

**Lee County Board Of County Commissioners**

**Agenda Item Summary**

**Blue Sheet No. 20040520**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept for maintenance the frontage road at the southeast corner of Summerlin Road and Pine Ridge Road which extends from the east right-of-way line of Pine Ridge Road thence east, north and east 1100' built under D.O. #2002-00247, where it connects to a frontage road previously accepted by the Board, Section 8, Township 46 south, range 24 East.

**WHY ACTION IS NECESSARY:** Board action is necessary to conclude the final step in the Road Maintenance Acceptance Policy, AC-11-7.

**WHAT ACTION ACCOMPLISHES:** Provides formal notification to the public that the Department of Transportation is now responsible for the maintenance of this road.

**2. DEPARTMENTAL CATEGORY:** 09 DOT  
**COMMISSION DISTRICT # 3**

*C9A*

**3. MEETING DATE:**

*06-01-2004*

**4. AGENDA:**

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

**5. REQUIREMENT/PURPOSE:**  
*(Specify)*

- STATUTE
- ORDINANCE
- ADMIN.
- CODE *11-7*
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT *Transportation*
- C. DIVISION

BY: *Scott M. Gilbertson*

**7. BACKGROUND:**

This frontage road is a continuation of a frontage road accepted by the Board December 2, 1997, Blue Sheet #971103. the right-of-way was accepted by the Board November 25, 1997 and recorded in Official Record Book 2895, pages 1881 through 1888. Pursuant to AC-11-7, the county has received documentation and the road and is approved for maintenance by the Department of Transportation.

There is no landscape maintenance agreement and DOT is accepting only the infrastructure and roadside drainage. DOT assumes no responsibility for maintenance beyond the core level of service.

DOT recommends acceptance for maintenance.

**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>5/13/04</i> <i>[Signature]</i>	NA	NA		<i>John Redinger</i> <i>5-13-04</i>	OA <i>5-13-04</i>	OM <i>5/13/04</i>	Risk <i>5/13/04</i>	GC <i>5/13/04</i>	<i>[Signature]</i> <i>5.3.04</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTY.  
FORWARDED  
TO CO. ADMIN.  
*5/13/04 [Signature]*

RECEIVED BY  
COUNTY ADMIN: *PK*  
*5/13/04*  
*2:35pm SLT*  
COUNTY ADMIN  
FORWARDED TO:

## Memo

To: John Fredyma, County Attorney

From: Margaret Lawson, Supervisor  
DOT Right-of-Way Section *Margaret Lawson*

Date: May 7, 2004

Subject: **Road Maintenance Acceptance for the Vision XXIV Frontage Road  
(Summerlin and Pine Ridge Road)**

2004 MAY -7 PM 4:10  
RECEIVED BY  
LEE CO. ATTORNEY

---

Attached for your signature is the original blue sheet with copies of back-up documentation. All documentation is in compliance with the Administrative Code 11-7. Impact fee credits were issued previously for this project for the land, and once the Board accepts the Frontage road for maintenance, the County will issue credits for the construction.

DOT did the construction inspections of this development order project. Additionally, and as a supplement to the requirements of the DO process and the Administrative Code 11-7, DOT Operations and DOT Engineering did a final walk through with the developer's contractor. DOT signed the final ROW inspection sheet, and this road is 100% constructed to County standards.

If you have any questions regarding this blue sheet or the attachments, please just give me a call.

\* \* \*

ML:lcc

cc: DOT Road Maintenance File (Visions XXIV Frontage Road)

Attachments: Blue Sheet and Documentation

LETTER OF SUBSTANTIAL COMPLIANCE  
ENGINEER

TO: Lee County Division of Development Services

RE: Project Name: VISION XXIV FRONTAGE ROAD

D.O. Number: LDO 2002-00247

Building Permit Number: \_\_\_\_\_

Request for:  Initial Inspection - (no fee) \_\_\_\_\_ Re-Inspection- (fee required)

An on-site inspection was performed by myself (or my authorized representative) on  
12/9/2003  
(Date)



X

I hereby certify that the development is in substantial compliance [as the term is defined in the LDC Section 10-183(b)] with the approved Development Order.

Attached hereto is a list of minor changes from the approved Development Order plans including a completed application for Minor Changes pursuant to the Land Development Code Section 10-120. The changes are highlighted on the site plans which have been signed and sealed by the development's engineer and are hereby submitted for approval by the Director of Development Services prior to inspection.

With the approval of the listed minor changes, I certify that the development is in substantial compliance with the approved Development Order.

Executed by the above development's Engineer on 12/9/2003 by:

(Date)



(Engineer of Record) Eddie E. Neese  
Neese & Associates  
18364

(Florida P.E. Number)  
12661 Metro Pkwy  
Fort Myers, FL 33912

(Address)

(239) 768-0077 (239) 768-3457  
(Phone) (Fax)

SEAL

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:

*Bob Janes*  
*District One*

January 16, 2004

*Douglas R. St. Cerny*  
*District Two*

**DEVELOPMENT ORDER  
CERTIFICATE OF COMPLIANCE**

*Ray Judah*  
*District Three*

*Andrew W. Coy*  
*District Four*

*John E. Albion*  
*District Five*

PROJECT NAME: VISION XXIV FRONTAGE ROAD

*Donald D. Stilwell*  
*County Manager*

D.O. NUMBER: LDO2002-00247

*James G. Yeager*  
*County Attorney*

BUILDING PERMIT: FRONTAGE ROAD

*Diana M. Parker*  
*County Hearing  
Examiner*

This Certificate of Compliance certifies that the above mentioned development, as determined by an on-site inspection performed by Lee County on 1/15/2004 is completed to the specifications of the approved development order plans and is hereby declared to be in substantial compliance with the Final Development Order as stated by the Engineer's Letter of Substantial Compliance.

LEE COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Divison

  
John S DeRango

CC: Thomas Osterhout, Lee County Utilitles  
Jim Beardsley, Development Services  
Rob Irving, Environmental Sciences  
File  
Inspection Log

15.00  
816.90

4286102

This Instrument Prepared By and Return To:  
WILLIAM R. SMITH  
Attorney and Counselor at Law  
8191 College Parkway, Suite 300  
Fort Myers, Florida 33919

Documentary Tax Pd. \$ 816.90  
\$ 0 Intangible Tax Pd.  
CHARLIE GREEN, CLERK, LEE COUNTY  
By Cindy Keller Deputy Clerk

Property Appraiser's Parcel I.D. No. \_\_\_\_\_  
Grantee Social Security No. \_\_\_\_\_  
[Space Above This Line For Recording Data]

# Warranty Deed

This Warranty Deed, made the 17 day of OCTOBER, 1997, A.D., Between  
VISION XXV, LTD., a California Limited Partnership,  
(the "GRANTOR"),

and

COUNTY OF LEE, STATE OF FLORIDA

whose address is:

(the "GRANTEE").

**Witnesseth**, That the GRANTOR, for the sum of ---TEN & NO/100'S (\$10.00)-----  
--DOLLARS, and other good and valuable consideration paid to the GRANTOR by the GRANTEE, the receipt of which is hereby  
acknowledged, has granted, bargained and sold to the GRANTEE and the GRANTEE'S heirs and assigns forever, the following described land,  
situated, lying and being in the County of Lee, State of Florida to wit:

See attached Exhibit "A"

THIS REAL PROPERTY is conveyed subject to: (1) Conditions, limitations, easements, restrictions and reservations of record,  
if any; (2) Ad valorem property taxes for the calendar year 1997 from the date of conveyance, and subsequent years; and (3) Applicable zoning  
ordinances, rules and regulations.

And the GRANTOR does hereby fully warrant the title to said land, and will defend it against lawful claims of all persons whomsoever.

**In Witness Whereof**, The GRANTOR has hereunto set the grantor's hand and seal, the day and year  
first above written.

Signed, sealed and delivered in our presence:

VISION XXV, LTD.,  
a California Limited  
Partnership

Wendy A. Gendler  
Signature of Witness No. 1

By: Diane Martin DeCrona (Seal)  
Diane Martin DeCrona,  
General Partner for the  
Limited Partnership

William R. Smith  
Printed Name of Witness No. 1

William R. Smith  
Signature of Witness No. 2

ACCEPTED BY BOCC 11/25/97

William R. Smith  
Printed Name of Witness No. 2

Approved As  
Annetha Collins  
Notary Attorney

STATE OF FLORIDA, COUNTY OF LEE

The foregoing instrument was sworn to and subscribed or acknowledged before me this 17 day of OCTOBER, 1997,  
by Diane Martin DeCrona, General Partner for the Limited Partnership  
named as grantor in the foregoing instrument, and that she acknowledged executing same, in the presence of two subscribing witnesses, freely  
and voluntarily under authority duly vested in her.

(seal)



WENDY A. GENDER  
My Comm Exp. 5/23/2001  
Bonded By Service Ins  
No. CC627035  
[ ] Personally Known [ ] Other I.D.

Wendy A. Gendler  
Signature of Notary Public

Wendy A. Gendler  
Print, Type or Stamp Commissioned Name of  
Notary Public, Commission Expiration Date

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: C. KELLER, D.C.

DESCRIPTION OF A PARCEL  
OF LAND LYING IN  
SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA  
(FRONTAGE ROAD - VISION XXV)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST, BEING A PART OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1854 AT PAGE 3641 PUBLIC RECORDS OF SAID LEE COUNTY, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST, THENCE S01°13'02"E ALONG THE WEST LINE OF SAID SECTION 8 FOR 500.00 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTH 275.00 FEET OF THE NORTH 500.00 FEET OF THE WEST 879.00 FEET OF SAID SECTION 8, THENCE N89°02'47"E ALONG SAID FRACTIONAL LINE FOR 37.69 FEET TO THE EAST RIGHT-OF-WAY LINE OF PINE RIDGE ROAD AS SHOWN ON THE PLAT OR MAP PREPARED BY STARNES AND ASSOCIATES, INC. FOR THE LEE COUNTY DEPARTMENT OF TRANSPORTATION; THENCE CONTINUE ALONG SAID FRACTIONAL LINE AND THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1854 AT PAGES 3660 - 3661 FOR 375.02 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 70.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°07'24" FOR 56.35 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1854 AT PAGE 3641 TO WHICH POINT A RADIAL LINE BEARS S47°04'37"E AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°24'55" FOR 54.26 FEET; THENCE N01°29'32"W PARALLEL WITH AND 20.00 FEET EAST OF (AS MEASURED ON A PERPENDICULAR) SAID WEST LINE FOR 134.07 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 30.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°32'19" FOR 47.41 FEET; THENCE N89°02'47"E ALONG A LINE PARALLEL WITH AND 40.00 FEET SOUTH OF (AS MEASURED ON A PERPENDICULAR) THE SOUTH RIGHT-OF-WAY LINE OF SUMMERLIN ROAD (COUNTY ROAD 869) FOR 384.48 FEET TO THE EAST LINE OF SAID FRACTION AND THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1854 AT PAGE 3641; THENCE N01°13'02"W ALONG SAID EAST LINE FOR 40.00 FEET TO SAID SOUTH RIGHT-OF-WAY LINE; THENCE S89°02'47"W ALONG SAID RIGHT-OF-WAY LINE FOR 384.30 FEET TO THE BEGINNING OF CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 70.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°07'24" FOR 56.35 FEET TO A POINT OF INTERSECTION WITH SAID WEST LINE TO WHICH POINT A RADIAL LINE BEARS N47°04'37"W; THENCE S01°29'32"E ALONG SAID WEST LINE FOR 232.04 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.49 ACRES MORE OR LESS.

ASSUMED NORTH BASED ON THE WEST LINE OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST AS BEARING S01°13'02"E.

PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, AND RESERVATIONS OF RECORD.

FILE:1170.3

OR2895 R671888

6 5 FOUND NAIL & DISC  
LS 1965 AT  
7 8 NORTHWEST CORNER  
SECTION 8  
POINT OF COMMENCEMENT  
FRONTAGE ROAD

CHARLIE GREEN LEE CTY. FL  
97 DEC -4 PM 4: 16

# SKETCH TO ACCOMPANY DESCRIPTION

OF  
A PARCEL OF LAND  
LYING IN  
SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA  
(INGRESS/EGRESS EASEMENT)

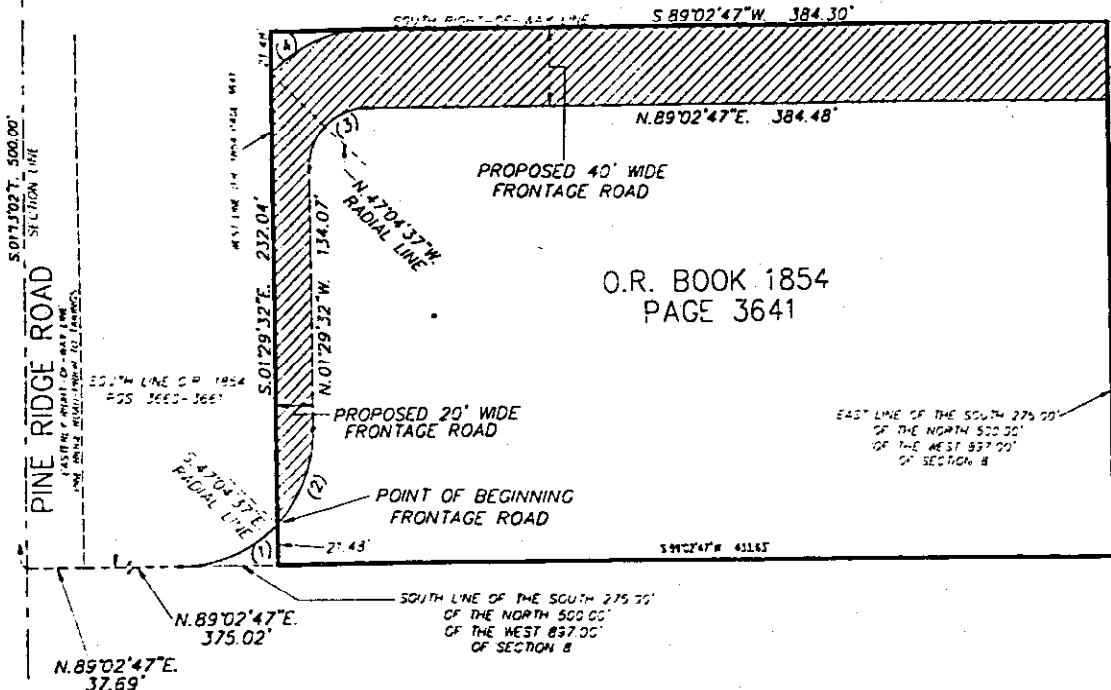
SUMMERLIN ROAD  
(C.R. 869)

## CURVE DATA

Curve number 1	Curve number 2
Radius= 70.00	Radius= 70.00
Delta= 46°07'24"	Delta= 44°24'55"
Arc= 56.35	Arc= 54.25
Tangent= 29.80	Tangent= 28.58
Chord= 54.84	Chord= 52.92
Chord Brg. 5.65°59'05"W.	Chord Brg. S.20°42'56"W.

Curve number 3	Curve number 4
Radius= 30.00	Radius= 70.00
Delta= 90°32'19"	Delta= 45°07'24"
Arc= 47.41	Arc= 56.35
Tangent= 30.28	Tangent= 29.80
Chord= 42.63	Chord= 54.84
Chord Brg. N.43°46'38"E.	Chord Brg. N.65°59'05"E.



\*\*\*THIS IS NOT A SURVEY\*\*\*

*Richard M. Ritz*  
RICHARD M. RITZ  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4009

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

- LEGEND:**  
R/W - RIGHT OF WAY  
O.R. - OFFICIAL RECORDS BOOK  
PG. - PAGE  
PKWY - PARKWAY  
C - CENTERLINE

SHEET 2 OF 2

**Banks Engineering, Inc.**  
ENGINEERING, SURVEYING & LAND PLANNING  
10501 SIX MILE CYPRESS PARKWAY - SUITE 104  
FORT MYERS, FLORIDA 33912  
(811) 938-5480  
FLORIDA BUSINESS CERTIFICATION NO. 6490

SKETCH TO ACCOMPANY DESCRIPTION						
INGRESS/EGRESS EASEMENT						
LEE COUNTY, FLORIDA						
DATE	PROJECT NO.	DESIGNED	DRAWN	CHECKED	SCALE	FILE NO. (S-T-1)
5-29-97	1170SKCH	RSB	JPS	RSB	N.T.S.	8-66-24
SHT. 2 OF 2						

15.00  
1037.40

4286100

0R2895 PG18811

This Instrument Prepared By and Return To:  
WILLIAM R. SMITH  
Attorney and Counselor at Law  
8191 College Parkway, Suite 300  
Fort Myers, Florida 33919

Documentary Tax Pd. \$ 1037.40  
\$ 6 Intangible Tax Pd.  
CHARLIE GREEN, CLERK, LEE COUNTY  
By Cindy Keller Deputy Cler

Property Appraiser's Parcel I.D. No. \_\_\_\_\_  
Grantee Social Security No. \_\_\_\_\_  
[Space Above This Line For Recording Data]

# Warranty Deed

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: C. KELLER, D.C.

This Warranty Deed, made the 17 day of OCTOBER, 1997, A.D. Between

VISION XXIV, LTD., a California Limited Partnership,  
(the "GRANTOR"),

and

COUNTY OF LEE, STATE OF FLORIDA

whose address is:

(the "GRANTEE"),

Witnesseth, That the GRANTOR, for the sum of ---TEN & NO/100'S (\$10.00)-----

-- DOLLARS, and other good and valuable consideration paid to the GRANTOR by the GRANTEE, the receipt of which is hereby acknowledged, has granted, bargained and sold to the GRANTEE and the GRANTEE'S heirs and assigns forever, the following described land, situated, lying and being in the County of Lee, State of Florida to wit:

See attached Exhibit "A"

THIS REAL PROPERTY is conveyed subject to: (1) Conditions, limitations, easements, restrictions and reservations of record, if any; (2) Ad valorem property taxes for the calendar year 1997 from the date of conveyance, and subsequent years; and (3) Applicable zoning ordinances, rules and regulations.

And the GRANTOR does hereby fully warrant the title to said land, and will defend it against lawful claims of all persons whomsoever.

In Witness Whereof, The GRANTOR has hereunto set the grantor's hand and seal, the day and year first above written.

Signed, sealed and delivered in our presence:

VISION XXIV, LTD.,  
a California Limited  
Partnership

Wendy R. Merrill  
Signature of Witness No. 1

By: Diane Martin DeCrona (Seal)  
Diane Martin DeCrona,  
General Partner for the  
Limited Partnership

Wendy L. Grawe  
Printed Name of Witness No. 1

ACCEPTED BY BOCC 11/25/97  
witnessed As

William R. Smith  
Signature of Witness No. 2

David Paul Collins  
Notary Public

William R. Smith  
Printed Name of Witness No. 2

STATE OF FLORIDA, COUNTY OF LEE

The foregoing instrument was sworn to and subscribed or acknowledged before me this 17 day of OCTOBER, 1997, by Diane Martin DeCrona, General Partner for the Limited Partnership named as grantor in the foregoing instrument, and that she acknowledged executing same, in the presence of two subscribing witnesses, freely and voluntarily under authority duly vested in her.

WENDY L. GRAWER  
Notary Public  
My Comm Exp. 5/23/2001  
Bonded By Service Ins  
No. CC627035  
Personally Known 11/25/97

Wendy R. Merrill  
Signature of Notary Public

(seal)



DESCRIPTION OF A PARCEL  
OF LAND LYING IN  
SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA  
(FRONTAGE ROAD - VISION XXIV)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST, BEING A PART OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1854 AT PAGES 3660 - 3661, PUBLIC RECORDS OF SAID LEE COUNTY, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST, THENCE S01°13'02"E ALONG THE WEST LINE OF SAID SECTION 8 FOR 500.00 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTH 275.00 FEET OF THE NORTH 500.00 FEET OF THE WEST 879.00 FEET OF SAID SECTION 8, THENCE N89°02'47"E ALONG SAID FRACTIONAL LINE FOR 37.69 FEET TO THE EAST RIGHT-OF-WAY LINE OF PINE RIDGE ROAD AS SHOWN ON THE PLAT OR MAP PREPARED BY STARNES AND ASSOCIATES, INC. FOR THE LEE COUNTY DEPARTMENT OF TRANSPORTATION, AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE N89°02'47"E ALONG SAID FRACTIONAL LINE AND THE SOUTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1854 AT PAGES 3660 - 3661 FOR 375.02 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 70.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°07'24" FOR 56.35 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID PARCEL OF LAND, TO WHICH POINT A RADIAL LINE BEARS S47°04'37"E; THENCE N01°29'32"W ALONG THE EAST LINE FOR 232.04 FEET TO A POINT OF INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 70.00 FEET AND TO WHICH A RADIAL LINE BEARS N47°04'37"W; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°24'55" FOR 54.26 FEET; THENCE S01°29'32"E PARALLEL WITH AND 20.00 FEET WEST OF (AS MEASURED ON A PERPENDICULAR) THE EAST LINE OF SAID PARCEL FOR 134.07 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 30.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°32'19" FOR 47.41 FEET; THENCE S89°02'47"W ALONG A LINE PARALLEL WITH AND 40.00 FEET NORTH OF (AS MEASURED ON A PERPENDICULAR) THE SOUTH LINE OF SAID FRACTION FOR 346.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°11'48" FOR 46.70 FEET TO SAID EAST RIGHT-OF-WAY LINE OF PINE RIDGE ROAD AND A POINT OF CUSP, THENCE S01°45'25"E ALONG SAID EAST RIGHT-OF-WAY LINE FOR 69.59 FEET TO THE POINT OF BEGINNING.

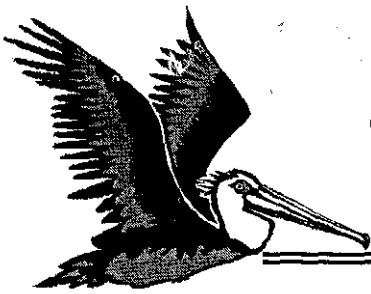
SAID PARCEL CONTAINS 0.48 ACRES MORE OR LESS.

ASSUMED NORTH BASED ON THE WEST LINE OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 24 EAST AS BEARING S01°13'02"E.

PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

EXHIBIT A





# Pelican National Bank

## “More Bank for Your Money”

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March 5, 2004

### CLEAN IRREVOCABLE LETTER OF CREDIT

Lee County Board of County Commissioners  
P. O. Box 398  
Fort Myers, Florida 33902

RE: Our Clean Irrevocable Letter of Credit No 400197-02 for Road Maintenance Acceptance

Gentlemen:

By order of NDDC, Inc., hereinafter referred to as “Developer”, Pelican National Bank (Bank) hereby opens our Clean Irrevocable Letter of Credit No. 400197-02 in your favor for the amount of \$7,200.00, effective as of March 5, 2004 and in force for two years from effective date.

We are informed that Developer, %Future Realty Services, Inc., 1950 Courtney Drive, Suite 206, Fort Myers, Florida 33901, has constructed improvements as more specifically described in Lee County Community Development LDO2002-00047, the limited development order for the extension of the existing frontage road between Safety Street and Pine Ridge Road.

Funds under this credit are available to you hereunder not exceeding the aggregate amount of this credit against your sight draft on us mentioning our Letter of Credit No. 400197-02, accompanied by a statement signed by the Lee County Board of County Commissioners, or designee, to the effect that: (a) Developer has defaulted under the terms of the aforementioned maintenance agreement between Developer and Lee County; and (b) the County’s claim includes, but is not limited to, engineering, legal and contingent costs and expenses, together with any damages, either direct or consequential which the County may sustain on account of failure of Developer to carry out and execute all the provisions of the maintenance agreement; and (c) the County will promptly refund to us any portion of such funds drawn and not expended in completion of work called for.

If we receive your sight draft, the original letter of credit and a statement as mentioned above at the office of Pelican National Bank at 811 Anchor Rode Drive, Naples, Florida on or prior to the expiration date we will promptly honor the same.

Kindly address all correspondence regarding the Letter of Credit to the attention of the Letter of Credit Department mentioning specifically our Letter of Credit No. 400197-02.

811 Anchor Rode Drive • Naples, Florida 34103 • (239) 403-0076 • Toll Free (800) 219-4777 • Fax (239) 403-0005  
12730 New Brittany Blvd • Ft. Myers, Florida • (239) 277-1116 • Toll Free (877) 456-5204 • Fax (239) 277-7712  
19059 S. Tamiami Trail • Ft. Myers, Florida 33912 • (239) 425-3200 • Toll Free (866) 251-1794 • Fax (239) 425-3239  
28000 Spanish Wells Blvd. Suite 100 • Bonita Springs, FL 34135 • (239) 425-3220 • Fax (239) 992-1431

This Letter of Credit expires on March 5, 2006 (in two years).

PELICAN NATIONAL BANK

By: *Michael N. Clemens*

Michael N. Clemens  
President

By: *Stanley B. Andrzejewski*

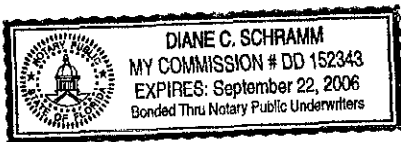
Stanley B. Andrzejewski  
Vice President  
811 Anchor Rode Drive  
Naples, Florida 34103

STATE OF FLORIDA

COUNTY OF COLLIER

BEFORE ME, the undersigned notary public, personally appeared Michael N. Clemens and Stanley B. Andrzejewski, to me well known to be the President and Vice President, respectively of PELICAN NATIONAL BANK, a Florida corporation, and they acknowledged that they executed the foregoing Contracts as such officers of said corporation and that the seal affixed is the corporate seal of said corporation and that it was affixed by due and regular corporate authority, and that it is the free act and deed of said corporation. They are personally known to me.

(STAMP)



*Diane Schramm*

Notary Public

Commission #

My Commission Expires:


**FINAL CONSTRUCTION COST OF THE COMPLETED ROADWAY FACILITY**  
**( ITEMS TO BE UNDER WARRANTY AGAINST DEFECTS IN MATERIAL & WORKMANSHIP )**

**VISION XXIV FRONTAGE ROAD**  
**LDO# 2002-00247**

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Approx. Quan.</u>	<u>Unit Price</u>	<u>Extended Price</u>
<b>Div. A Drainage</b>					
1	12"x 18" ERCP	Linear Foot	96	\$25.00	\$2,400.00
2	15" RCP	Linear Foot	392	\$21.50	\$8,428.00
3	18" RCP	Linear Foot	24	\$27.00	\$648.00
4	Junction Box	Each	1	\$1,380.00	\$1,380.00
5	Mitered End Section	Each	1	\$900.00	\$900.00
6	Type "C" Inlet w/ Conc. Apron	Each	6	\$1,245.00	\$7,470.00
7	Add MES, RCP	Lump Sum	1	\$1,500.00	\$1,500.00
<b>DIV. A TOTAL=</b>					<b>\$22,726.00</b>
<b>Div. B Paving</b>					
1	1 1/2" Type S-III Asphalt	Square Yard	2,675	\$4.48	\$11,984.00
2	8" Comp. Limerock Base (LBR 100)	Square Yard	2,675	\$6.22	\$16,638.50
3	12" Stabilized Subgrade (LBR 40)	Square Yard	3,000	\$2.30	\$6,900.00
4	2' Conc. Valley Gutter	Linear Foot	2,117	\$5.50	\$11,643.50
5	FDOT Type Traffic Signage	Lump Sum	1	\$200.00	\$200.00
6	Pavement Marking	Lump Sum	1	\$600.00	\$600.00
<b>DIV. B TOTAL=</b>					<b>\$47,966.00</b>
<b>Div. C Entrance Improvements</b>					
1	1.5" Type S-I Asphalt	Square Yard	42	\$6.00	\$252.00
2	1.0" Type S-III Asphalt	Square Yard	42	\$4.00	\$168.00
3	8" Compacted Lime Rock Base (LBR 100)	Square Yard	42	\$8.00	\$336.00
4	12" Stabilized Sub Grade (LBR 40)	Square Yard	47	\$10.00	\$470.00
5	Pavement Marking	Lump Sum	1	\$75.00	\$75.00
<b>DIV. C TOTAL=</b>					<b>\$1,301.00</b>

<u>SUMMARY</u>	<u>AMOUNT</u>
DIV. A	\$22,726.00
DIV. B	\$47,966.00
DIV. C	\$1,301.00
<b>TOTAL</b>	<b>\$71,993.00</b>

**SEALED**

CERTIFIED BY:  1/16/04

EDDIE E. NEESE, P.E. #18364  
 NEESE & ASSOCIATES

LEE COUNTY DEPARTMENT OF TRANSPORTATION  
RIGHT-OF-WAY CONSTRUCTION PERMIT

FINAL INSPECTION REPORT

UTILITY

ROADWAY

OTHER

PERMIT NUMBER: Row 2003-00220

LOCATION: Summerlin + Pine Ridge

PERMITTEE: \_\_\_\_\_

DATE ISSUED: \_\_\_\_\_

DEVELOPMENT ORDER NO.: \_\_\_\_\_

1. Work covered by permit, completed satisfactorily.

YES

NO

2. Recommend Bond or Cash Deposit be released one year after acceptance.

YES

NO

3. Recommend Permit be cancelled.

YES

NO

4. Licensee received Notice of Non-Conformance.

YES

NO

Signature of Inspector Mike Collins Date 12.9.03 499

REMARKS: (Include reasons for the above recommendations)

Not done for DOT ops - Mowing via slope mower  
only along Summerlin Ditch.