

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

Blue Sheet No. 20041626

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve the Amendment to Resolution of Necessity for the acquisition and condemnation of Parcels 102-A, 102-B, 103-A, 103-B, and 105, 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 Amendment to Resolution of Necessity prior to proceeding with condemnation of these parcels, which are 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:

12-21-2004

4. AGENDA:

CONSENT
 ADMINISTRATIVE
 APPEALS
 PUBLIC
 WALK ON
TIME REQUIRED:

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

STATUTE 73, 74, 125, 127
 ORDINANCE _____
 ADMIN. CODE _____
 OTHER
Resolution 04-06-07
Blue Sheet 20040566

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER _____
B. DEPARTMENT County Attorney
C. DIVISION Litigation
BY: John Renner, Chief 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 Amendment to Resolution of Necessity is required should condemnation proceedings be necessary for the acquisition of parcels required for the project. The original Resolution of Necessity No. 04-06-07 is being amended to reflect the change in property boundaries and legal descriptions of Parcels 102-A, 102-B, 103-A, 103-B, and to correct a scrivener's error in the legal description of Parcel 105.

Attachments: Amendment to Resolution of Necessity

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other Co.Lands	E County Attorney	F Budget Services			G County Manager
			<i>HT</i>	<i>[Signature]</i>	<i>OA</i> <i>12/2/04</i>	<i>OM</i> <i>12/7/04</i>	<i>Risk</i> <i>12/6/04</i>	<i>GC</i> <i>12-6-04</i> <i>[Signature]</i> <i>12-8-04</i>

10. COMMISSION ACTION:

APPROVED

DENIED

DEFERRED

OTHER

RECEIVED BY
COUNTY ADMIN:
12/2/04
4:30 pm
COUNTY ADMIN
FORWARDED TO:
12/8/04
[Signature]

Rec. by CoAtty
Date: 12/2/04
Time: 2:30
Forwarded To:

CO. ATTY.
FORWARDED
TO CO. ADMIN.
12/2/04

25

**AMENDMENT TO RESOLUTION OF NECESSITY
OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA**

WHEREAS, The Board of County Commissioners of Lee County, Florida, has adopted Resolution of Necessity 04-06-07 authorizing the exercise of the power of eminent domain to acquire the necessary property interests to construct the Koreshan Boulevard Extension now known as Estero Parkway, Project No. 5021, and it is necessary to acquire the subject property for this purpose, and

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:

Lee County Resolution of Necessity 04-06-07 is amended to reflect the change in property boundaries and legal descriptions of Parcels 102-A, 102-B, 103-A, 103-B, and to correct a scrivener's error in the legal description of Parcel 105.

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 102-A, 102-B, 103-A, 103-B, and 105.

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	_____
Tammy Hall	_____
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

SECTIONS 23 & 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

This sketch is NOT a survey.

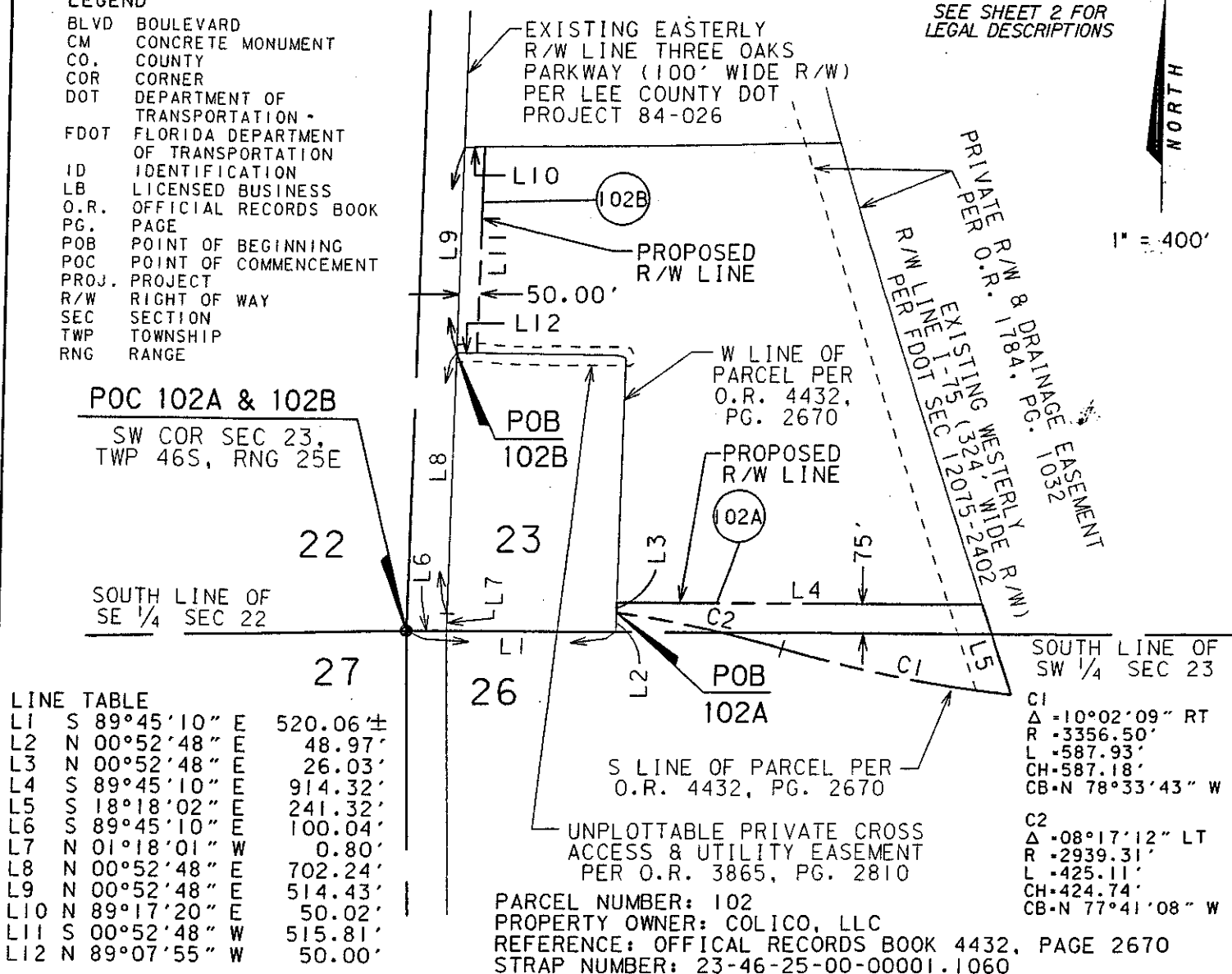
LEGEND

- 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

NORTH

1" = 400'



POC 102A & 102B
SW COR SEC 23,
TWP 46S, RNG 25E

SOUTH LINE OF
SE 1/4 SEC 22

POB 102B

POB 102A

POB 102A

S LINE OF PARCEL PER
O.R. 4432, PG. 2670

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

PARCEL NUMBER: 102
PROPERTY OWNER: COLICO, LLC
REFERENCE: OFFICAL RECORDS BOOK 4432, PAGE 2670
STRAP NUMBER: 23-46-25-00-00001.1060
AREA OF TAKE: 3.399 ACRES (PARTS A & B COMBINED)
AREA OF REMAINDER: 23.368 ACRES

LINE TABLE

L1	S 89°45'10" E	520.06 ±
L2	N 00°52'48" E	48.97'
L3	N 00°52'48" E	26.03'
L4	S 89°45'10" E	914.32'
L5	S 18°18'02" E	241.32'
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'

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 ESTERO PARKWAY 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. REV 102 PARENT TRACT & 102A 10/29/04
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

Orris Clark Sartor

ORRIS CLARK SARTOR
PROFESSIONAL LAND SURVEYOR #2685
STATE OF FLORIDA

ESTERO PARKWAY
LEE CO. PROJ. • 5021
PARCEL NUMBER: 102
PROPERTY OWNER: COLICO, LLC
REFERENCE: OFFICIAL RECORDS BOOK 4432, PAGE 2670
STRAP NUMBER: 23-46-25-00-00001.1060
AREA OF TAKE: 3.399 ACRES (PARTS A & B COMBINED)
AREA OF REMAINDER: 23.368 ACRES

LEGAL DESCRIPTION

All that portion of land as described in Official Records Book 4432, Page 2670 of the Public Records of Lee County, Florida, and lying in the Southwest $\frac{1}{4}$ of Section 23 and 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:

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, more or less, to a point of intersection with the West line of the aforementioned parcel of land per Official Records Book 4432, Page 2670; thence along the last described West line N 00°52'48" E for 48.97 feet to the POINT OF BEGINNING; thence continue along said West line N 00°52'48" E for 26.03 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 241.32 feet to the beginning of a curve concave Northeasterly; thence Northwesterly along the arc of said curve, having a radius of 3356.50 feet, and a chord bearing and distance of N 78°33'43" W, for 587.18 feet, through a central angle of 10°02'09", for 587.93 feet to the point of reverse curvature of a curve concave Southwesterly; thence Northwesterly along the arc of said curve, having a radius of 2939.31 feet, and a chord bearing and distance of N 77°41'08" W, for 424.74 feet, through a central angle of 08°17'12", for 425.11 feet to the POINT OF BEGINNING.

Containing 2.808 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 3.399 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

Exhibit "A"

Page 2 of 6

DD\$MON\$YEAR\$HRMIN

L:\Survey\Korshan\102+k.dgn

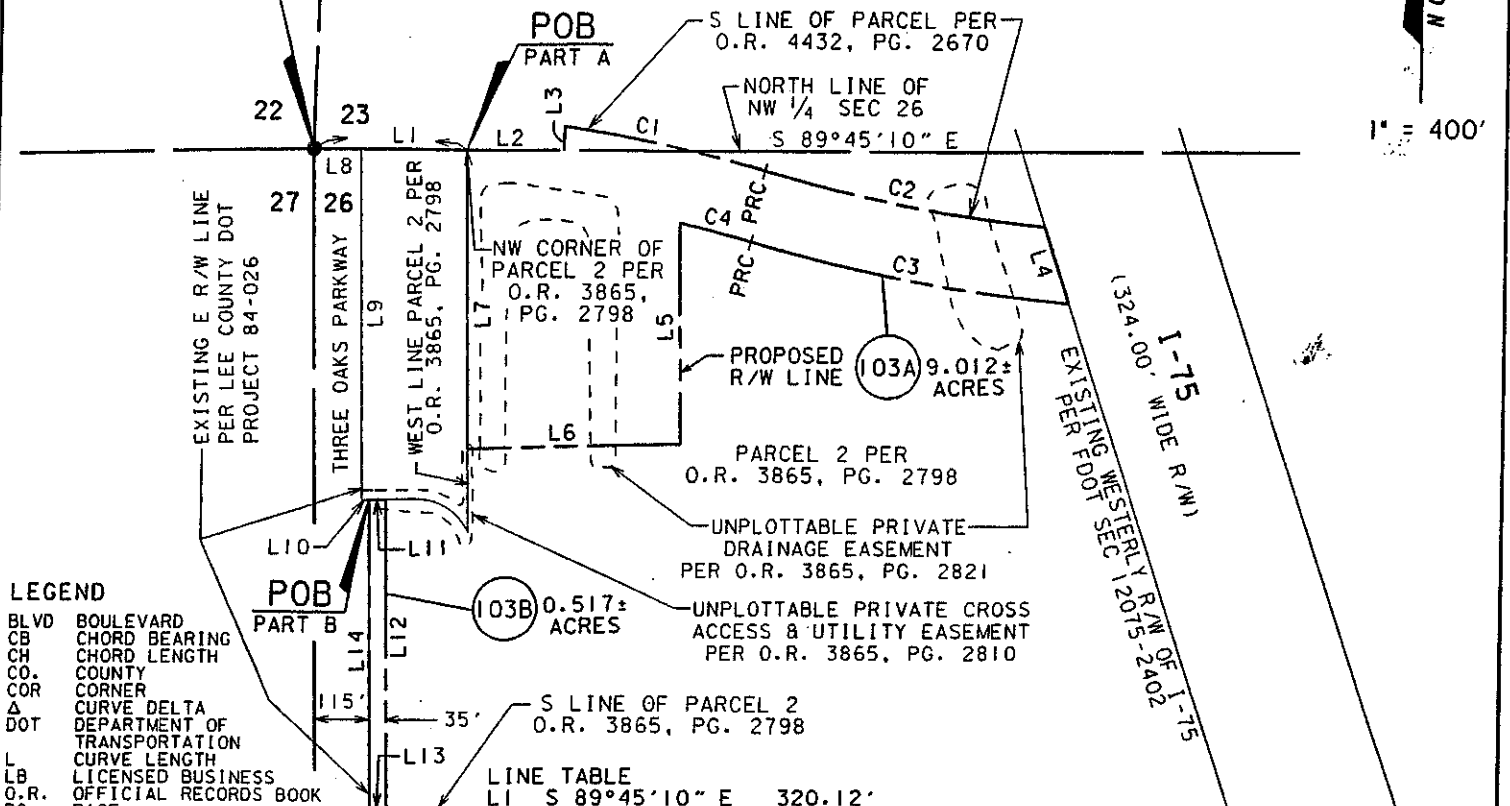
PARCEL NUMBER: 103
PROPERTY OWNER: COLONIAL HOMES, INC.
REFERENCE: OFFICAL RECORDS BOOK 3865, PAGE 2798
STRAP NUMBER: 26-46-25-00-00001.2010
AREA OF TAKE: 9.529 ACRES
AREA OF REMAINDER: 34.479 ACRES

SEE SHEET 2 FOR
LEGAL DESCRIPTION

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

NORTH

1" = 400'



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
- FDOT FLORIDA DEPARTMENT OF TRANSPORTATION
- PRC POINT OF REVERSE CURVATURE

LINE TABLE

L1	S 89°45'10"	E	320.12'	C1	Δ -08°17'12" RT	C2	Δ -10°02'09" LT
L2	S 89°45'10"	E	199.94'	R	+2939.31'	R	+3356.50'
L3	N 00°52'48"	E	48.97'	L	+425.11'	L	+587.93'
L4	S 18°18'02"	E	165.03'	CH	-424.74'	CH	-587.18'
L5	S 01°18'01"	E	456.68'	CB	-S 77°41'08" E	CB	-S 78°33'43" E
L6	S 88°41'59"	W	438.19'	C3		C4	
L7	N 01°18'01"	W	615.91'	Δ	-10°54'03" RT	Δ	-03°07'59" LT
L8	S 89°45'10"	E	100.04'	R	+3506.50'	R	+2790.00'
L9	S 01°18'01"	E	724.39'	L	-667.14'	L	-152.57'
L10	N 88°41'59"	E	15.00'	CH	-666.13'	CH	-152.55'
L11	N 88°41'59"	E	35.00'	CB	-N 78°59'40" W	CB	-N 75°06'38" W
L12	S 01°18'01"	E	643.84'				
L13	S 89°59'59"	W	35.01'				
L14	N 01°18'01"	W	643.04'				

SURVEY NOTES

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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 North line of the NW 1/4 of Sec 26, Twp 46S, Rng 25E, being S 89°45'10" E.

SKETCH AND LEGAL DESCRIPTION
ESTERO PARKWAY LEE CO. PROJECT * 5021
PARCEL 103 TAKE

JOB NO: 100806.08 0300	DATE 03-16-04
FIELD BOOK	REV. ADDED EASMENTS 4/01/04
SCALE: 1" = 400'	REV. REV 103 PARENT TRACT & 103A 10/29/04
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.

PBS&J LB 24
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: 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

A parcel of land lying in the Southwest $\frac{1}{4}$ of Section 23 and a parcel of land described as a portion of Parcel 2 in Official Records Book 3865, Page 2798, Lee County Public Reocrds, and lying in the Northwest $\frac{1}{4}$ of Section 26, all in 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 (the same being the Southwest corner of said Section 23), 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 along said fractional line for 199.94 feet; thence N 00°52'48" E for 48.97 feet to a point of intersection with the South line of that certain parcel of land described in Official Records Book 4432, Page 2670, Public Records of Lee County, Florida, said point being a point on a non-tangent curve concave Southwesterly; thence along the South line of the last described parcel for the following two (2) courses: (1) Southeasterly along the arc of said curve, having a radius of 2939.31 feet, and a chord bearing and distance of S 77°41'08" E, for 424.74 feet, and a central angle of 08°17'12", for 425.11 feet to the point of reverse curvature of a circular curve concave Northeasterly; (2) Southeasterly along the arc of said curve, having a radius of 3356.50 feet, and a chord bearing a distance of S 78°33'43" E, for 587.18 feet, and a central angle of 10°02'09", for 587.93 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 165.03 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 9.012 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 9.529 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.

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

SEE SHEET 2 FOR
LEGAL DESCRIPTION



CI 1" = 400'
 Δ = 06°49'15"
 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'

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

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

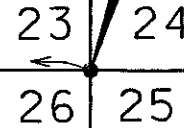
"AREA D"
PER O.R. 3380, PG. 793,
PUBLIC RECORDS,
LEE COUNTY, FLORIDA

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: 12.716 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. 7-06-04 REV PARENT TRACT
SCALE: 1" = 400'	REV. 11-22-04 REV O.R. OF EXISITNG R/W
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.

PBS&J LB 22

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: 12.716 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 2737, 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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SHEET 2 OF 2

SEE SHEET 1 FOR SKETCH