN	8/25

DRAWN BY: BEN  
 CHECKED BY: T.J.G.  
 DATE: 9/02  
 P.L.S. #3741  
 TOWNSHIP: 46  
 RANGE: 25  
 SECTION: 6  
 PROJECT NO.: 97.051  
 DRAWING NO.: B-3943

LEGEND  
 POC POINT OF COMMENCEMENT  
 POB POINT OF BEGINNING  
 SR SET IRON ROD W/ CAP LB 1772  
 T08 TOP OF BANK

950 Encore Way  
 Naples, Florida 34110  
 Phone: (941) 254-2000  
 Florida Certificate of Authorization No. 1772

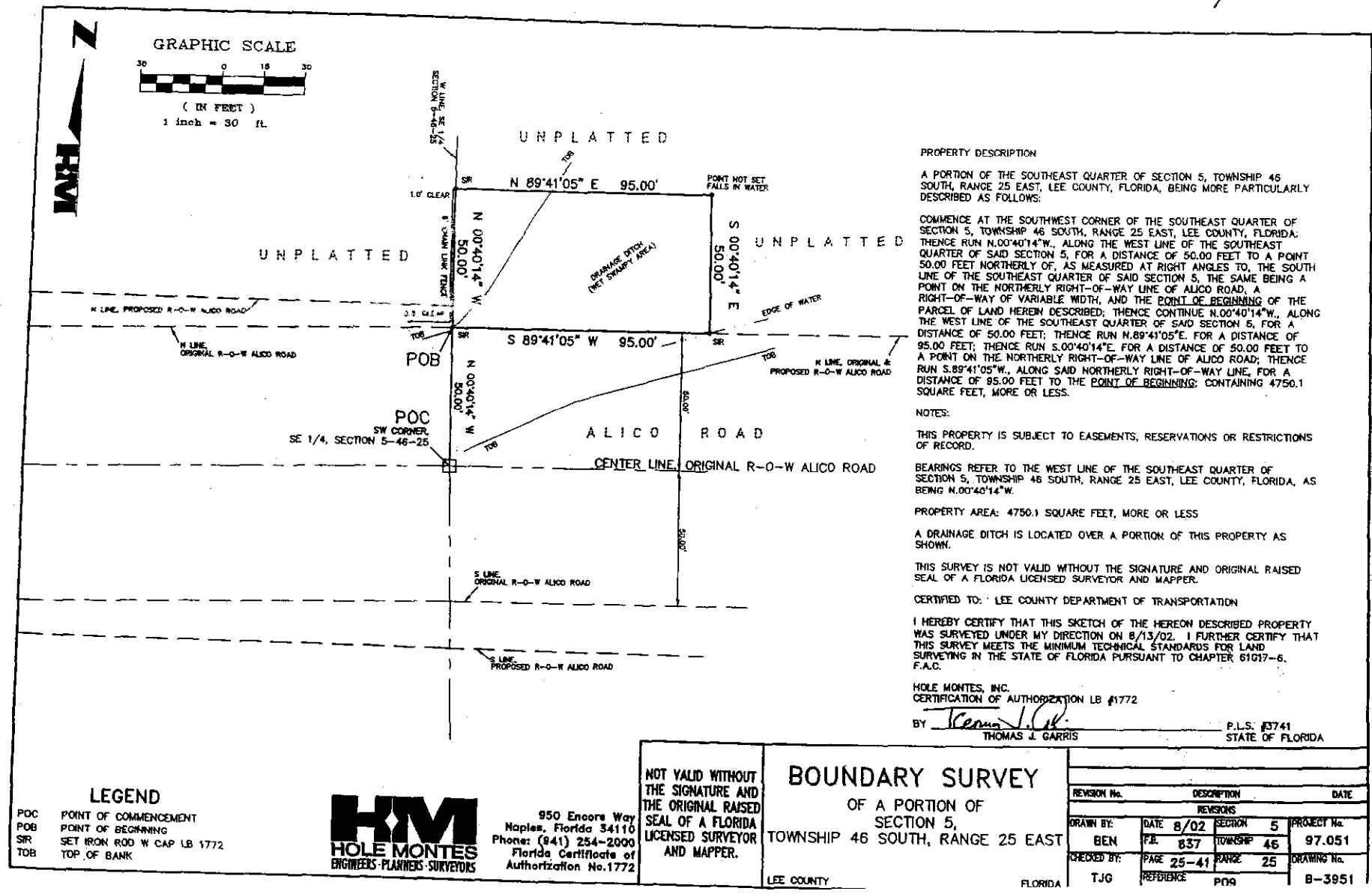
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

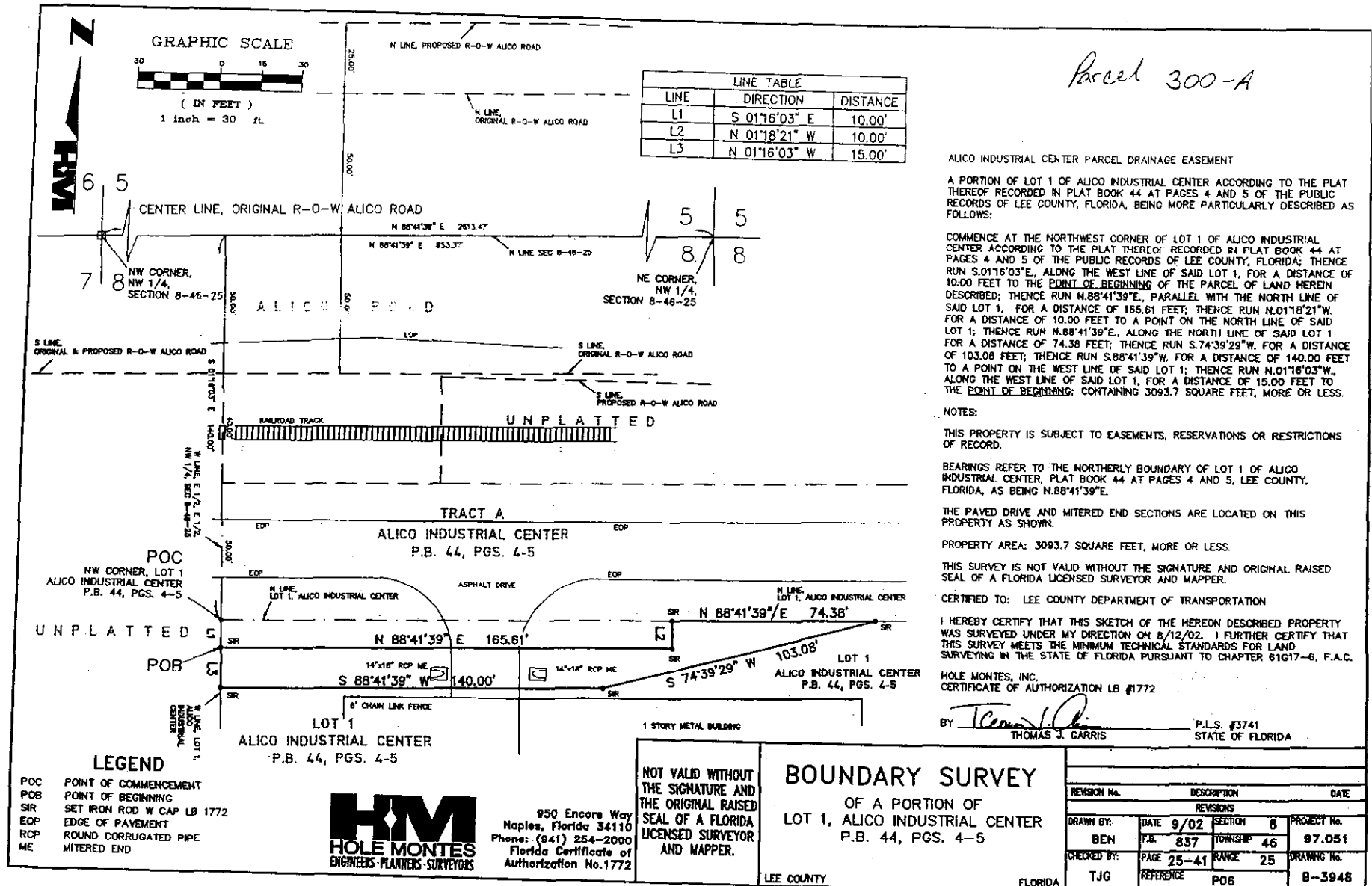


Parcel 111/112

Page 2 of 4

Exhibit "B"





Parcel 300-A

ALICO INDUSTRIAL CENTER PARCEL DRAINAGE EASEMENT

A PORTION OF LOT 1 OF ALICO INDUSTRIAL CENTER ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 44 AT PAGES 4 AND 5 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1 OF ALICO INDUSTRIAL CENTER ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 44 AT PAGES 4 AND 5 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.01°16'03"E, ALONG THE WEST LINE OF SAID LOT 1, FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.88°41'39"E, PARALLEL WITH THE NORTH LINE OF SAID LOT 1, FOR A DISTANCE OF 165.61 FEET; THENCE RUN N.01°18'21"W, FOR A DISTANCE OF 10.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE RUN N.88°41'39"E, ALONG THE NORTH LINE OF SAID LOT 1 FOR A DISTANCE OF 74.38 FEET; THENCE RUN S.74°39'29"W, FOR A DISTANCE OF 103.08 FEET; THENCE RUN S.88°41'39"W, FOR A DISTANCE OF 140.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE RUN N.01°16'03"W, ALONG THE WEST LINE OF SAID LOT 1, FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING; CONTAINING 3093.7 SQUARE FEET, MORE OR LESS.

NOTES:

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

BEARINGS REFER TO THE NORTHERLY BOUNDARY OF LOT 1 OF ALICO INDUSTRIAL CENTER, PLAT BOOK 44 AT PAGES 4 AND 5, LEE COUNTY, FLORIDA, AS BEING N.88°41'39"E.

THE PAVED DRIVE AND MITERED END SECTIONS ARE LOCATED ON THIS PROPERTY AS SHOWN.

PROPERTY AREA: 3093.7 SQUARE FEET, MORE OR LESS.

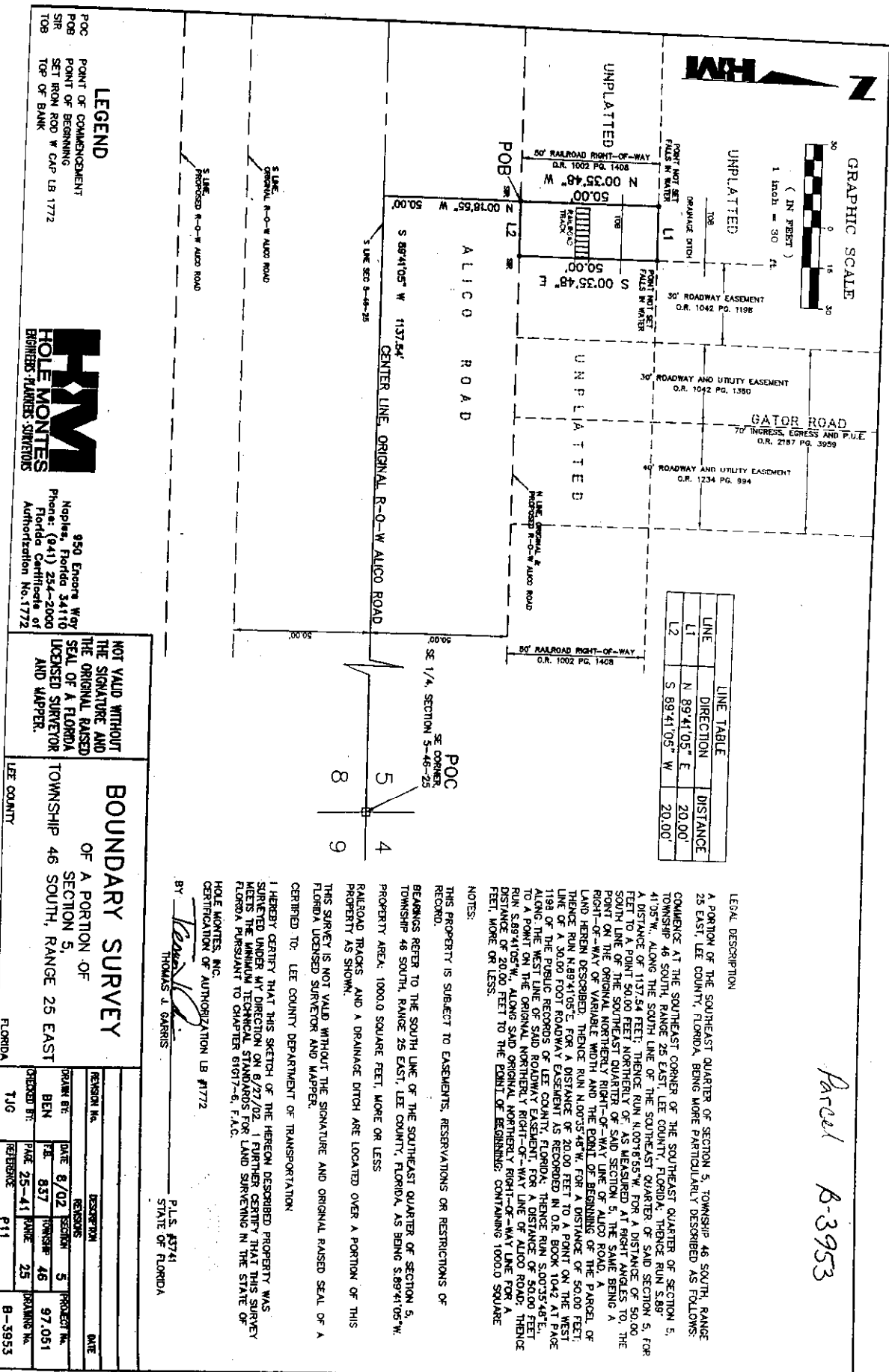
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CERTIFIED TO: LEE COUNTY DEPARTMENT OF TRANSPORTATION

I HEREBY CERTIFY THAT THIS SKETCH OF THE HEREON DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION ON 8/12/02. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 61G17-6, F.A.C.

HOLE MONTES, INC.  
CERTIFICATE OF AUTHORIZATION LB #1772

BY *Thomas J. Garriss* P.L.S. #3741  
THOMAS J. GARRISS STATE OF FLORIDA



Parcel B-3953

LINE	DIRECTION	DISTANCE
L1	N 89°41'05" E	20.00'
L2	S 89°41'05" W	20.00'

**LEGEND**

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- SIR SET IRON ROD W CAP LB 1772
- TOB TOP OF BANK



950 Encore Way  
Naples, Florida 34110  
Phone: (941) 254-2000  
Florida Certificate of  
Authorization No. 1772

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

**BOUNDARY SURVEY**  
OF A PORTION OF SECTION 5,  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY  
FLORIDA

REVISION NO.	REVISION	DATE
1	BEN	8/02
2	BEN	8/07
3	BEN	8/17
4	BEN	8/25
5	BEN	8/25

**LEGAL DESCRIPTION**

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°41'05" W, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, FOR A DISTANCE OF 1137.24 FEET; THENCE RUN N.007°18'55" W, FOR A DISTANCE OF 50.00 FEET TO POINT OF BEGINNING OF SAID SECTION 5, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF THE SOUTHERLY QUARTER OF SAID SECTION 5, THE SAME BEING A POINT ON THE ORIGINAL NORTH-SOUTH RIGHT-OF-WAY LINE OF ALCICO ROAD, A RIGHT-OF-WAY OF VARIABLE WIDTH AND THE EAST LINE OF BEGINNING OF THE PARCEL OF LAND HEREN DESCRIBED; THENCE RUN N.100°35'48" W, FOR A DISTANCE OF 50.00 FEET; THENCE RUN N.89°41'05" E, FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST LINE OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THENCE RUN S.00°35'48" E, ALONG THE WEST LINE OF SAID ROADWAY EASEMENT, IN O.R. BOOK 1042 AT PAGE 1198 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THENCE RUN S.00°35'48" E, TO A POINT ON THE ORIGINAL NORTHERLY RIGHT-OF-WAY LINE OF SAID ROADWAY EASEMENT, THENCE RUN S.89°41'05" W, ALONG SAID ORIGINAL NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; CONTAINING 1000.0 SQUARE FEET, MORE OR LESS.

**NOTES:**

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

BEARINGS REFER TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING S.89°41'05" W, PROPERTY AREA: 1000.0 SQUARE FEET, MORE OR LESS.

RAILROAD TRACKS AND A DRAINAGE DITCH ARE LOCATED OVER A PORTION OF THIS SURVEY.

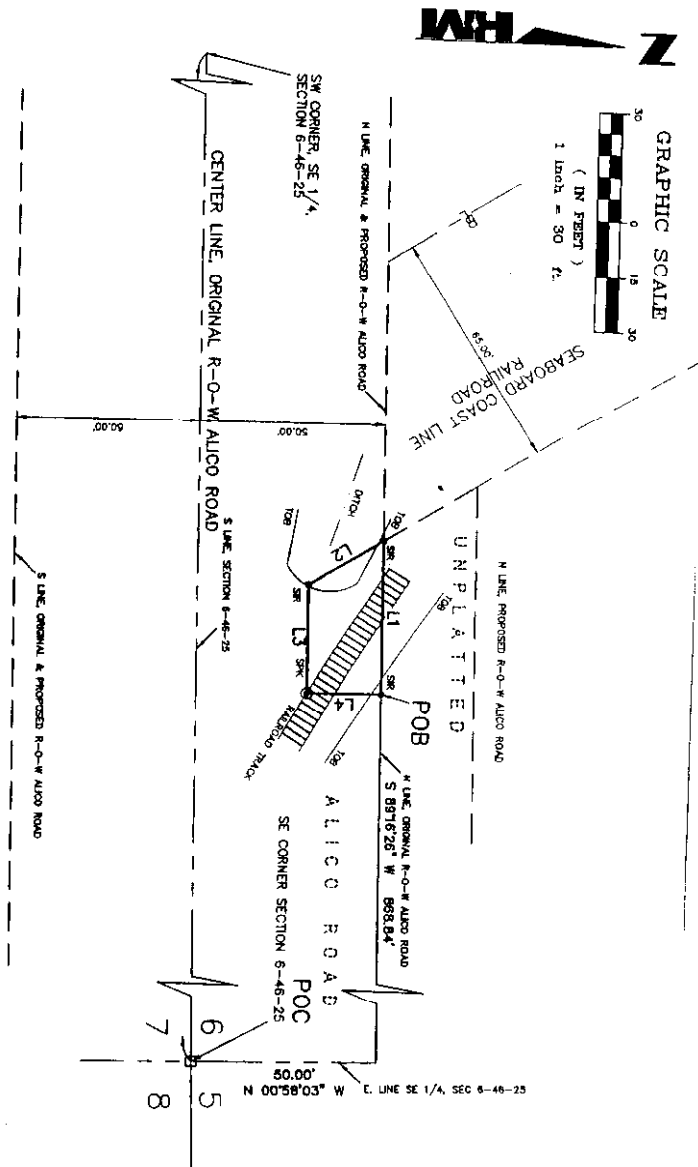
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CERTIFIED TO: LEE COUNTY DEPARTMENT OF TRANSPORTATION.

I HEREBY CERTIFY THAT THIS SKETCH OF THE HEREN DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION ON 8/27/02; I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 6107-68, F.A.C.

HOLE MONTES, INC.  
CERTIFICATION OF AUTHORIZATION LB #1772

BY *Thomas J. Garris*  
THOMAS J. GARRIS  
P.L.S. #3741  
STATE OF FLORIDA



LINE	DIRECTION	DISTANCE
L1	S 89°16'26" W	42.63'
L2	S 32°35'11" E	23.55'
L3	N 89°16'26" E	30.20'
L4	N 00°43'34" W	20.00'

**LEGEND**  
 POC POINT OF COMMENCEMENT  
 POB POINT OF BEGINNING  
 SPK SET Pk NAIL AND DISC LB 1772  
 SIR SET IRON ROD W CAP LB 1772



950 Encore Way  
 Naples, Florida 34110  
 Phone: (941) 254-2000  
 Florida Certificate of  
 Authorization No. 1772

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

**BOUNDARY SURVEY**

OF A PORTION OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST

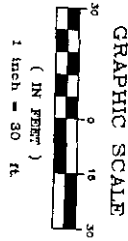
LEE COUNTY, FLORIDA

REVISION No.	DESCRIPTION	DATE
01	ORIGIN BY: BEN	9/02
02	CHECKED BY: TJC	9/02
	DATE: 9/02	SECTION: 6
	FILE: 837	TOWNSHIP: 46
	PAGE: 25-41	RANGE: 25
	REFERENCE: POZNU	PROJECT NO.: 97.051
		DRAWING NO.: B-3944-1

HOLE MONTES, INC.  
 CERTIFICATION OF AUTHORIZATION LB #1772  
 BY *Thomas J. Garbis*  
 THOMAS J. GARBIS  
 STATE OF FLORIDA

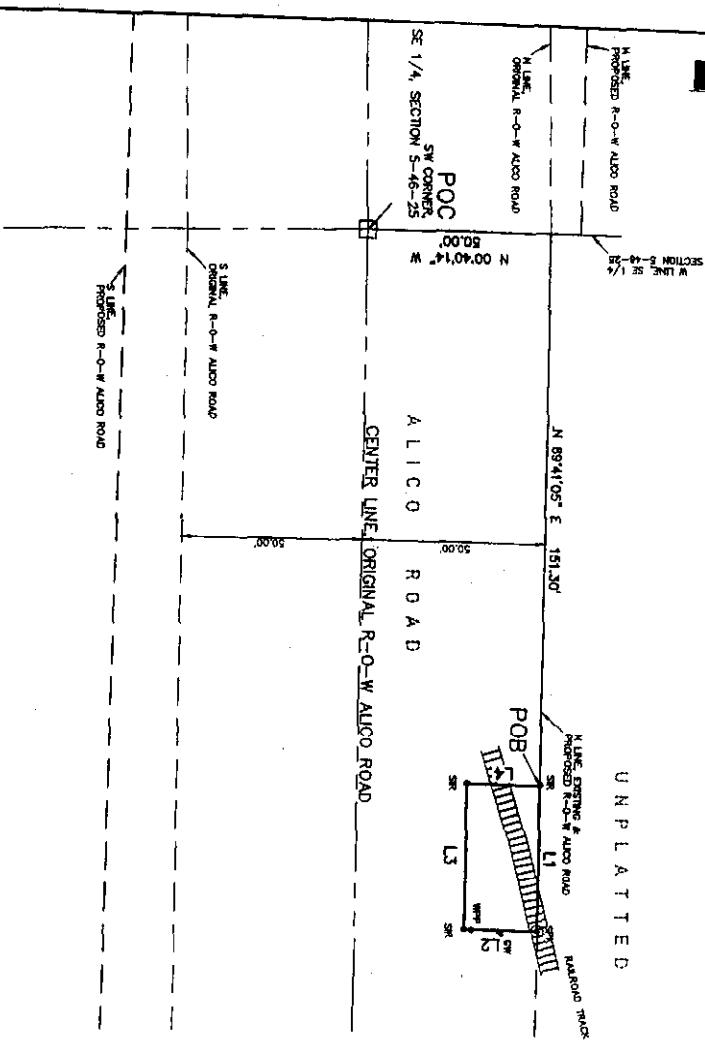
LEGAL DESCRIPTION  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN N 00°58'03" W, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6, FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE ORIGINAL NORTHERLY RIGHT-OF-WAY LINE OF ALICCO ROAD, A RIGHT OF WAY OF VARIABLE WIDTH; THENCE RUN S 89°16'26" W, ALONG SAID ORIGINAL NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 42.63 FEET TO THE POINT OF BEGINNING OF LAND HEREBY DESCRIBED; THENCE CONTINUE S 89°16'26" W, ALONG SAID ORIGINAL NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 23.55 FEET TO A POINT 20.00 FEET SOUTHERLY OF AS MEASURED AT RIGHT ANGLES TO SAID ORIGINAL NORTHERLY RIGHT-OF-WAY LINE; THENCE RUN N 89°16'26" E, FOR A DISTANCE OF 30.20 FEET; THENCE RUN N 00°43'34" W, FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 728.3 SQUARE FEET, MORE OR LESS.  
 NOTES:  
 THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.  
 BEARINGS REFER TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING N.00°58'03"W.  
 THE RAILROAD TRACKS ARE LOCATED OVER A PORTION OF THIS PROPERTY AS SHOWN.  
 PROPERTY AREA: 728.3 SQUARE FEET, MORE OR LESS  
 THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
 CERTIFIED TO: LEE COUNTY DEPARTMENT OF TRANSPORTATION  
 I HEREBY CERTIFY THAT THIS SKETCH OF THE HEREBY DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION ON 9/27/02. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 61G17-6, F.A.C.

*Parcel B-3944-1*



LINE	DIRECTION	DISTANCE
L1	N 89°41'05" E	40.00'
L2	S 00°18'55" E	20.00'
L3	S 89°41'05" W	40.00'
L4	N 00°18'55" W	20.00'

UNPLATTED



LEGEND

POB POINT OF BEGINNING  
 SET PK ROW ROAD W CAP LB 1772  
 SET PK NAL AND OISC LB 1772  
 TOP OF BANK



950 Europa Way  
 Naples, Florida 34110  
 Phone: (941) 254-2000  
 Florida Certificate of  
 Authorization No. 1772

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

BOUNDARY SURVEY

OF A PORTION OF  
 SECTION 5,  
 TOWNSHIP 46 SOUTH, RANGE 25 EAST  
 LEE COUNTY  
 FLORIDA

HOLE MONTES, INC.  
 CERTIFICATION OF AUTHORIZATION LB #1772  
 BY *Thomas D. Garrison*  
 THOMAS D. GARRISON

P.L.S. 8/27/41  
 SIXTE OF FLORIDA

REVISION NO.	DESCRIPTION	DATE
1	REVISIONS	
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

Parcel B-3952

PROPERTY DESCRIPTION  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, THE POB RUN N 00°18'55" W, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, THE SAME BEING AT RIGHT ANGLES TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD, A RIGHT-OF-WAY OF VARIABLE WIDTH, THENCE RUN N 89°41'05" E, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 151.30 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N 89°41'05" E, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 40.00 FEET; THENCE RUN S 00°18'55" E, FOR A DISTANCE OF 20.00 FEET; THENCE RUN S 89°41'05" W, FOR A DISTANCE OF 40.00 FEET; THENCE RUN N 00°18'55" W, FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; CONTAINING 800.0 SQUARE FEET, MORE OR LESS.

NOTES:  
 THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.  
 BEARINGS REFER TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING N 00°40'14" W.  
 PROPERTY AREA: 800.0 SQUARE FEET, MORE OR LESS.  
 RAILROAD TRACKS ARE LOCATED ACROSS THIS PROPERTY AS SHOWN.  
 THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
 CERTIFIED TO: LEE COUNTY DEPARTMENT OF TRANSPORTATION

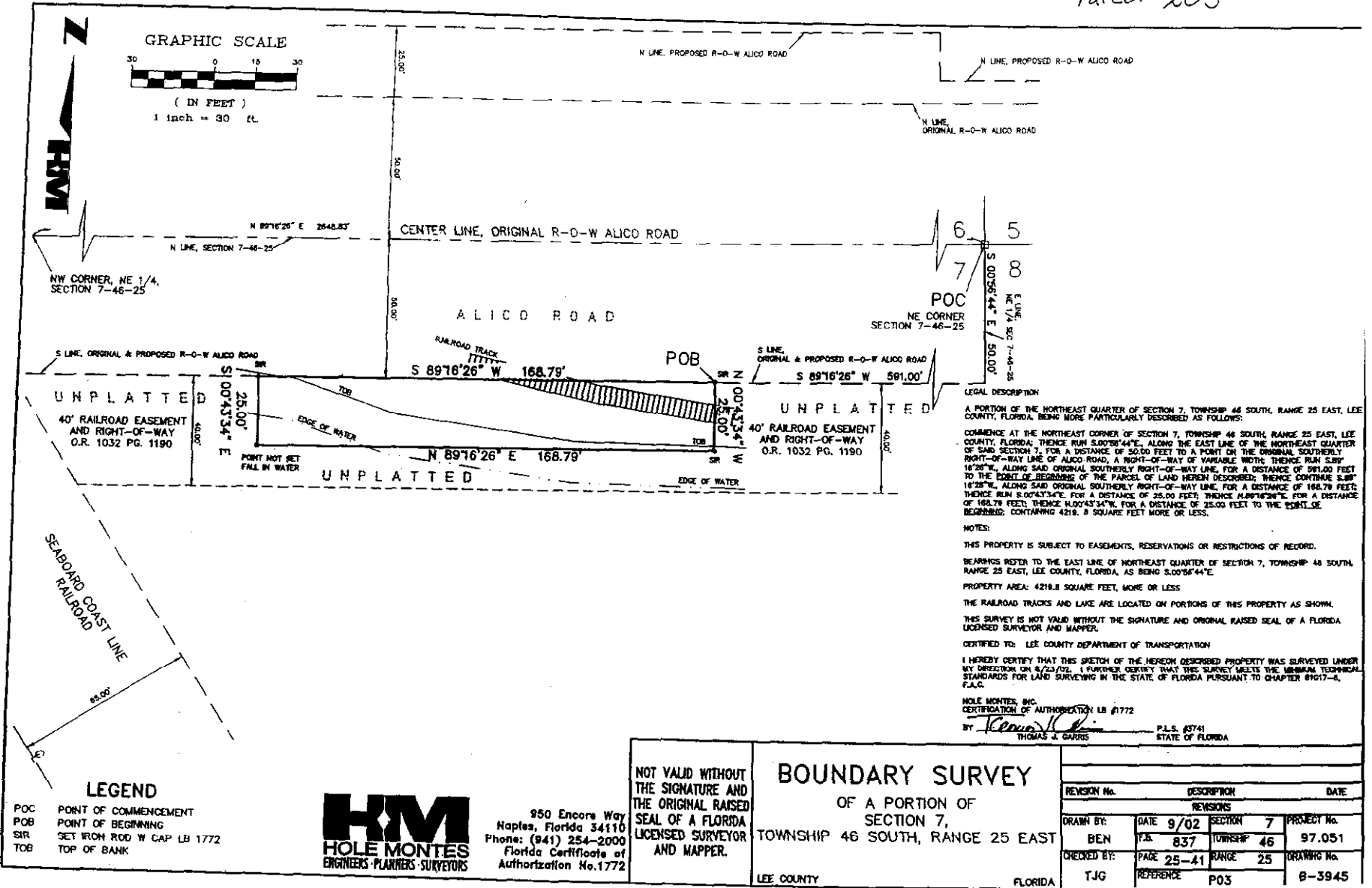
I HEREBY CERTIFY THAT THIS SKETCH OF THE HEREON DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION ON 8/13/02, I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 8101-9, F.A.C.  
 HOLE MONTES, INC.  
 CERTIFICATION OF AUTHORIZATION LB #1772  
 BY *Thomas D. Garrison*  
 THOMAS D. GARRISON

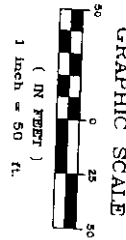
REVISION NO.	DESCRIPTION	DATE
1	REVISIONS	
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

Parcel 205

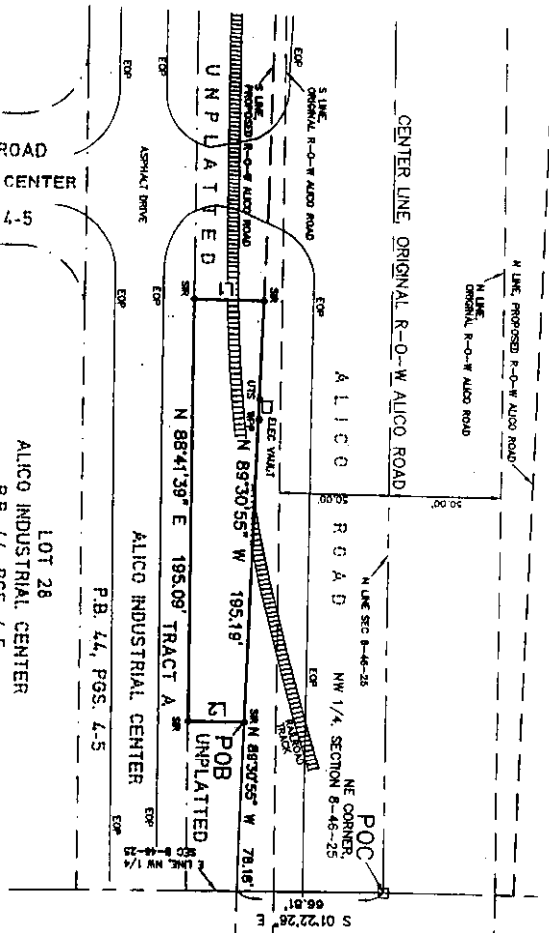
Page 1 of 2

EXHIBIT D





LINE	DIRECTION	DISTANCE
L1	S 01°18'19" E	31.72'
L2	N 01°18'19" W	25.62'



**LEGEND**

- POB POINT OF BEGINNING
- SRR SET ROUN ROO W CAP LB 1772
- SRK SET PK NAL AND DISC LB 1772
- EDR EDGE OF PAVEMENT
- ME MITERED END
- RCP ROUND CORRUGATED PIPE
- UTS UNITED TELEPHONE SERVICE
- WFP WOODEN POWER POLE



950 Enochs Way  
Naples, Florida 34110  
Phone (941) 254-2000  
Florida Certificate of  
Authorization No. 1772

**BOUNDARY SURVEY**  
OF A PORTION OF  
SECTION 8,  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY  
FLORIDA

REVISION NO.	DESCRIPTION	DATE
1	ISSUED	8/02
2	REVISION	8/02
3	REVISION	8/02
4	REVISION	8/02
5	REVISION	8/02
6	REVISION	8/02
7	REVISION	8/02
8	REVISION	8/02
9	REVISION	8/02
10	REVISION	8/02
11	REVISION	8/02
12	REVISION	8/02
13	REVISION	8/02
14	REVISION	8/02
15	REVISION	8/02
16	REVISION	8/02
17	REVISION	8/02
18	REVISION	8/02
19	REVISION	8/02
20	REVISION	8/02
21	REVISION	8/02
22	REVISION	8/02
23	REVISION	8/02
24	REVISION	8/02
25	REVISION	8/02
26	REVISION	8/02
27	REVISION	8/02
28	REVISION	8/02
29	REVISION	8/02
30	REVISION	8/02
31	REVISION	8/02
32	REVISION	8/02
33	REVISION	8/02
34	REVISION	8/02
35	REVISION	8/02
36	REVISION	8/02
37	REVISION	8/02
38	REVISION	8/02
39	REVISION	8/02
40	REVISION	8/02
41	REVISION	8/02
42	REVISION	8/02
43	REVISION	8/02
44	REVISION	8/02
45	REVISION	8/02
46	REVISION	8/02
47	REVISION	8/02
48	REVISION	8/02
49	REVISION	8/02
50	REVISION	8/02
51	REVISION	8/02
52	REVISION	8/02
53	REVISION	8/02
54	REVISION	8/02
55	REVISION	8/02
56	REVISION	8/02
57	REVISION	8/02
58	REVISION	8/02
59	REVISION	8/02
60	REVISION	8/02
61	REVISION	8/02
62	REVISION	8/02
63	REVISION	8/02
64	REVISION	8/02
65	REVISION	8/02
66	REVISION	8/02
67	REVISION	8/02
68	REVISION	8/02
69	REVISION	8/02
70	REVISION	8/02
71	REVISION	8/02
72	REVISION	8/02
73	REVISION	8/02
74	REVISION	8/02
75	REVISION	8/02
76	REVISION	8/02
77	REVISION	8/02
78	REVISION	8/02
79	REVISION	8/02
80	REVISION	8/02
81	REVISION	8/02
82	REVISION	8/02
83	REVISION	8/02
84	REVISION	8/02
85	REVISION	8/02
86	REVISION	8/02
87	REVISION	8/02
88	REVISION	8/02
89	REVISION	8/02
90	REVISION	8/02
91	REVISION	8/02
92	REVISION	8/02
93	REVISION	8/02
94	REVISION	8/02
95	REVISION	8/02
96	REVISION	8/02
97	REVISION	8/02
98	REVISION	8/02
99	REVISION	8/02
100	REVISION	8/02

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

**BOUNDARY SURVEY**  
OF A PORTION OF  
SECTION 8,  
TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY  
FLORIDA

PLS. #3741  
STATE OF FLORIDA

BY *Thomas D. Garms*  
THOMAS D. GARMS

CERTIFICATION OF AUTHORIZATION LB #1772

I HEREBY CERTIFY THAT THIS SKETCH OF THE HERETO DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION ON 8/12/02. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 817-6, F.A.C.

HOLE MONTES INC.  
CERTIFICATION OF AUTHORIZATION LB #1772

PROPERTY DESCRIPTION  
A PORTION OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S 01°18'24"E ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8, FOR A DISTANCE OF 64.6 FEET; THENCE RUN N 89°30'55"W, FOR A DISTANCE OF 78.18 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREBY DESCRIBED; THENCE CONTINUE N 89°30'55"W FOR A DISTANCE OF 185.18 FEET; THENCE RUN S 01°18'19"E, FOR A DISTANCE OF 31.72 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF TRACT "A" OF ALICO INDUSTRIAL CENTER ACCORDING TO THE PLAT HEREBY RECORDED IN PLAT BOOK 44 AT PAGES 4 AND 5 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N 88°41'39"E, ALONG THE NORTHERLY BOUNDARY OF SAID TRACT "A", FOR A DISTANCE OF 185.09 FEET; THENCE RUN N 01°18'19"W, FOR A DISTANCE OF 25.62 FEET TO THE POINT OF BEGINNING; CONTAINING 5593.6 SQUARE FEET, MORE OR LESS.

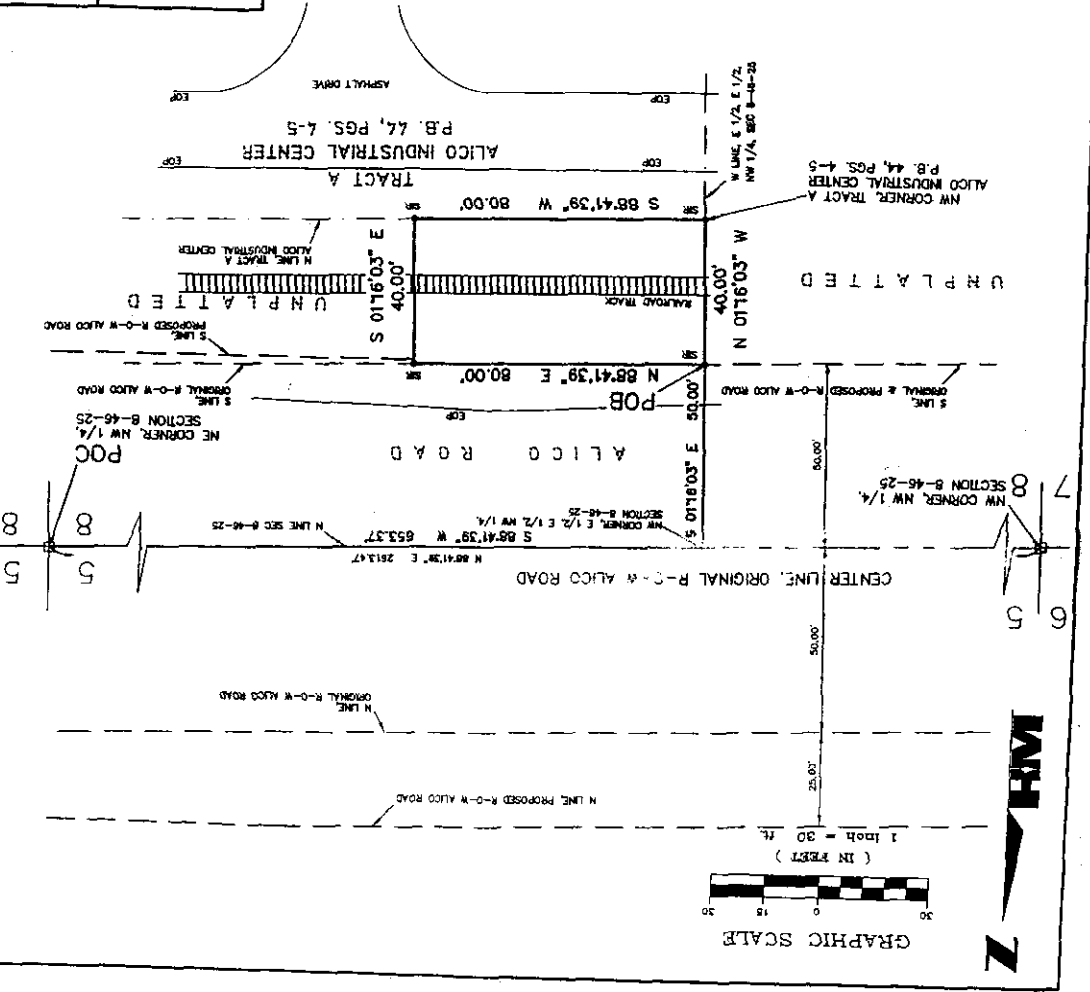
NOTES:  
THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.  
BEARINGS REFER TO THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING S 01°22'28"E.  
RAILROAD TRACKS ARE LOCATED OVER A PORTION OF THIS PROPERTY AS SHOWN.  
PROPERTY AREA: 5593.6 SQUARE FEET, MORE OR LESS.  
THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
CERTIFIED TO: LEE COUNTY DEPARTMENT OF TRANSPORTATION

*Parcel 209-A*

**LEGEND**  
 POC POINT OF COMMENCEMENT  
 POB POINT OF BEGINNING  
 SIR SET ROOM ROAD W CAP LB 1772  
 EOP EDGE OF PAVEMENT

**H.M.**  
 ENGINEERS-PLANNERS-SURVEYORS  
**HOLE MONTES**  
 Naples, Florida 34110  
 Phone: (841) 254-2000  
 Florida Certificate of  
 Authorization No. 1772

950 Encore Way  
 THE ORIGINAL RAISED  
 SEAL OF A FLORIDA  
 LICENSED SURVEYOR  
 AND MAPPER.



LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, THENCE RUN S.88°41'39"W, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8, FOR A DISTANCE OF 63.17 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE RUN S.01°18'03"E, ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 8, FOR A DISTANCE OF 50.00 FEET TO A POINT 50.00 FEET SOUTHERLY OF SAID SECTION 8, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8, THE SAME BEING A POINT ON THE ORIGINAL RIGHT-OF-WAY LINE OF Alico Road, A RIGHT-OF-WAY OF VARIABLE WIDTH, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREBY DESCRIBED; THENCE RUN N.88°41'39"E, PARALLEL WITH THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 80.00 FEET; THENCE RUN S.01°16'03"E, FOR A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH LINE OF TRACT A, NW CORNER, NW 1/4, SECTION 8-46-25, N.88°41'39"W, ALONG THE NORTH LINE OF SAID TRACT OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE RUN N.01°16'03"W, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 8, FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3200.0 SQUARE FEET, MORE OR LESS.

NOTES:  
 THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD, BEARINGS REFER TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING S.88°41'39"W. THE RAILROAD TRACKS ARE LOCATED OVER A PORTION OF THIS PROPERTY AS SHOWN. PROPERTY AREA: 3200.0 SQUARE FEET, MORE OR LESS.

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.  
 CERTIFIED TO: LEE COUNTY DEPARTMENT OF TRANSPORTATION  
 I HEREBY CERTIFY THAT THIS SKETCH OF THE HEREON DESCRIBED PROPERTY WAS SURVEYED UNDER MY TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA PURSUANT TO CHAPTER 61G17-6, F.A.C.  
 HOLE MONTES, INC.  
 CERTIFICATION OF AUTHORIZATION LB #1772  
 BY *Thomas J. Garris*  
 THOMAS J. GARRIS  
 P.L.S. #3741  
 STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.		LEE COUNTY	FLORIDA
<b>BOUNDARY SURVEY</b>			
REVISION NO.	DESCRIPTION	DATE	
8	PROJECT NO.	8	
46	TOWNSHIP	46	
25	RANGE	25	
25-41	PAGE	25-41	
97.051	PROJECT NO.	8	
97.051	TOWNSHIP	46	
837	RANGE	25	
9/02	DATE	9/02	
BEN	DEAM BR.	BEN	
837	PL.	837	
25-41	REFERENCE	PO4	
8-3946	PLANS NO.		





**AMENDED RESOLUTION OF NECESSITY  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

**WHEREAS**, after consideration of the availability of alternative routes, the costs of the project, environmental factors, long range area planning, and safety concerns, The Board of County Commissioners of Lee County, Florida, desires to exercise its right to condemn property for public use or purpose and that the property to be condemned is necessary for that use.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA, that:**

The Capital Improvement Project provides for the construction of the Alico Road Six Laning, Project No. 4030, by improving/widening Alico Road, from east of Old U.S. 41 to Interstate 75 for public safety with necessary additions for drainage, utilities, and pedestrian sidewalks and bikepaths.

**SECTION ONE: USE, NECESSITY AND DESCRIPTION OF PROPERTY**

The Board of County Commissioners finds that the fee simple properties described in the attached Exhibit "A", and easement interests described in Exhibits "B", "C", "D", and "E" are necessary for the Alico Road Six Laning Project, and are being acquired for the specific public use or purpose for constructing a public road to facilitate the safe and efficient operation of motor vehicles and to improve public safety in the event of natural disasters or emergencies, related drainage for stormwater and environmental protection, public utilities and bikepath/sidewalk for pedestrian safety and enjoyment, and to promote public safety. Parcels 125, 263 and 300, described in the attached Exhibit "A", are necessary to the project, and being acquired in fee simple interest. Parcels 103-B, 111/112, 300-A and B-3953, described in the attached Exhibit "B", are necessary for the project and being acquired for stormwater drainage and environmental purposes as perpetual drainage easements. Parcels B-3944-1 and B-3952, described in the attached Exhibit "C", are necessary for the project and being acquired for the purpose of a water transmission line which supplies potable water from the treatment plant to the public in the southern part of Lee

County, the interest being acquired is in the form of a perpetual water line utility easement. Parcels 205 and 209-A, described in the attached Exhibit "D", are necessary for the project and being acquired for the purpose of a bikepath/sidewalk to promote pedestrian safety and enjoyment, the interest being acquired is a perpetual easement. Parcels 209-B and 209-C, described in the attached Exhibit "E", are necessary for the project and being acquired for the purpose of road right of way to promote and facilitate safer vehicular traffic and for emergency purposes, the interest being acquired is in the form of a perpetual road right of way easement.

**SECTION TWO: AUTHORITY AND ESTATE**

By virtue of the authority granted to the Board of County Commissioners of Lee County by Chapters 73, 74, 125 and 127, Florida Statutes, and all other statutory or common law which grant to the Board of County Commissioners the power to institute and proceed with acquiring property under the exercise of the power of eminent domain, the Board of County Commissioners hereby authorizes and directs the County Attorney's Office to commence and prosecute any and all proceedings necessary to acquire in fee simple the properties described in Exhibit "A" and easement interests of properties described in Exhibits "B", "C", "D", and "E" for the above described public use or purpose.

Provided further, that should the compensation resulting from the condemnation of any parcel of land hereinabove identified be equal to or greater than the compensation necessary to acquire the entire tract of which such parcel forms a part, then the County Attorney is authorized and directed to amend, supplement, or institute proceedings to condemn the entire parent tract of any such parcel.

**Amended Resolution of Necessity**

Page 3

The foregoing Resolution was offered by Commissioner \_\_\_\_\_,  
who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_,  
and upon being put to a vote was as follows:

Bob Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Andrew W. Coy	_____
John E. Albion	_____

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 200 .

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Office of County Attorney