

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

Blue Sheet No. 20040566

1. REQUESTED MOTION:

ACTION REQUESTED: Approve the Resolution of Necessity for the acquisition and condemnation of parcels required for the Koreshan Boulevard Extension now known as Estero Parkway (Three Oaks Parkway to Ben Hill Griffin Parkway), Project No. 5021.

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 Koreshan Boulevard Extension now known as Estero Parkway (Three Oaks Parkway to Ben Hill Griffin Parkway), Project No. 5021.

2. DEPARTMENTAL CATEGORY: 12

COMMISSION DISTRICT #: 5

A12A

3. MEETING DATE:

06-01-2004

4. AGENDA:

- CONSENT ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON

TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE 73. 74. 125. 127
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION

- A.
- B. DEPARTMENT County Attorney
- C. DIVISION Litigation
- BY John Renner, Assistant County Attorney

7. BACKGROUND:

The Koreshan Boulevard Extension now known as Estero Parkway, Project No. 5021 provides for construction of a County arterial roadway, with sidewalks, bike paths, stormwater drainage, and utilities, from Three Oaks Parkway to Ben Hill Griffin Parkway, in Estero, to include overpass improvements at Interstate 75.

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

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>Robert Clavin for Kara Foytch</i>				<i>[Signature]</i>	OA <i>5/13/04</i>	OM <i>5/14/04</i>	RISK <i>5/14/04</i>	GC <i>5/14/04</i>	<i>[Signature]</i> 5-18-04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *5/13/04*
Time: *3:20 PM*
Forwarded To:

CO. ATTY.
FORWARDED TO CO. ADMIN.
5/14/04

RECEIVED BY COUNTY ADMIN
5/14/04
9:35 am
COUNTY ADMIN FORWARDED TO:
5/15/04
2:15 pm

25

**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 Koreshan Boulevard Extension now known as Estero Parkway, Project No. 5021, by acquiring the necessary right-of-way for construction of a County arterial roadway from Three Oaks Parkway, east to the existing Ben Hill Griffin Parkway, and construction of overpass improvements at Interstate 75.

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 "A" are necessary for the Koreshan Boulevard Extension now known as Estero Parkway Project, and are being acquired for the following specific public use or purpose:

To improve traffic flow and transportation safety by providing right-of-way for an increased traffic flow for public as well as private vehicles, and improvement of evacuation routes. Provides for an additional east/west corridor from Three Oaks Parkway to a point of intersection at Ben Hill Griffin Parkway, and overpass improvements at Interstate 75. Estero Parkway will be a County arterial roadway with sidewalk, bike path, stormwater drainage, and utilities. Exhibit "A" consists of Parcels 100, 101, 102-A, 102-B, 103-A, 103-B, 104, 105, and 106.

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 the fee simple interest in the properties described in Exhibit "A" 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

SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

This sketch is NOT a survey.

LEGEND

- BLVD BOULEVARD
- CB CHORD BEARING
- CH CHORD LENGTH
- CM CONCRETE MONUMENT
- CO. COUNTY
- COR CORNER
- Δ CURVE DELTA
- DOT DEPARTMENT OF TRANSPORTATION
- FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
- ID IDENTIFICATION
- L CURVE LENGTH
- LB LICENSED BUSINESS
- O.R. OFFICIAL RECORDS BOOK
- PG. PAGE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- PROJ. PROJECT
- R RADIUS
- R/W RIGHT OF WAY
- SEC SECTION
- TWP TOWNSHIP
- RNG RANGE

EXISTING EAST R/W LINE
THREE OAKS PARKWAY
(100' WIDE R/W) PER LEE
COUNTY DOT PROJECT 84-026

SEE SHEET 2 FOR
LEGAL DESCRIPTION

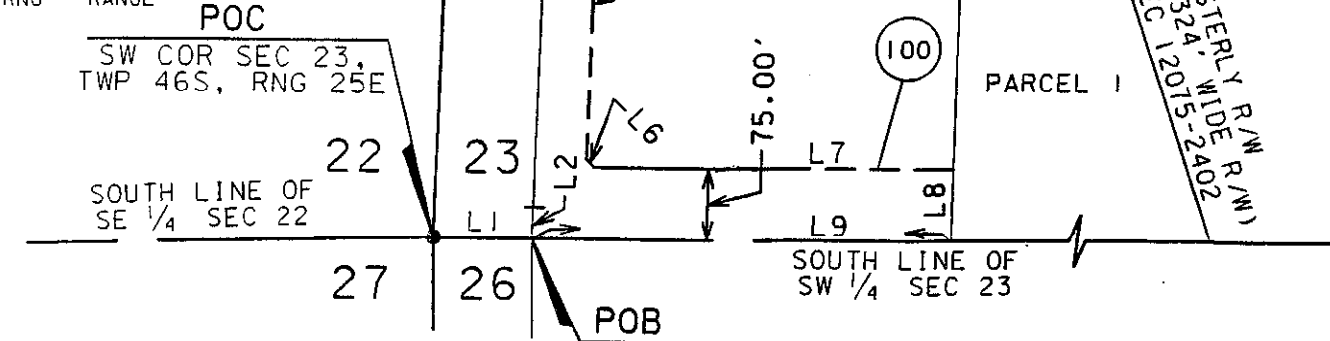
UNPLOTTABLE PRIVATE CROSS
ACCESS & UTILITY EASEMENT
PER O.R. 3865, PG. 2810

W LINE OF PARCEL 1
PER O.R. 3865, PG. 2798

EXISTING WESTERLY R/W
LINE 1-15 (324' WIDE R/W)
PER FDOT SEC 12015-2402

1" = 200'

NORTH



LINE TABLE

L1	S 89°45'10" E	100.04'
L2	N 01°18'01" W	0.80'
L3	N 00°52'48" E	702.24'
L4	S 89°07'55" E	50.00'
L5	S 00°52'48" W	619.28'
L6	S 44°17'43" E	11.52'
L7	S 89°45'10" E	361.88'
L8	S 00°52'48" W	75.00'
L9	N 89°45'10" W	420.02'

PARCEL NUMBER: 100
PROPERTY OWNER: R.O. RICHARDS, III, TRUSTEE
REFERENCE: OFFICIAL RECORDS BOOK 2700, PAGE 961
& OFFICIAL RECORDS BOOK 3087, PAGE 2451
STRAP NUMBER: 23-46-25-00-00001.1000
AREA OF TAKE: 1.445 ACRES
AREA OF REMAINDER: 5.311 ACRES

SURVEY NOTES

1. Reproductions of this sketch are not valid unless sealed with an embossed Surveyor's Seal.
2. The sketch shown hereon is for graphic representation only and does not represent a boundary survey.
3. Corner monuments were not set in conjunction with the preparation of this drawing.
4. Legal description prepared by PBS&J.
5. Bearings shown hereon are based on the South line of the SW 1/4 of Sec 23, Twp 46S, Rng 25E, being S 89°45'10" E.

SKETCH AND LEGAL DESCRIPTION
KORESHAN BLVD LEE CO. PROJ - 5021
PARCEL 100 TAKE

We hereby certify that the attached "Sketch and Legal Description" is true and correct to the best of our knowledge and belief as recently prepared under our direction and that this sketch meets the intent of the minimum technical standards for surveying pursuant to Section 472.027, Florida Statutes and Chapter 61G17-6, Florida Administrative Code.

PBS&J LB 24
Oris Clark Sartor

ORRIS CLARK SARTOR
PROFESSIONAL LAND SURVEYOR #2685
STATE OF FLORIDA

JOB NO: 100806.08 0300	DATE 11-18-03
FIELD BOOK	REV: ADDED EASEMENT 4/01/04
SCALE: 1" = 200'	REV: REV LINE L1 4/13/04
DRAWN BY: RM	CHECKED BY: OCS

PBS&J ENGINEERS, PLANNERS & SURVEYORS
5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
(813)-282-7275

SHEET 1 OF 2

KORESHAN BLVD
LEE CO. PROJ. • 5021
PARCEL NUMBER: 100
PROPERTY OWNER: R.O. RICHARDS, III, TRUSTEE
REFERENCE: OFFICAL RECORDS BOOK 2700, PAGE 961
& OFFICIAL RECORDS BOOK 3087, PAGE 2451
STRAP NUMBER: 23-46-25-00-00001.1000
AREA OF TAKE: 1.445 ACRES
AREA OF REMAINDER: 5.311 ACRES

LEGAL DESCRIPTION

A parcel of land lying in the Southwest $\frac{1}{4}$ of Section 23, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of Section 23, Township 46 South, Range 25 East, Lee County, Florida; thence along the South line of the Southwest $\frac{1}{4}$ of said Section 23, S 89°45'10" E for 100.04 feet to the POINT OF BEGINNING; said point being a point of Intersection with the existing East right of way line of Three Oaks Parkway (a 100 foot wide right of way) per Lee County Department of Transportation Project 84-026; thence along said existing East right of way line for the following two (2) courses: (1) N 01°18'01" W for 0.80 feet; (2) N 00°52'48" E for 702.24 feet; thence S 89°07'55" E for 50.00 feet to an intersection with a line that is 50.00 feet Easterly of and parallel with the East right of way line of said Three Oaks Parkway; thence along the last described parallel line, S 00°52'48" W for 619.28 feet; thence S 44°17'43" E for 11.52 feet to an intersection with a line that is 75.00 feet North of and parallel with the South line of the Southwest $\frac{1}{4}$ of said Section 23; thence along the last described parallel line, S 89°45'10" E for 361.88 feet to the West line of a parcel of land known as Parcel 1 per Official Records Book 3865, Page 2798 of the Public Records of Lee County, Florida; thence along the last described West line S 00°52'48" W for 75.00 feet to an intersection with the South line of the Southwest $\frac{1}{4}$ of said Section 23; thence along the last described South line, N 89°45'10" W for 420.02 feet to the POINT OF BEGINNING.

Containing 1.445 acres, more or less.

DRAWN BY: RM

CHECKED BY: OCS



ENGINEERS, PLANNERS & SURVEYORS
5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
(813)-282-7275

LB 24

SHEET 2 OF 2

SEE SHEET 1 FOR SKETCH

SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

This sketch is NOT a survey.

SEE SHEET 2 FOR
LEGAL DESCRIPTION

NORTH

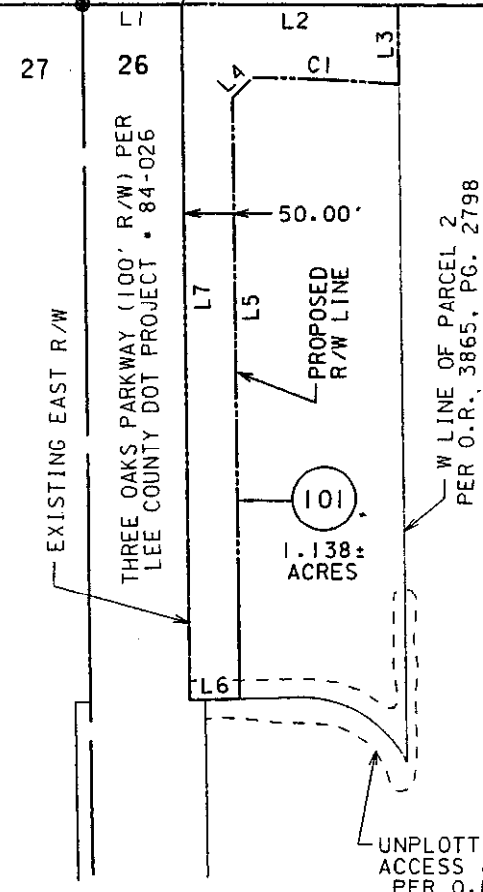
PARCEL NUMBER: 101
PROPERTY OWNER: R.O. RICHARDS, III, TRUSTEE
REFERENCE: OFFICAL RECORDS BOOK 2700, PAGE 974
STRAP NUMBER: 26-46-25-00-00001.2000
AREA OF TAKE: 1.138 ACRES
AREA OF REMAINDER: 2.556 ACRES

POC
NW COR SEC 26,
TWP 46S, RNG 25E

POB

22 23 NORTH LINE OF NW 1/4 SEC 26 S 89°45'10" E

1" = 200'



LINE TABLE

L1	S 89°45'10" E	100.04'
L2	S 89°45'10" E	220.08'
L3	S 01°18'01" E	81.58'
L4	S 44°46'29" W	29.04'
L5	S 01°18'01" E	626.99'
L6	S 88°41'59" W	50.00'
L7	N 01°18'01" W	724.39'

CI
Δ -03°04'09" LT
R -2790.00'
L -149.46'
CH -149.44'
CB -N 87°21'37" W

PARCEL 2 PER
O.R. 3865, PG. 2798

LEGEND

BLVD	BOULEVARD
CB	CHORD BEARING
CH	CHORD LENGTH
CO.	COUNTY
COR	CORNER
Δ	CURVE DELTA
DOT	DEPARTMENT OF TRANSPORTATION
L	CURVE LENGTH
LB	LICENSED BUSINESS
O.R.	OFFICIAL RECORDS BOOK
PG.	PAGE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R	RADIUS
R/W	RIGHT OF WAY
SEC	SECTION
TWP	TOWNSHIP
RNG	RANGE

SURVEY NOTES

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3. Corner monuments were not set in conjunction with the preparation of this drawing.
4. Legal description prepared by PBS&J.
5. Bearings shown hereon are based on the North line of the NW 1/4 of Sec 26, Twp 46S, Rng 25E, being S 89°45'10" E.

SKETCH AND LEGAL DESCRIPTION KORESHAN BLVD LEE CO. PROJECT • 5021 PARCEL 101 TAKE	
JOB NO: 100806.08 0300	DATE 04-01-04
FIELD BOOK	REV. 04-09-04 REVISED STRAP NUMBER
SCALE: 1" = 200'	REV:
DRAWN BY: RM	CHECKED BY: WHF
ENGINEERS, PLANNERS & SURVEYORS 5300 WEST CYPRESS STREET, SUITE 300 TAMPA, FLORIDA 33607 (813)-282-7275	
SHEET 1 OF 2	

We hereby certify that the attached "Sketch and Legal Description" is true and correct to the best of our knowledge and belief as recently prepared under our direction and that this sketch meets the intent of the minimum technical standards for surveying pursuant to Section 472.027, Florida Statutes and Chapter 61G17-6, Florida Administrative Code.

PBS&J LB 24
Orrie Clark Sartor
ORRIS CLARK SARTOR
PROFESSIONAL LAND SURVEYOR • 2685
STATE OF FLORIDA

KORESHAN BLVD
LEE CO. PROJ. • 5021
PARCEL NUMBER: 101
PROPERTY OWNER: R.O. RICHARDS, III, TRUSTEE
REFERENCE: OFFICAL RECORDS BOOK 2700, PAGE 974
STRAP NUMBER: 26-46-25-00-00001.2000
AREA OF TAKE: 1.138 ACRES
AREA OF REMAINDER: 2.556 ACRES

LEGAL DESCRIPTION

A parcel of land lying in the Northwest $\frac{1}{4}$ of Section 26, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of Section 26, Township 46 South, Range 25 East, Lee County, Florida; thence along the North line of the Northwest $\frac{1}{4}$ of said Section 26, S 89°45'10" E for 100.04 feet to a point of intersection with the existing East right of way line of Three Oaks Parkway (a 100 foot wide right of way) per Lee County Department of Transportation Project 84-026, said point being the POINT OF BEGINNING; thence continue along the North line of the Northwest $\frac{1}{4}$ of said Section 26, S 89°45'10" E for 220.08 feet to an intersection with the West line of Parcel 2 as described in Official Records Book 3865, Page 2798, Lee County Records; thence along the last described West line, S 01°18'01" E for 81.58 feet to a non-tangent curve concave Southerly; thence Westerly along the arc of said curve, having a radius of 2790.00 feet, and a chord bearing and distance of N 87°21'37" W for 149.44 feet, through a central angle of 03°04'09", for 149.46 feet; thence S 44°46'29" W for 29.04 feet to an intersection with a line that is 50.00 feet Easterly of and parallel with the East right of way line of Three Oaks Parkway; thence along the last described parallel line, S 01°18'01" E for 626.99 feet; thence S 88°41'59" W for 50.00 feet to a point of intersection with the aforementioned existing East right of way line of Three Oaks Parkway; thence N 01°18'01" W along the last described existing East right of way line for 724.39 feet to the POINT OF BEGINNING.

Containing 1.138 acres, more or less.

DRAWN BY: RM

CHECKED BY: WHF



ENGINEERS, PLANNERS & SURVEYORS
5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
(813)-282-7275

SHEET 2 OF 2

SEE SHEET 1 FOR SKETCH

DD\$MON\$YEAR\$HRMIN

L:\Survey\Koreshan\101tk.dgn

SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

This sketch is NOT a survey.

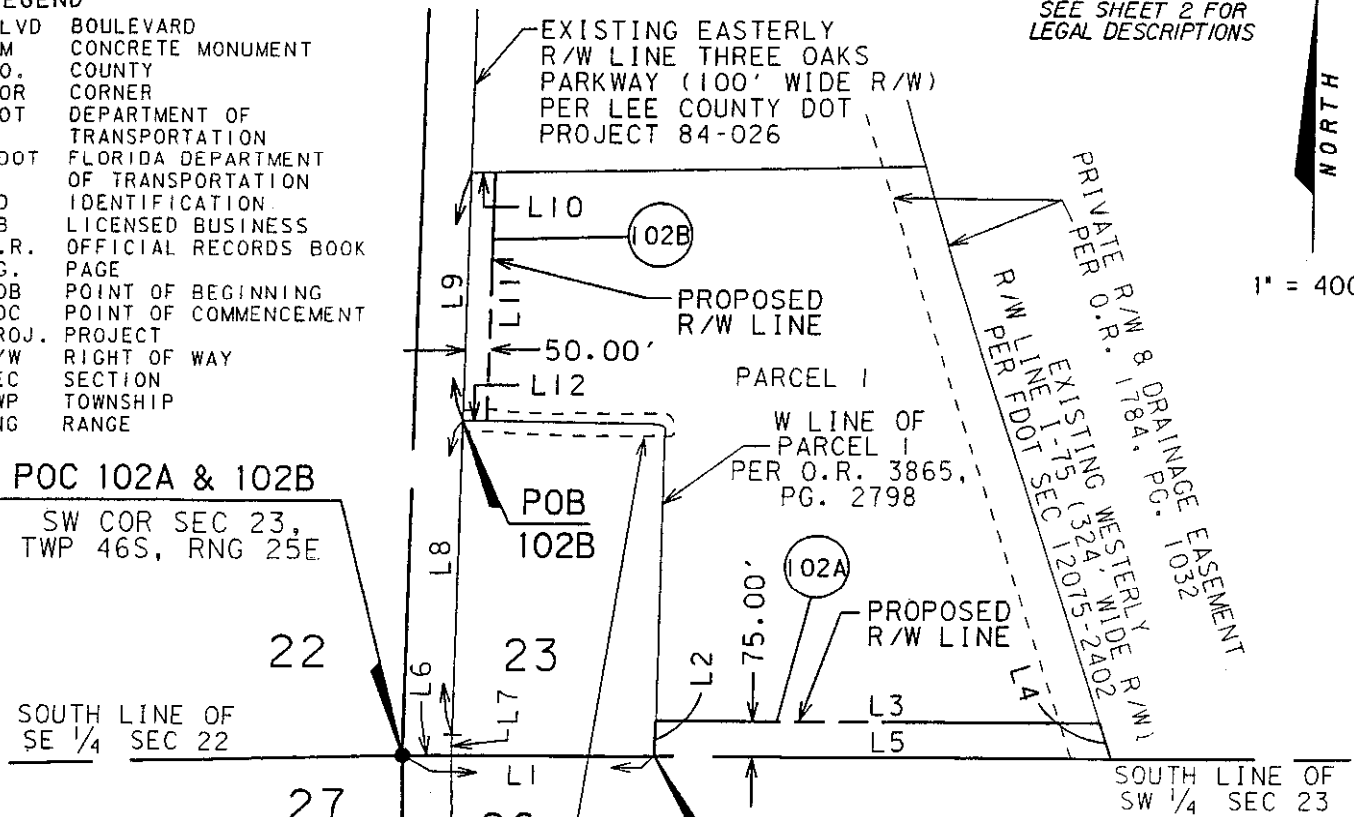
LEGEND

- BLVD BOULEVARD
- CM CONCRETE MONUMENT
- CO. COUNTY
- COR CORNER
- DOT DEPARTMENT OF TRANSPORTATION
- FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
- ID IDENTIFICATION
- LB LICENSED BUSINESS
- O.R. OFFICIAL RECORDS BOOK
- PG. PAGE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- PROJ. PROJECT
- R/W RIGHT OF WAY
- SEC SECTION
- TWP TOWNSHIP
- RNG RANGE

SEE SHEET 2 FOR LEGAL DESCRIPTIONS



1" = 400'



LINE TABLE

L1	S	89°45'10"	E	520.06'
L2	N	00°52'48"	E	75.00'
L3	S	89°45'10"	E	914.32'
L4	S	18°18'02"	E	79.11'
L5	N	89°45'10"	W	940.31'
L6	S	89°45'10"	E	100.04'
L7	N	01°18'01"	W	0.80'
L8	N	00°52'48"	E	702.24'
L9	N	00°52'48"	E	514.43'
L10	N	89°17'20"	E	50.02'
L11	S	00°52'48"	W	515.81'
L12	N	89°07'55"	W	50.00'

PARCEL NUMBER: 102
 PROPERTY OWNER: COLONIAL HOMES, INC.
 REFERENCE: OFFICAL RECORDS BOOK 3865, PAGE 2798
 STRAP NUMBER: 23-46-25-00-00001.1060
 AREA OF TAKE: 2.188 ACRES (PARTS A & B COMBINED)
 AREA OF REMAINDER: 23.368 ACRES

SURVEY NOTES

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3. Corner monuments were not set in conjunction with the preparation of this drawing.
4. Legal description prepared by PBS&J.
5. Bearings shown hereon are based on the South line of the SW 1/4 of Sec 23, Twp 46S, Rng 25E. being S 89°45'10" E.

SKETCH AND LEGAL DESCRIPTION
 KORESHAN BLVD LEE CO. PROJ. • 5021
 PARCEL 102 TAKE

JOB NO. 100806.08 0300	DATE 11-18-03
FIELD BOOK	REV. ADDED EASMENTS 4/01/04
SCALE. 1" = 400'	REV.
DRAWN BY: RM	CHECKED BY: OCS

We hereby certify that the attached "Sketch and Legal Description" is true and correct to the best of our knowledge and belief as recently prepared under our direction and that this sketch meets the intent of the minimum technical standards for surveying pursuant to Section 472.027, Florida Statutes, and Chapter 61G17-6, Florida Administrative Code.

PBS&J LB 24

ORRIS CLARK SARTOR
 PROFESSIONAL LAND SURVEYOR • 2685
 STATE OF FLORIDA



ENGINEERS, PLANNERS & SURVEYORS
 5300 WEST CYPRESS STREET, SUITE 300
 TAMPA, FLORIDA 33607
 (813)-282-7275

SHEET 1 OF 2

KORESHAN BLVD
LEE CO. PROJ. • 5021
PARCEL NUMBER: 102
PROPERTY OWNER: COLONIAL HOMES, INC.
REFERENCE: OFFICAL RECORDS BOOK 3865, PAGE 2798
STRAP NUMBER: 23-46-25-00-00001.1060
AREA OF TAKE: 2.188 ACRES (PARTS A & B COMBINED)
AREA OF REMAINDER: 23.368 ACRES

LEGAL DESCRIPTION

All that portion of land described as Parcel 1 in Official Records Book 3865, Page 2798 of the Public Records of Lee County, Florida, and lying in the Southwest $\frac{1}{4}$ of Section 23, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as the following two (2) parcels:

Parcel A:

COMMENCE at the Southwest corner of Section 23, Township 46 South, Range 25 East, Lee County, Florida; thence along the South line of the Southwest $\frac{1}{4}$ of said Section 23, S 89°45'10" E for 520.06 feet to a point of intersection with the West line of the aforementioned Parcel 1 per Official Records Book 3865, Page 2798, said point being the POINT OF BEGINNING; thence along the last described West line N 00°52'48" E for 75.00 feet to an intersection with a line that is 75.00 feet North of and parallel with the South line of the Southwest $\frac{1}{4}$ of said Section 23; thence along said parallel line, S 89°45'10" E for 914.32 feet to an intersection with the existing Westerly right of way line of I-75 (324' wide right of way) per Florida Department of Transportation Section 12075-2402; thence along said existing Westerly right of way line, S 18°18'02" E for 79.11 feet to a point on the South line of the Southwest $\frac{1}{4}$ of said Section 23; thence along said South line, N 89°45'10" W for 940.31 feet to the POINT OF BEGINNING.

Containing 1.597 acres, more or less.

Parcel B:

COMMENCE at the Southwest corner of Section 23, Township 46 South, Range 25 East, Lee County, Florida; thence along the South line of the Southwest $\frac{1}{4}$ of said Section 23, S 89°45'10" E for 100.04 feet to a point of intersection with the existing Easterly right of way line for Three Oaks Parkway per Lee County Department of Transportation Project 84-026; thence along said existing Easterly right of way line the following two (2) courses: (1) N 01°18'01" W for 0.80 feet; (2) N 00°52'48" E for 702.24 feet to the POINT OF BEGINNING; thence continue along the aforementioned existing Easterly right of way line, N 00°52'48" E for 514.43 feet; thence N 89°17'20" E for 50.02 feet to an intersection with a line that is 50.00 feet East of and parallel with the aforementioned existing Easterly right of way line of Three Oaks Parkway; thence along said parallel line, S 00°52'48" W for 515.81 feet; thence N 89°07'55" W for 50.00 feet to the POINT OF BEGINNING.

Containing 0.591 acres, more or less.

The above two (2) described parcels A & B contain a combined total of 2.188 acres, more or less.

DRAWN BY: RM

CHECKED BY: OCS



ENGINEERS, PLANNERS & SURVEYORS
5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
(813)-282-7275

LB 24

SHEET 2 OF 2

SEE SHEET 1 FOR SKETCH

PARCEL NUMBER: 103
PROPERTY OWNER: COLONIAL HOMES, INC.
REFERENCE: OFFICAL RECORDS BOOK 3865, PAGE 2798
STRAP NUMBER: 26-46-25-00-00001.2010
AREA OF TAKE: 10.740 ACRES
AREA OF REMAINDER: 34.478 ACRES

LEGAL DESCRIPTION

All that portion of land described as Parcel 2 in Official Records Book 3865, Page 2798, Lee County Public Reocrds, and lying in the Northwest $\frac{1}{4}$ of Section 26, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as the following two (2) parcels:

Part A

COMMENCE at the Northwest corner of Section 26, Township 46 South, Range 25 East, Lee County, Florida; thence along the North line of the Northwest $\frac{1}{4}$ of said Section 26, S 89°45'10" E for 320.12 feet to a point of intersection with the Northwest corner of that certain parcel described as Parcel 2 per Official Records Book 3865, Page 2798, said point being the POINT OF BEGINNING; thence continue S 89°45'10" E for 1140.25 feet to an intersection with the existing Westerly right of way line of I-75 (324.00 foot wide right of way) per Florida Department of Transportation Section 12075-2402; thence along said existing Westerly right of way line, S 18°18'02" E for 327.24 feet to a non-tangent curve concave Northerly; thence Westerly along the arc of said curve, having a radius of 3506.50 feet, and a chord bearing and distance of N 78°59'40" W for 666.13 feet, through a central angle of 10°54'03", for 667.14 feet to the point of reverse curvature of a circular curve concave Southerly; thence Westerly along the arc of said curve, having a radius of 2790.00 feet, and a chord bearing and distance of N 75°06'38" W for 152.55 feet, through a central angle of 03°07'59", for 152.57 feet to the end of said curve; thence S 01°18'01" E for 456.68 feet; thence S 88°41'59" W for 438.19 feet to an intersection with the West line of the aforementioned Parcel 2 per Official Records Book 3865, Page 2798; thence along the last described West line, N 01°18'01" W for 615.91 feet to the POINT OF BEGINNING.

Containing 10.223 acres, more or less.

Part B

A strip of land 35.00 feet in width, lying in the Northwest $\frac{1}{4}$ of Section 26, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

COMMENCE at the Northwest corner of Section 26, Township 46 South, Range 25 East, Lee County, Florida; thence along the North line of the Northwest $\frac{1}{4}$ of said Section 26, S 89°45'10" E for 100.04 feet to an intersection with the existing East right of way line of Three Oaks Parkway per Lee County Department of Transportation Project 84-026; thence along the last described East right of way line, S 01°18'01" E for 724.39 feet; thence N 88°41'59" E for 15.00 feet to the POINT OF BEGINNING; thence continue N 88°41'59" E for 35.00 feet; thence S 01°18'01" E for 643.84 feet to an intersection with the South line of Parcel 2 as described in Official Records Book 3865, Page 2798, Public Records Lee County, Florida; thence along the last described South line, S 89°59'59" W for 35.01 feet to an intersection with the aforementioned existing East right of way line of Three Oaks Parkway; thence along the last described East right of way line, N 01°18'01" W for 643.04 feet to the POINT OF BEGINNING.

Containing 0.517 acres, more or less.

Part A and Part B contain a total of 10.740 acres, more or less.

DRAWN BY: RM

CHECKED BY: WHF



ENGINEERS, PLANNERS & SURVEYORS
5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
(813)-282-7275

SHEET 2 OF 2

SEE SHEET 1 FOR SKETCH

SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

This sketch is NOT a survey.

PARCEL NUMBER: 104
PROPERTY OWNER: MIROMAR LAKES L.L.C.
REFERENCE: O.R. 3165, PG. 1800
STRAP NUMBER: NOT AVAILABLE
AREA OF TAKE: 2.892 ACRES
AREA OF REMAINDER: 0 (TOTAL TAKE)

SEE SHEET 2 FOR
LEGAL DESCRIPTION

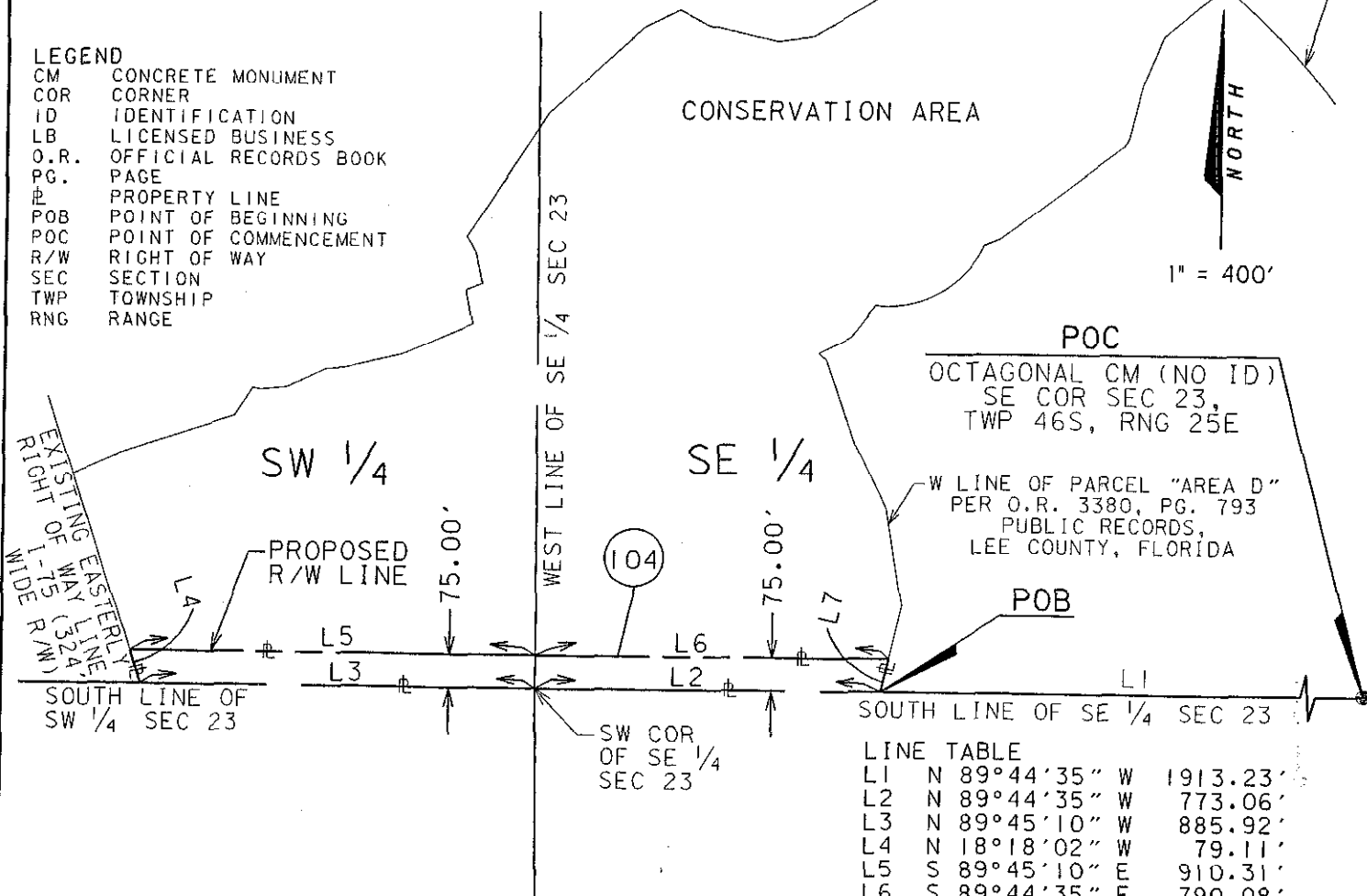
EXISTING WESTERLY
RIGHT OF WAY LINE
BEN GRIFFIN
PARKWAY

- LEGEND
- CM CONCRETE MONUMENT
 - COR CORNER
 - ID IDENTIFICATION
 - LB LICENSED BUSINESS
 - O.R. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - P PROPERTY LINE
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - R/W RIGHT OF WAY
 - SEC SECTION
 - TWP TOWNSHIP
 - RNG RANGE

CONSERVATION AREA

NORTH

1" = 400'



POC
OCTAGONAL CM (NO ID)
SE COR SEC 23,
TWP 46S, RNG 25E

W LINE OF PARCEL "AREA D"
PER O.R. 3380, PG. 793
PUBLIC RECORDS,
LEE COUNTY, FLORIDA

POB

LINE TABLE

L1	N 89°44'35" W	1913.23'
L2	N 89°44'35" W	773.06'
L3	N 89°45'10" W	885.92'
L4	N 18°18'02" W	79.11'
L5	S 89°45'10" E	910.31'
L6	S 89°44'35" E	790.08'
L7	S 12°28'22" W	76.74'

SURVEY NOTES

1. Reproductions of this sketch are not valid unless sealed with an embossed Surveyor's Seal.
2. The sketch shown hereon is for graphic representation only and does not represent a boundary survey.
3. Corner monuments were not set in conjunction with the preparation of this drawing.
4. Legal description prepared by PBS&J.
5. Bearings shown hereon are based on the South line of the SE 1/4 of Sec 23, Twp 46S, Rng 25E, being N 89°44'35" W.

SKETCH AND LEGAL DESCRIPTION
PARCEL 104 TAKE

JOB NO: 100806.08 0300	DATE: 9-15-03
FIELD BOOK	REV:
SCALE: 1" = 400'	REV:
DRAWN BY: RM	CHECKED BY: WHF

We hereby certify that the attached "Sketch and Legal Description" is true and correct to the best of our knowledge and belief as recently prepared under our direction and that this sketch meets the intent of the minimum technical standards for surveying pursuant to Section 472.027, Florida Statutes and Chapter 61G17-6, Florida Administrative Code.

Orris Clark Sartor
PBS&J LB 4

ORRIS CLARK SARTOR
PROFESSIONAL LAND SURVEYOR #2685
STATE OF FLORIDA

PBS&J ENGINEERS, PLANNERS & SURVEYORS
5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
LB 24 (813)-282-7275

SHEET 1 OF 2

PARCEL NUMBER: 104
PROPERTY OWNER: MIROMAR LAKES L.L.C.
REFERENCE: O.R. 3165, PG. 1800
STRAP NUMBER: NOT AVAILABLE
AREA OF TAKE: 2.892 ACRES
AREA OF REMAINDER: 0 (TOTAL TAKE)

LEGAL DESCRIPTION

A strip of land, 75.00 feet in width, lying in the South $\frac{1}{2}$ of Section 23, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of Section 23, Township 46 South, Range 25 East, Lee County, Florida; thence along the South line of the Southeast $\frac{1}{4}$ of said Section 23, N 89°44'35" W for 1,913.23 feet to a point of intersection with the West line of a parcel known as "Area D" per Official Records Book 3380, Page 793, Public Records of Lee County, Florida, said point being the POINT OF BEGINNING; thence continue along the South line of the Southeast $\frac{1}{4}$, N 89°44'35" W for 773.06 feet to the Southwest corner of the Southeast $\frac{1}{4}$ of said Section 23; thence N 89°45'10" W along the South line of the Southwest $\frac{1}{4}$ of said Section 23 for 885.92 feet to a point of intersection with the existing Easterly right of way line of I-75 (324.00 foot wide right of way); thence N 18°18'02" W along said existing Easterly right of way line for 79.11 feet to an intersection with a line that is 75.00 feet Northerly of and parallel with the said South line of the Southwest $\frac{1}{4}$; thence S 89°45'10" E along the last described parallel line for 910.31 feet; thence S 89°44'35" E along a line that is 75.00 feet Northerly of and parallel with the aforementioned South line of the Southeast $\frac{1}{4}$ of said Section 23 for 790.08 feet to an intersection with the aforementioned West line of parcel "Area D"; thence S 12°28'22" W along the last described West line for 76.74 feet to the POINT OF BEGINNING.

Containing 2.892 acres, more or less.

DRAWN BY: RM

CHECKED BY: WHF



ENGINEERS, PLANNERS & SURVEYORS
5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
(813)-282-7275

SHEET 2 OF 2

SEE SHEET 1 FOR SKETCH

SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

This sketch is NOT a survey.

SEE SHEET 2 FOR
LEGAL DESCRIPTION



LEGEND

- CB CHORD BEARING
- CH CHORD LENGTH
- CM CONCRETE MONUMENT
- COR CORNER
- Δ CURVE DELTA
- ID IDENTIFICATION
- L CURVE LENGTH
- LB LICENSED BUSINESS
- O.R. OFFICIAL RECORDS BOOK
- PG. PAGE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- R RADIUS
- R/W RIGHT OF WAY
- SEC SECTION
- TWP TOWNSHIP
- RNG RANGE

CI Δ = 06°49'15" 1" = 400'
R = 5525.00'
L = 657.73'
CH = 657.34'
CB = N 86°19'54" E

LINE TABLE

L1	N 89°44'35" W	651.52'
L2	N 89°44'35" W	1261.71'
L3	N 12°28'22" E	76.74'
L4	S 89°44'35" E	1.19'
L5	S 89°44'35" E	586.21'
L6	S 00°49'48" E	120.02'

10' WIDE UTILITY EASEMENT
IN FAVOR OF GULF ENVIRONMENTAL
SERVICES, INC. PER O.R. 3530, PG. 404,
PUBLIC RECORDS, LEE COUNTY, FLORIDA

"AREA D" PER O.R. 3380, PG. 793,
PUBLIC RECORDS,
LEE COUNTY, FLORIDA

E LINE OF PARCEL KNOWN AS
"MITIGATION AREA 1" PER
O.R. 3550, PG. 1204, PUBLIC
RECORDS, LEE COUNTY, FLORIDA

PROPOSED
R/W LINE (105)

POB

POC

S.E. CORNER
OF SEC 23

SOUTH LINE OF SE 1/4 SEC 23

PARCEL NUMBER: 105

PROPERTY OWNER: MIROMAR LAKES, L.L.C.

REFERENCE: OFFICAL RECORDS BOOK 3380, PAGE 793

STRAP NUMBER: 23-46-25-00-00001.1040

AREA OF TAKE: 3.200 ACRES, MORE OR LESS OF WHICH
2.157 ACRES, MORE OR LESS, IS WITHIN THE SOUTH 75'
AND 1.043 ACRES, MORE OR LESS IS THE BALANCE.

AREA OF REMAINDER: 32.589 ACRES

SURVEY NOTES

1. Reproductions of this sketch are not valid unless sealed with an embossed Surveyor's Seal.
2. The sketch shown hereon is for graphic representation only and does not represent a boundary survey.
3. Corner monuments were not set in conjunction with the preparation of this drawing.
4. Legal description prepared by PBS&J.
5. Bearings shown hereon are based on the South line of the SE 1/4 of Sec 23, Twp 46S, Rng 25E, being N 89°44'35" W.

SKETCH AND LEGAL DESCRIPTION
PARCEL 105 TAKE

JOB NO: 100806.08 0300	DATE 11-18-03
FIELD BOOK	REV:
SCALE: 1" = 400'	REV:
DRAWN BY: RM	CHECKED BY: WHF

We hereby certify that the attached "Sketch and Legal Description" is true and correct to the best of our knowledge and belief as recently prepared under our direction and that this sketch meets the intent of the minimum technical standards for surveying pursuant to Section 472.027, Florida Statutes and Chapter 61B17-6, Florida Administrative Code.

Orris Clark Sartor

ORRIS CLARK SARTOR

PROFESSIONAL LAND SURVEYOR #2685
STATE OF FLORIDA



ENGINEERS, PLANNERS & SURVEYORS
5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
(813)-282-7275

SHEET 1 OF 2

PARCEL NUMBER: 105
PROPERTY OWNER: MIROMAR LAKES, L.L.C.
REFERENCE: OFFICAL RECORDS BOOK 3380, PAGE 793
STRAP NUMBER: 23-46-25-00-00001.1040
AREA OF TAKE: 3.200 ACRES
AREA OF REMAINDER: 32.589 ACRES

LEGAL DESCRIPTION

A parcel of land being a portion of that certain parcel described as "Area D" per Official Records Book 3380, Page 793 of the Public Records of Lee County, Florida, and lying in the Southeast $\frac{1}{4}$ of Section 23, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of Section 23, Township 46 South, Range 25 East, Lee County, Florida; thence along the South line of the Southeast $\frac{1}{4}$ of said Section 23, N 89°44'35" W for 651.52 feet to a point on the existing Westerly right of way line of Ben Hill Griffin Parkway per Official Records Book 737, Page 1041 of the Public Records of Lee County, Florida (a 150.00 foot wide right of way) and the POINT OF BEGINNING; thence continue along the South line of the Southeast $\frac{1}{4}$ of said Section 23, N 89°44'35" W for 1261.71 feet to a point of intersection with the East line of a parcel known as "Mitigation Area 1" per Official Records Book 3550, Page 1204 of the Public Records of Lee County, Florida; thence N 12°28'22" E along the last described East line for 76.74 feet; thence S 89°44'35" E for 1.19 feet to the beginning of a non-tangent curve concave Southerly; thence Easterly along the arc of said curve, having a radius of 5525.00 feet, through a central angle of 06°49'15", for 657.73 feet, and a chord bearing and distance of N 86°19'54" E, for 657.34 feet to the end of said curve; thence S 89°44'35" E for 586.21 feet to a point of intersection with the aforementioned existing Westerly right of way line of Ben Hill Griffin Parkway; thence along said existing right of way line, S 00°49'48" E for 120.02 feet to the POINT OF BEGINNING.

Containing 3.200 acres, more or less.

The above described parcel is broken into two (2) component parts:

(A) The Southerly 75.00 feet thereof which contains 2.157 acres, more or less.

(B) The balance of said parcel (excluding the Southerly 75.00 feet thereof) which contains 1.043 acres, more or less.

DRAWN BY, RM

CHECKED BY, WHF



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5300 WEST CYPRESS STREET, SUITE 300
TAMPA, FLORIDA 33607
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LB 24

SHEET 2 OF 2

SEE SHEET 1 FOR SKETCH

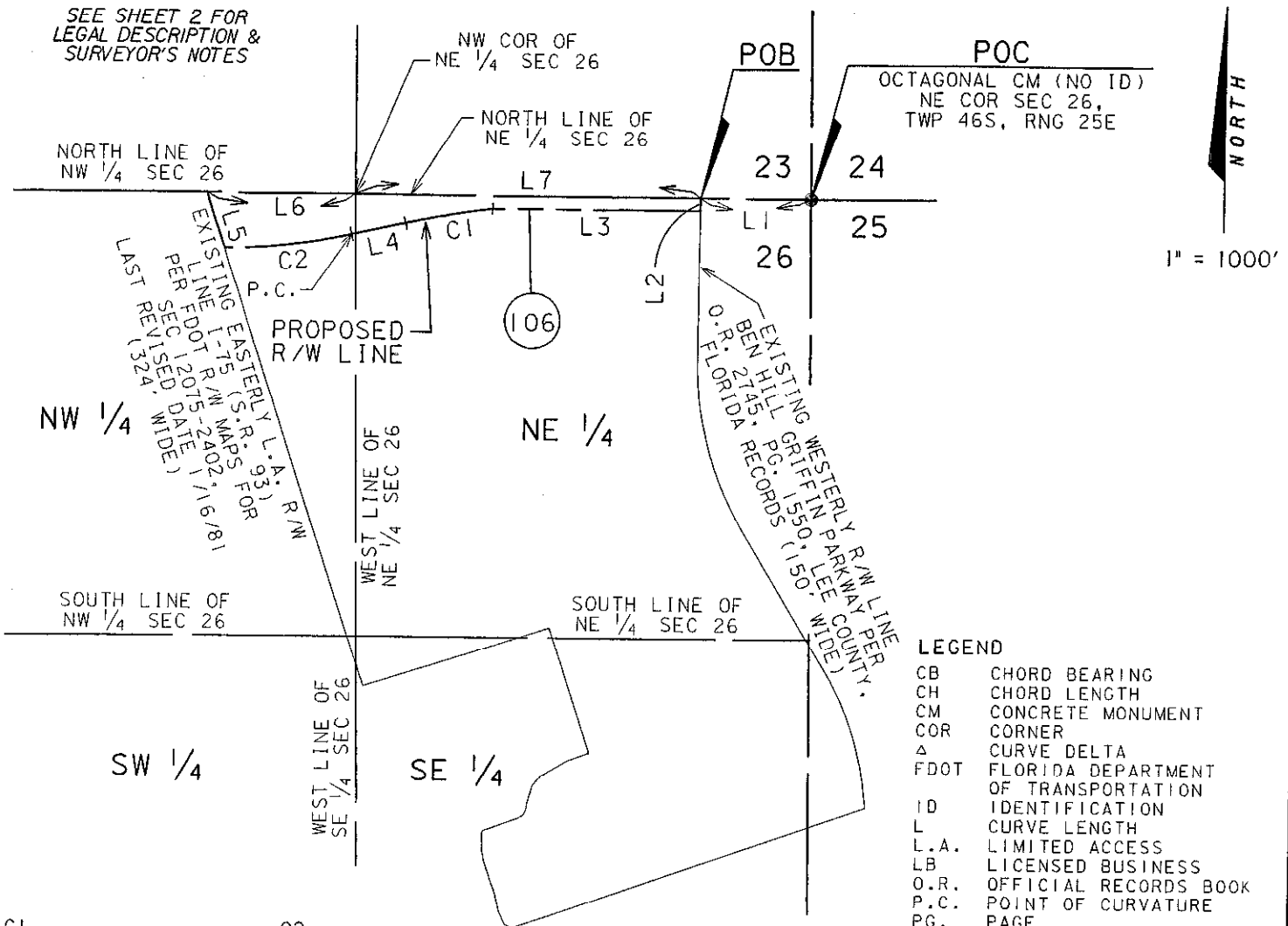
DD\$MON\$YEAR\$HRMIN

L:\Survey\Koreshan\105tk.dan

SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

This sketch is NOT a survey.

SEE SHEET 2 FOR
LEGAL DESCRIPTION &
SURVEYOR'S NOTES



- LEGEND**
- CB CHORD BEARING
 - CH CHORD LENGTH
 - CM CONCRETE MONUMENT
 - COR CORNER
 - Δ CURVE DELTA
 - FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
 - ID IDENTIFICATION
 - L CURVE LENGTH
 - L.A. LIMITED ACCESS
 - LB LICENSED BUSINESS
 - O.R. OFFICIAL RECORDS BOOK
 - P.C. POINT OF CURVATURE
 - PG. PAGE
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - SEC SECTION
 - S.R. STATE ROAD
 - TWP TOWNSHIP
 - R RADIUS
 - RNG RANGE
 - R/W RIGHT OF WAY

CI
 $\Delta = 05^{\circ}27'56''$
 $L = 512.74'$
 $R = 5375.00'$
 $CH = 512.54'$
 $CB = S 80^{\circ}06'10'' W$

C2
 $\Delta = 12^{\circ}30'36''$
 $L = 765.62'$
 $R = 3506.50'$
 $CH = 764.10'$
 $CB = S 83^{\circ}37'34'' W$

LINE TABLE

L1	N 89°44'35" W	651.52'
L2	S 00°15'02" W	75.00'
L3	N 89°44'35" W	1234.40'
L4	S 77°22'16" W	321.73'
L5	N 18°18'02" W	343.03'
L6	S 89°45'10" E	885.92'
L7	S 89°44'35" E	2034.77'

PARCEL NUMBER: 106
 PROPERTY OWNER: UNIVERSITY HIGHLAND LIMITED PARTNERSHIP
 REFERENCE: OFFICAL RECORDS BOOK 3081, PAGE 53 &
 OFFICIAL RECORDS BOOK 3115, PAGE 790
 STRAP NUMBER: 26-46-25-00-00001.1020
 AREA OF TAKE: 10.469 ACRES
 AREA OF REMAINDER: 209.583 ACRES

SKETCH AND LEGAL DESCRIPTION
 PARCEL 106 FEE TAKE
 FOR LEE COUNTY DEPARTMENT OF TRANSPORTATION

JOB NO: 100806.08 0300	DATE 10-01-03
FIELD BOOK	REV.
SCALE: 1" = 1000'	REV.
DRAWN BY: RM	CHECKED BY: WHF

We hereby certify that the attached "Sketch and Legal Description" is true and correct to the best of our knowledge and belief as recently prepared under our direction and that this sketch meets the intent of the minimum technical standards for surveying pursuant to Section 472.027, Florida Statutes and Chapter 61G17-6, Florida Administrative Code.

Orris Clark Sartor

ORRIS CLARK SARTOR
 PROFESSIONAL LAND SURVEYOR, #2685
 STATE OF FLORIDA



ENGINEERS, PLANNERS & SURVEYORS
 5300 WEST CYPRESS STREET, SUITE 300
 TAMPA, FLORIDA 33607
 (813)-282-7275

SHEET 1 OF 2

PROJECT : KORESHAN BOULEVARD
 LEE COUNTY, FLORIDA PROJECT NUMBER: 5021
 PARCEL NUMBER: 106
 PROPERTY OWNER: UNIVERSITY HIGHLAND LIMITED PARTNERSHIP
 REFERENCE: OFFICAL RECORDS BOOK 3081, PAGE 53 &
 OFFICIAL RECORDS BOOK 3115. PAGE 790
 STRAP NUMBER: 26-46-25-00-00001.1020
 AREA OF TAKE: 10.469 ACRES
 AREA OF REMAINDER: 209.583 ACRES

LEGAL DESCRIPTION

A parcel of land lying in the Northeast 1/4 and the Northwest 1/4 of Section 26, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 26, Township 46 South, Range 25 East, Lee County, Florida; thence along the North line of the Northeast 1/4 of said Section 26, N 89°44'35" W for 651.52 feet to a point on the existing Westerly right of way line of Ben Hill Griffin Parkway (a 150.00 foot wide right of way per Official Records Book 2745, Page 1550 of the Public Records of Lee County, Florida) and the POINT OF BEGINNING; thence along said existing Westerly right of way line, S 00°15'02" W for 75.00 feet; thence N 89°44'35" W for 1234.40 feet to the beginning of a non-tangent curve concave Southerly; thence Westerly along the arc of said curve, having a radius of 5375.00 feet and a chord and chord bearing of 512.54 feet and S 80°06'10" W, through a central angle of 05°27'56", for 512.74 feet to the end of said curve; thence S 77°22'16" W for 321.73 feet to the point of curvature of a curve concave Northerly; thence Westerly along the arc of said curve, having a radius of 3506.50 feet and a chord and chord bearing of 764.10 feet and S 83°37'34" W, through a central angle of 12°30'36", for 765.62 feet to a point of intersection with the existing Easterly Limited Access right of way line of I-75, per Florida Department of Transportation right of way maps, Section 12075-2402, last revised date of January 16, 1981; thence along said existing Easterly Limited Access right of way line, N 18°18'02" W for 343.03 feet to a point on the North line of the Northwest 1/4 of said Section 26; thence along said North line, S 89°45'10" E for 885.92 feet to the Northwest corner of the Northeast 1/4 of said Section 26; thence along the North line of the Northeast 1/4 of said Section 26, S 89°44'35" E for 2034.77 feet to the POINT OF BEGINNING.

Containing 10.469 acres, more or less.

SURVEYOR'S NOTES

1. Reproductions of this sketch are not valid unless sealed with an embossed Surveyor's Seal.
2. The sketch shown hereon is for graphic representation only and does not represent a boundary survey.
3. Corner monuments were not set in conjunction with the preparation of this drawing.
4. Legal description prepared by PBS&J.
5. Bearings shown hereon are based on the Florida State Plane Coordinate System, 83/90 adjustment with the North line of the NE 1/4 of Sec 26, Twp 46S, Rng 25E, being S 89°44'35" E.

SEE SHEET 1 FOR SKETCH

DRAWN BY: RM

CHECKED BY: WHF



ENGINEERS, PLANNERS & SURVEYORS
 5300 WEST CYPRESS STREET, SUITE 300
 TAMPA, FLORIDA 33607
 (813)-282-7275

SHEET 2 OF 2