

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

Blue Sheet No. 20040463

1. REQUESTED MOTION:

ACTION REQUESTED: Approve the Resolution of Necessity for the acquisition and condemnation of parcels required for the Ten Mile Linear Park Project, No. 2001 – Phase 1.

WHY ACTION IS NECESSARY: The Board must formally approve the Resolution of Necessity prior to proceeding with condemnation of parcels necessary for the project.

WHAT ACTION ACCOMPLISHES: Allows the County to proceed with condemnation, if necessary, so parcels can be acquired for the Ten Mile Linear Park Project, No. 2001 – Phase 1.

2. DEPARTMENTAL CATEGORY: 06
COMMISSION DISTRICT #: 2 AND 5 *A12A*

3. MEETING DATE: *05-04-2004*

<p>4. AGENDA:</p> <p><input type="checkbox"/> CONSENT</p> <p><input checked="" type="checkbox"/> ADMINISTRATIVE</p> <p><input type="checkbox"/> APPEALS</p> <p><input type="checkbox"/> PUBLIC</p> <p><input type="checkbox"/> WALK ON</p> <p>TIME REQUIRED:</p>	<p>5. REQUIREMENT/PURPOSE:</p> <p>(Specify)</p> <p><input checked="" type="checkbox"/> STATUTE <u>73, 74, 125, 127</u></p> <p><input type="checkbox"/> ORDINANCE _____</p> <p><input type="checkbox"/> ADMIN. _____</p> <p><input type="checkbox"/> OTHER _____</p>	<p>6. REQUESTOR OF INFORMATION</p> <p>A. _____</p> <p>B. DEPARTMENT <u>County Attorney</u></p> <p>C. DIVISION <u>Litigation</u></p> <p>BY <u>John Turner, Assistant County Attorney</u></p>
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7. BACKGROUND:

Ten Mile Linear Park Project is being constructed to improve and enhance the County-wide bikeway and sidewalk system, utilized for public recreation, with pedestrian and bicycle paths meandering through a landscaped greenway. The multi-use paths will meander along and cross over the Ten Mile Canal, and include wildlife observation areas, rest pavilions, canoe launches, and trail-head parking. The initial phase will extend from Daniels Parkway South to Ben C. Pratt/Six Mile Cypress Parkway. Upon completion of all phases, it will provide a north-south pedestrian and bicycle route from the North Colonial Linear Park (East and West) to Mulloch Creek in South Fort Myers and connect communities to other recreational venues, and other resource-based park facilities.

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

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

Co. Hands Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>upon 4/22/04</i>				G County Manager
<i>K. Kozlowski</i>		N/A	N/A	<i>John Turner</i>	OA <i>4/19/04</i>	OM <i>4/19/04</i>	RISK <i>4/16/04</i>	GC <i>4/19/04</i>	<i>DAW 4-22-04</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty

Date: *4/15/04*

Time: *11:50 am*

Forwarded To:

CO. ATTY.
FORWARDED
TO CO. ADMIN.
4/16/04

RECEIVED BY
COUNTY ADMIN:

09/16/04

11:06 am 5/7

COUNTY ADMIN

FORWARDED TO:

4/15/04

2:10 pm

**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 Ten Mile Linear Park, Project No. 2001, the initial phase extending from Ben C. Pratt/Six Mile Cypress Boulevard North to Daniels Parkway.

SECTION ONE: USE, NECESSITY AND DESCRIPTION OF PROPERTY

The Board of County Commissioners finds that the fee simple rights to property described in the attached Exhibit X are necessary for the Ten Mile Linear Park Project and are being acquired for the following specific public use or purpose:

To improve and enhance the County-wide bikeway and sidewalk system, utilized for public recreation, with pedestrian and bicycle paths meandering through a landscaped greenway. No other facility exists in the vicinity and there is a public demand for such facilities. The multi-use paths will meander along and cross over the Ten Mile Canal, and include wildlife observation areas, rest pavilions, canoe launches, and trail-head parking. The initial phase will extend from Daniels Parkway South to Ben C. Pratt/Six Mile Cypress Parkway. Upon completion of all phases, it will provide a north-south pedestrian and bicycle route from the North Colonial Linear Park (East and West) to Mulloch Creek in South Fort Myers and connect communities to other recreational venues, and other resource-based park facilities.

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 property described in Exhibit X for the above described public use or purpose.

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 _____, 2004.

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



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email -- fmooffice@bwk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

LEGAL DESCRIPTION

Ten Mile Linear Park
Parcel 101

A parcel of land in Section 25, Township 45 South, Range 24 East, Lee County, Florida, more particularly described as follows:

Begin at the northeast corner of the southeast quarter of Section 25, Township 45 South, Range 24 East, thence S.01°03'53"E. along the east line of said southeast quarter for 1235.54 feet to an intersection with the northerly right of way line of Six Mile Cypress Parkway; thence S.89°08'34"W. along said northerly right of way line for 111.87 feet to an intersection with the west line of Canal "A" of the former Iona Drainage District; thence N.00°58'41"W. along said west line for 1235.41 feet to an intersection with the north line of the southeast quarter of the aforementioned Section 25; thence N.89°04'57"E. along said north line for 110.00 feet to the point of beginning.

Bean, Whitaker, Lutz & Kareh, Inc.
Certificate Of Authorization Number LB0004919

Date: 18 FEB 04

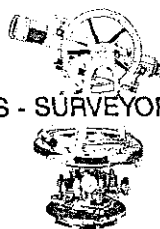
James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

BWLK34377Parcel 101.doc

Page 1 of 14

PRINCIPALS:
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

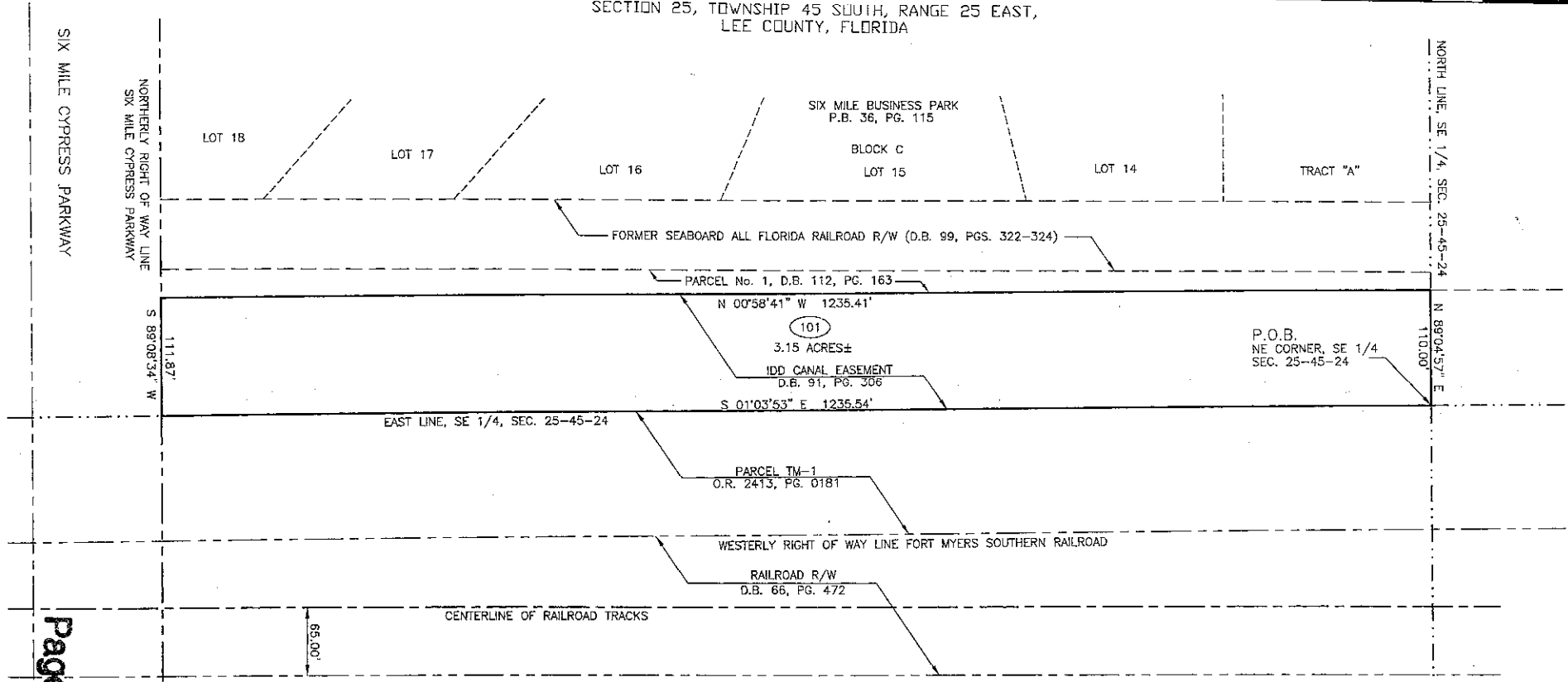
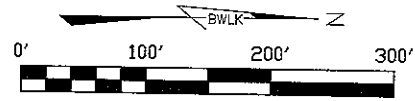
CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:
TRACY N. BEAN, AICP
CHARLES D. KNIGHT, PSM
W. BRITT POMEROY, JR., PSM
STEPHEN H. SKORUPSKI, PSM
ELWOOD FINEFIELD, PSM
JAMES A. HESSLER, PSM
JAMES R. COLEMAN, PSM
RUDOLF A. NORMAN, PE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OF
A PARCEL OF LAND
LYING IN
SECTION 25, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



Page 2 of 14

Exhibit "X"

SURVEYORS NOTES

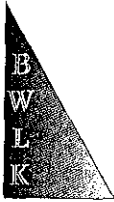
1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREON AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR THE WEST ZONE OF FLORIDA, NORTH AMERICAN DATUM OF 1983 (NAD83), 1990 ADJUSTMENT.
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

BEAN, WHITAKER, LUTZ & KAREH, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0004919
James R. Coleman
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205
DATE: 12 FEB 04

Bean, Whitaker, Lutz & Kareh, Inc. (13 4019)
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
1804-S MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-6910 (239) 481-1331

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
02-16-04	34377	J.R.C.	1"=100'	1 OF 1	25-45-25

PCL-101.DWG



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email - fmoffice@bwlk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

LEGAL DESCRIPTION

Ten Mile Linear Park
Parcel 102

A parcel of land in Section 25, Township 45 South, Range 24 East, Lee County, Florida, more particularly described as follows:

Begin at the northeast corner of Section 25, Township 45 South, Range 24 East, thence S.01°00'33"E. along the east line of the northeast quarter of said Section 25 for 2644.69 feet to an intersection with the south line of said northeast quarter; thence S.89°05'33"W. along said south line for 110.00 feet to an intersection with the west line of Canal "A" of the former Iona Drainage District; thence N.00°52'45"W. along said west line for 2644.73 feet to an intersection with the north line of the northeast quarter of the aforementioned Section 25; thence N.89°06'45"E. along said north line for 104.00 feet to the point of beginning.

Bean, Whitaker, Lutz & Kareh, Inc.
Certificate Of Authorization Number LB0004919

Date: 18 FEB 04

James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

BWLK34377Parcel 102.doc

Page 3 of 14

PRINCIPALS:

- WILLIAM E. BEAN, PSM, CHAIRMAN
- SCOTT C. WHITAKER, PSM, PRESIDENT
- JOSEPH L. LUTZ, PSM
- AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



ASSOCIATES:

- TRACY N. BEAN, AICP
- CHARLES D. KNIGHT, PSM
- W. BRITT POMEROY, JR., PSM
- STEPHEN H. SKORUPSKI, PSM
- ELWOOD FINEFIELD, PSM
- JAMES A. HESSLER, PSM
- JAMES R. COLEMAN, PSM
- RUDOLF A. NORMAN, PE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OF
A PARCEL OF LAND
LYING IN
SECTION 25, TOWNSHIP 45 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA

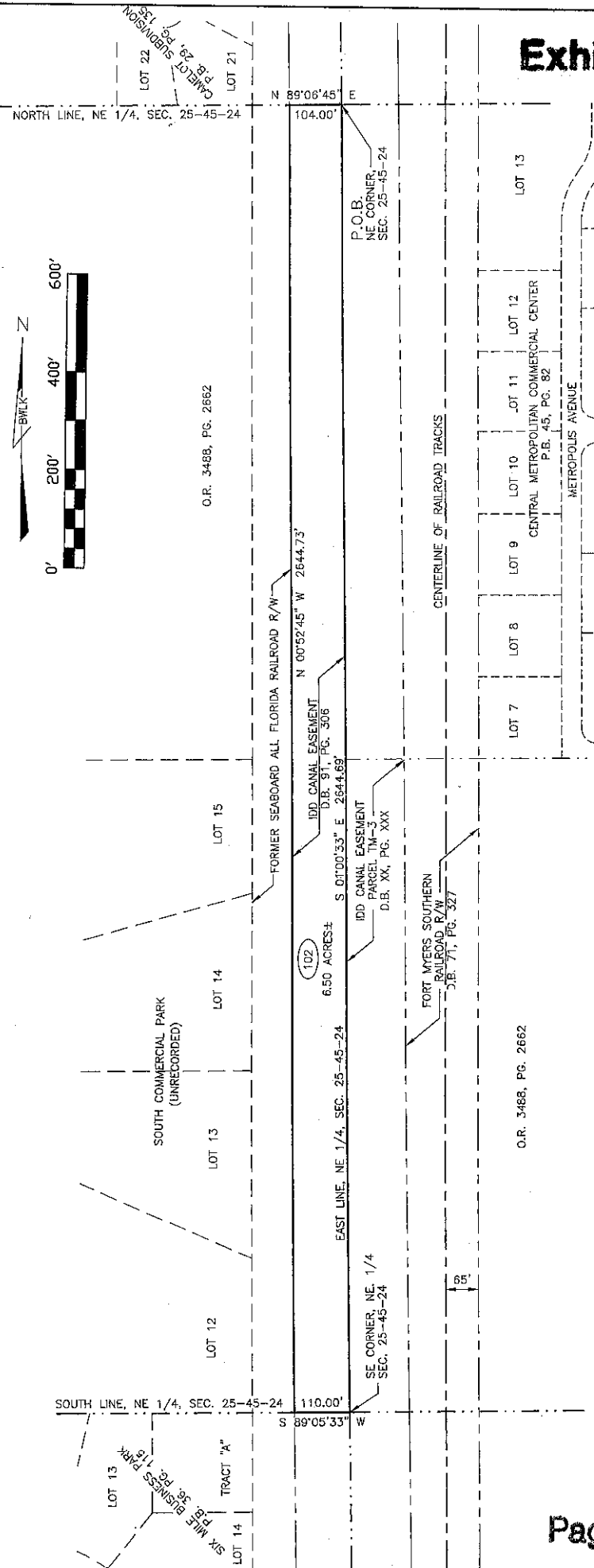


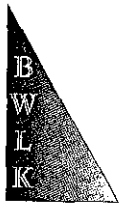
Exhibit "X"

SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREON AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR THE WEST ZONE OF FLORIDA, NORTH AMERICAN DATUM OF 1983 (NAD83), 1990 ADJUSTMENT.
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

BEAN, WHITAKER, LUTZ & KARCH, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0004919
DATE: 12/28/04
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

Bean, Whitaker, Lutz & Karch, Inc. (2B 4819)
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
13041 MCCOBBOR BOULEVARD, FORT WORTH, FLORIDA 33048-9100 (251) 461-1301
P.L. 102 DMC
PROJECT NO. 02-17-04 34377
SCALE 1" = 200'
SHEET 25-45-24



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email - fmoffice@bwk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

LEGAL DESCRIPTION

Ten Mile Linear Park
Parcel 103

A parcel of land in Section 24, Township 45 South, Range 24 East, Lee County, Florida, more particularly described as follows:

Commence at the northeast corner of the southeast quarter of Section 24, Township 45 South, Range 24 East, thence S.01°27'04"E. along the east line of the southeast quarter of said Section 24 for 192.69 feet to an intersection with the south right of way line of Daniels Road and the point of beginning of the herein described parcel of land; thence continue S.01°27'04"E. along said east line for 2451.87 feet to an intersection with the south line of the southeast quarter of the aforementioned Section 24; thence S.89°06'45"W. along said south line for 104.00 feet to an intersection with the west line of Canal "A" of the former Iona Drainage District; thence N.01°20'33"W. along said west line for 2447.73 feet to an intersection with the aforementioned south right of way line of Daniels Road, being a point on the arc of a circular curve concave to the northwest bearing S.02°45'41"E. from the radius point of said curve; thence northeasterly along the arc of said curve having for its elements a radius of 5834.58 feet and a central angle of 00°58'34" for 99.41 feet to the point of beginning

Bean, Whitaker, Lutz & Kareh, Inc.
Certificate Of Authorization Number LB0004919

Date: 18 FEB 04

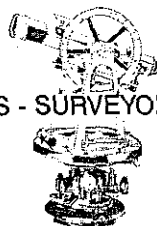
James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

BWLK34377Parcel 103.doc

PRINCIPALS:

- WILLIAM E. BEAN, PSM, CHAIRMAN
- SCOTT C. WHITAKER, PSM, PRESIDENT
- JOSEPH L. LUTZ, PSM
- AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

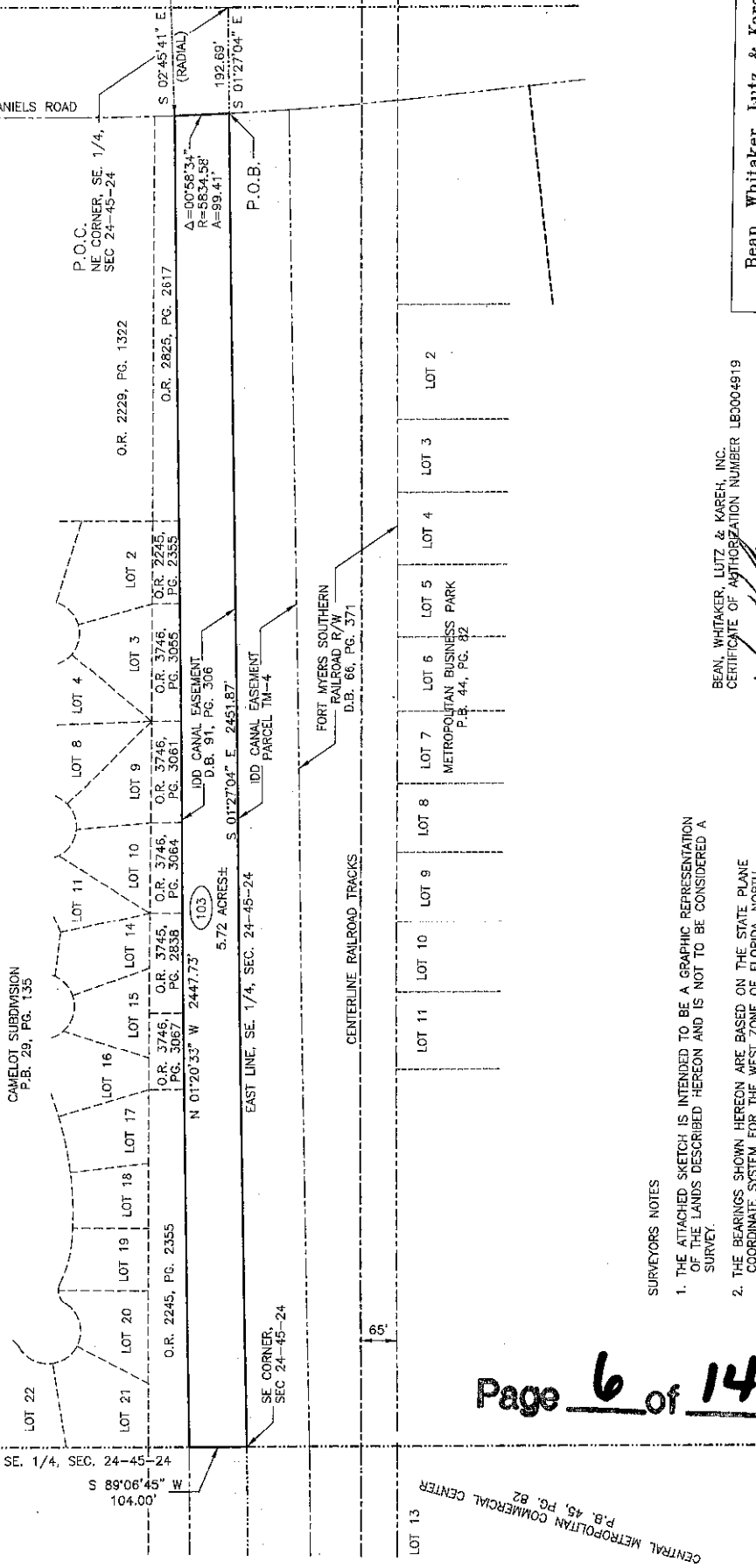
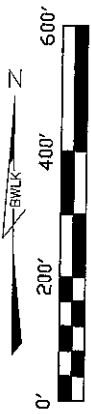


ASSOCIATES:

- TRACY N. BEAN, AICP
- CHARLES D. KNIGHT, PSM
- W. BRITT POMEROY, JR., PSM
- STEPHEN H. SKORUPSKI, PSM
- ELWOOD FINEFIELD, PSM
- JAMES A. HESSLER, PSM
- JAMES R. COLEMAN, PSM
- RUDOLF A. NORMAN, PE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OF
A PARCEL OF LAND
LYING IN
SECTION 24, TOWNSHIP 45 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA



SURVEYORS NOTES

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3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

BEAN, WHITAKER, LUTZ & KAREH, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB30004919
DATE: 10/26/04

JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
1541-1 WOODBERRY HOLLOW/AVENUE, FORT MYERS, FLORIDA 36916-8110 (239) 461-1331
P.L.C. - 103.DWG
DATE 02-16-04
PROJECT NO. 34377
DRAWN BY J.R.C.
CHECKED BY J.R.C.
SCALE 1" = 200'
SHEET 6 OF 14
FILE NO. 02-45-24



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email - fmooffice@bwlk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

LEGAL DESCRIPTION

Ten Mile Linear Park
Parcel 201

A parcel of land in Section 30, Township 45 South, Range 25 East, Lee County, Florida, more particularly described as follows:

Begin at the northwest corner of the southwest quarter of Section 30, Township 45 South, Range 25 East, thence S.01°03'53"E. along the west line of said southwest quarter for 1235.54 feet to an intersection with the northerly right of way line of Six Mile Cypress Parkway; thence N.89°08'34"E. along said northerly right of way line for 119.87 feet to an intersection with the westerly right of way line of the Fort Myers Southern Railroad; thence N.01°09'05"W. along said westerly right of way line for 1236.00 feet to an intersection with the north line of the southwest quarter of the aforementioned Section 30; thence S.88°55'09"W. along said north line for 118.00 feet to the point of beginning.

Bean, Whitaker, Lutz & Kareh, Inc.
Certificate Of Authorization Number LB0004919

 Date: 10 FEB 04

James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

BWLK34377Parcel 201.doc

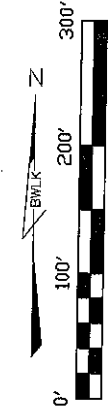
PRINCIPALS:
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

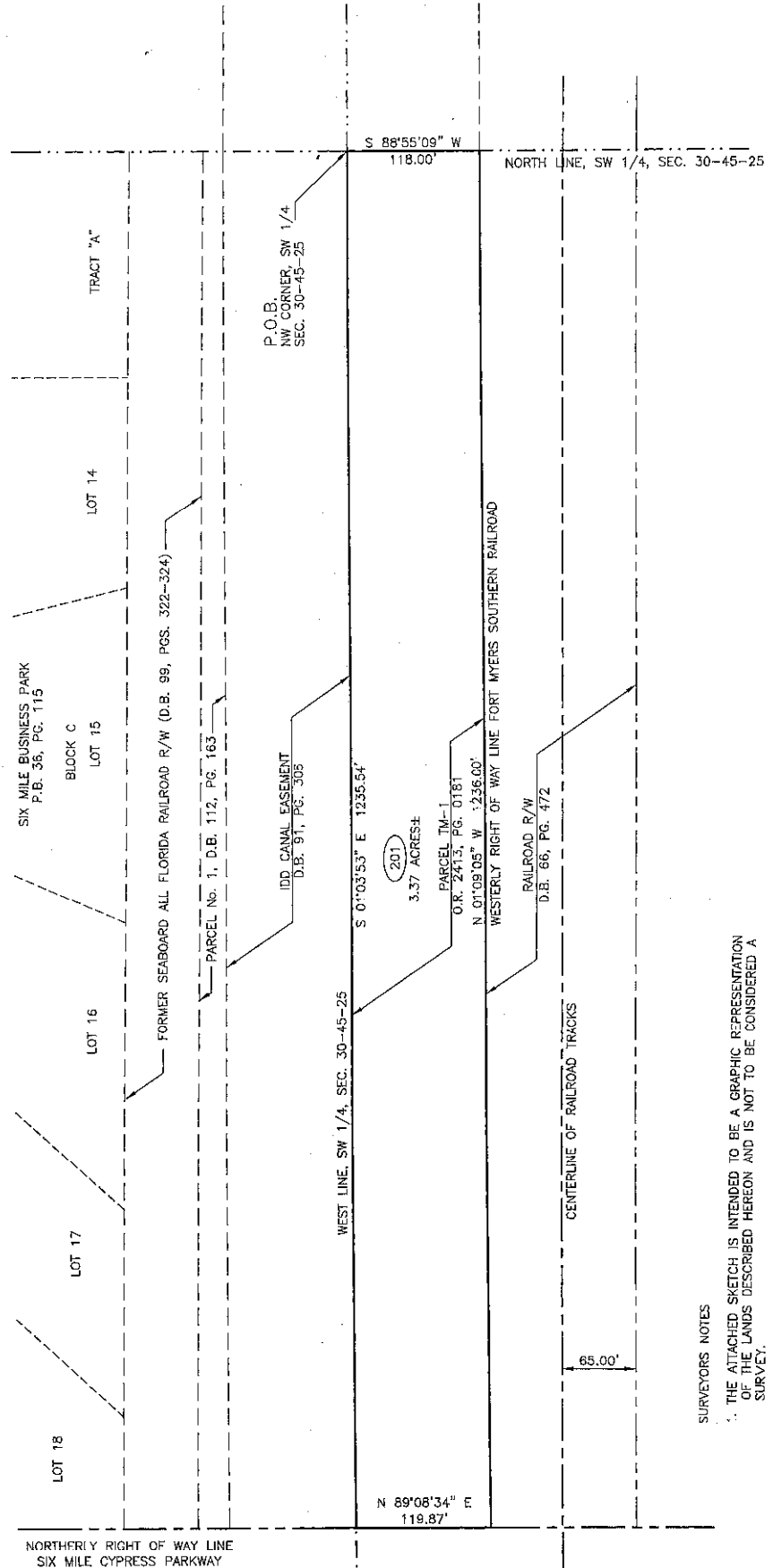


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ELWOOD FINEFIELD, PSM
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JAMES R. COLEMAN, PSM
RUDOLF A. NORMAN, PE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



OF
A PARCEL OF LAND
LYING IN
SECTION 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



- SURVEYORS NOTES
- THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREON AND IS NOT TO BE CONSIDERED A SURVEY.
 - THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR THE WEST ZONE OF FLORIDA, NORTH AMERICAN DATUM OF 1983 (NAD83), 1990 ADJUSTMENT.
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BEAN, WHITAKER, LUTZ & KAREH, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB00004919

JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

DATE: 12/20/02

Bean, Whitaker, Lutz & Karch, Inc. (B3 4919)
CIVIL ENGINEERS - SURVEYORS AND MAPERS - PLANNERS
1804-I MOURGOUR BOULEVARD, FORT MYERS, FLORIDA 33904-9810 (239) 451-1331

PCL-201.DWG
DATE: 02-9-04 3:43:77
PROJECT NO. J.R.C.
SCALE: 1" = 100'
SHEET: 1 OF 1
FILE NO. B-1-10 30-45-25



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email - fmoffice@bwlk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

LEGAL DESCRIPTION

Ten Mile Linear Park
Parcel 202

A parcel of land in Section 30, Township 45 South, Range 25 East, Lee County, Florida, more particularly described as follows:

Begin at the southwest corner of the northwest quarter of Section 30, Township 45 South, Range 25 East, thence N.01°00'33"W. along the west line of said northwest quarter for 1322.35 feet to an intersection with the north line of the south half of the northwest quarter of said Section 30; thence N.88°57'51"E. along said north line for 115.50 feet to an intersection with the westerly right of way line of the Fort Myers Southern Railroad; thence S.01°07'03"E. along said westerly right of way line for 1322.26 feet to an intersection with the south line of the northwest quarter of the aforementioned Section 30; thence S.88°55'09"W. along said south line for 118.00 feet to the point of beginning.

Bean, Whitaker, Lutz & Kareh, Inc.
Certificate Of Authorization Number LB0004919

[Signature]

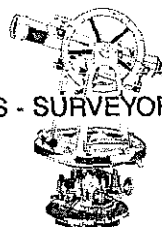
Date: 12 FEB 04

James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

BWLK34377Parcel 202.doc

- PRINCIPALS:
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



- ASSOCIATES:
TRACY N. BEAN, AICP
CHARLES D. KNIGHT, PSM
W. BRITT POMEROY, JR., PSM
STEPHEN H. SKORUPSKI, PSM
ELWOOD FINEFIELD, PSM
JAMES A. HESSLER, PSM
JAMES R. COLEMAN, PSM
RUDOLF A. NORMAN, PE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OF
A PARCEL OF LAND
LYING IN
SECTION 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



LOT 13
SIX MILE BUSINESS PARK
P.B. 36, PG. 115

TRACT "A"

LOT 12

LOT 13

LOT 14

LOT 15

SOUTH COMMERCIAL PARK
(UNRECORDED)

FORMER SEABOARD ALL FLORIDA RAILROAD R/W (D.B. 111, PG 146)

P.O.B.
SW CORNER NW 1/4,
SEC 30-45-25

IDD CANAL EASEMENT
D.B. 91, PG. 306

3.54 ACRES±
PARCEL TM-2
O.R. 2413, PG. 0180

S 88°55'09" W
118.00'

N 01°00'33" W 1322.35'

S 01°07'03" E 1322.26'

FORT MYERS SOUTHERN
RAILROAD R/W
D.B. 66, PG. 472

WESTERLY RIGHT OF WAY LINE FORT MYERS SOUTHERN RAILROAD

WEST LINE, NW 1/4, SEC. 30-45-25

NORTH LINE, S. 1/2, NW 1/4, SEC. 30-45-25

115.50'
N 88°57'51" E

Exhibit "X"

SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREON AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR THE WEST ZONE OF FLORIDA, NORTH AMERICAN DATUM OF 1983 (NAD83), 1990 ADJUSTMENT.
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL

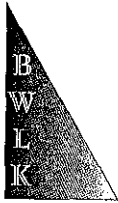
BEAN, WHITAKER, LUTZ & KAREH, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0004919

DATE: *08/23/04*
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

Bean, Whitaker, Lutz & Kareh, Inc. (B 489)

CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
1804-1 MOOREBORO BOULEVARD, FORT MYERS, FLORIDA 33904-6870 (239) 481-1331

DATE: 02-16-04
PROJECT NO: 34377
DRAWN BY: J.R.C.
SCALE: 1" = 100'
SHEET: 1 OF 1
FILE NO. (S-2-A): 30-45-25



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email - fmoffice@bwlk.net
(Ph) 239-481-1331 (Fax) 239-481-1073

LEGAL DESCRIPTION

Ten Mile Linear Park
Parcel 203

A parcel of land in Section 30, Township 45 South, Range 25 East, Lee County, Florida, more particularly described as follows:

Begin at the northwest corner of Section 30, Township 45 South, Range 25 East, thence S.01°00'33"W. along the west line of said northwest quarter for 1322.35 feet to an intersection with the south line of the north half of the northwest quarter of said Section 30; thence N.88°57'51"E. along said south line for 115.50 feet to an intersection with the westerly right of way line of the Fort Myers Southern Railroad; thence N.01°07'03"W. along said westerly right of way line for 1322.23 feet to an intersection with the north line of the northwest quarter of the aforementioned Section 30; thence S.89°01'24"W. along said north line for 113.00 feet to the point of beginning.

Bean, Whitaker, Lutz & Kareh, Inc.
Certificate Of Authorization Number LB0004919

Date: 18 FEB 04

James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

BWLK34377Parcel 203.doc

PRINCIPALS:
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

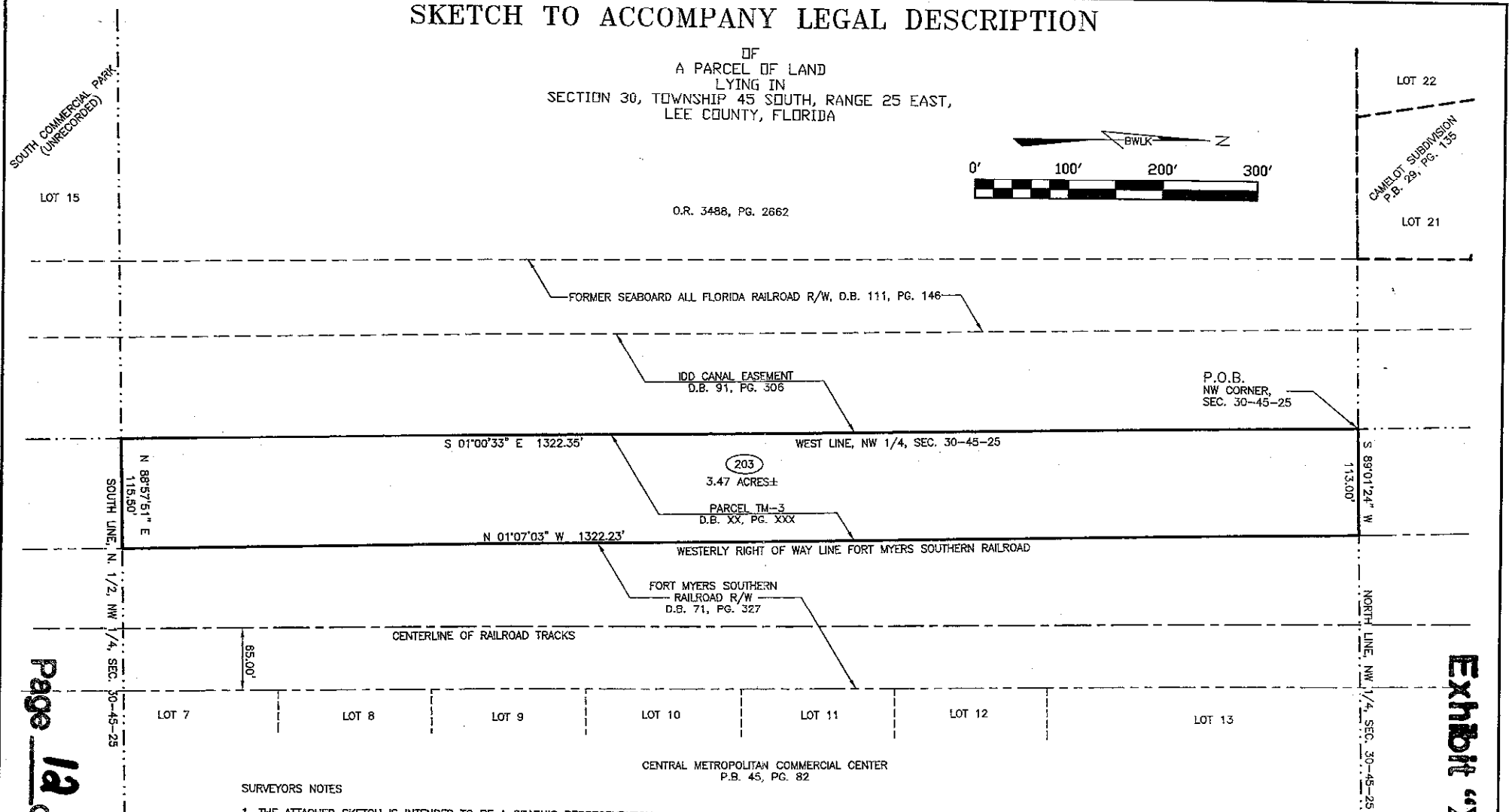
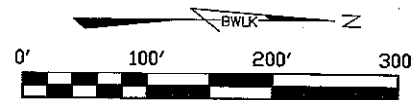


ASSOCIATES:
TRACY N. BEAN, AICP
CHARLES D. KNIGHT, PSM
W. BRITT POMEROY, JR., PSM
STEPHEN H. SKORUPSKI, PSM
ELWOOD FINEFIELD, PSM
JAMES A. HESSLER, PSM
JAMES R. COLEMAN, PSM
RUDOLF A. NORMAN, PE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OF
A PARCEL OF LAND
LYING IN
SECTION 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

O.R. 3488, PG. 2662



SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREON AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR THE WEST ZONE OF FLORIDA, NORTH AMERICAN DATUM OF 1983 (NAD83), 1990 ADJUSTMENT.
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

BEAN, WHITAKER, LUTZ & KAREH, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0004919
James R. Coleman DATE: 12 FEB 04
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

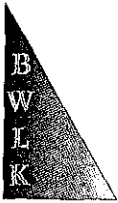
Bean, Whitaker, Lutz & Kareh, Inc. (LB 4919)
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
13041-1 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-5010 (239) 481-1331

PCL-203.DWG

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-R)
02-16-04	34377	J.R.C.	1" = 100'	1 OF 1	30-45-25

Page 12 of 14

Exhibit "X"



Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard
Fort Myers, Florida 33919-5910
email - fmoffice@bwlk.net
(Ph) 239-481-1331 (Fax) 239-481-1073


LEGAL DESCRIPTION

Ten Mile Linear Park
Parcel 204

A parcel of land in Section 19, Township 45 South, Range 25 East, Lee County, Florida, more particularly described as follows:

Commence at the northwest corner of the southwest quarter of Section 19, Township 45 South, Range 25 East, thence S.01°27'04"E. along the west line of the southwest quarter of said Section 19 for 192.69 feet to an intersection with the south right of way line of Daniels Road and the point of beginning of the herein described parcel of land; thence continue S.01°27'04"E. along said west line for 2451.87 feet to an intersection with the south line of the southwest quarter of the aforementioned Section 19; thence N.89°01'24"E. along said south line for 113.00 feet to an intersection with the westerly right of way line of the Fort Myers Southern Railroad; thence N.01°33'33"W. along said westerly right of way line for 2458.15 feet to an intersection with the aforementioned south right of way line of Daniels Road, being a point on the arc of a circular curve concave to the northwest bearing S.04°48'10"E. from the radius point of said curve; thence southwesterly along the arc of said curve having for its elements a radius of 5834.58 feet and a central angle of 01°03'55" for 108.49 feet to the point of beginning

Bean, Whitaker, Lutz & Kareh, Inc.
Certificate Of Authorization Number LB0004919

 Date: 18 FEB 04
James R. Coleman
Registered Land Surveyor
Florida Certificate Number 3205

- PRINCIPALS:
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

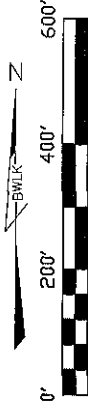
CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



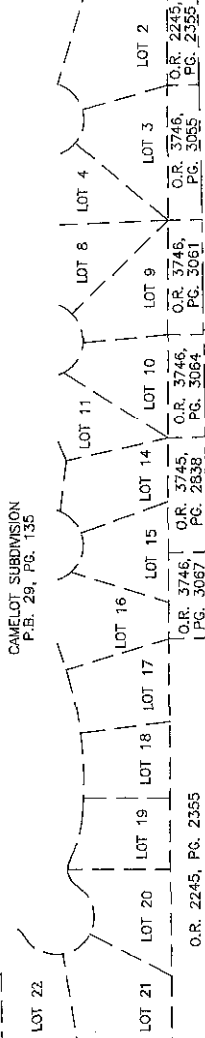
- ASSOCIATES:
TRACY N. BEAN, AICP
CHARLES D. KNIGHT, PSM
W. BRITT POMEROY, JR., PSM
STEPHEN H. SKORUPSKI, PSM
ELWOOD FINEFIELD, PSM
JAMES A. HESSLER, PSM
JAMES R. COLEMAN, PSM
RUDOLF A. NORMAN, PE

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OF
A PARCEL OF LAND
LYING IN
SECTION 19, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



CAMELOT SUBDIVISION
P.B. 29, PG. 135



SW CORNER,
SEC 19-45-25

S 01°27'04" E 2451.87'
WEST LINE, SW 1/4, SEC. 19-45-25

204
6.24 ACRES±

WESTERLY RIGHT OF WAY LINE FORT MYERS SOUTHERN RAILROAD

CENTERLINE RAILROAD TRACKS

FORT MYERS SOUTHERN
RAILROAD R/W
D.B. 66, PG. 371

65'

SOUTH LINE, SW 1/4, SEC. 19-45-25

LOT 13
CENTRAL METROPOLITAN COMMERCIAL CENTER
P.B. 48, PG. 82

SURVEYORS NOTES

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2. THE BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM FOR THE WEST ZONE OF FLORIDA, NORTH AMERICAN DATUM OF 1983 (NAD83), 1990 ADJUSTMENT.
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

BEAN, WHITAKER, LUTZ & KAREH, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0004919
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205
DATE: 12/22/04

Bean, Whitaker, Lutz & Kareh, Inc. (PA 4919)
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
12001-11 MOORESBORO BOULEVARD, FORT MYERS, FLORIDA, 33916-6910 (239) 481-1331
PCL-204.DWG
DATE: 02-17-04
SCALE: 1"=200'
SHEET: 1 OF 1
FILE NO. (S-7-43) 19-45-25