

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

DATE CRITICAL
Blue Sheet No. 20050171

1. REQUESTED MOTION:

ACTION REQUESTED: Adopt a non-emergency ordinance authorizing the Verandah West Community Development District to amend LCO 02-13 to modify the District's external boundary.

WHY ACTION IS NECESSARY: The Verandah West Community Development District has petitioned the Board to conduct a hearing to adopt an ordinance authorizing the District to modify the District's boundary in accordance with F.S. § 190.046.

WHAT ACTION ACCOMPLISHES: Responds to the District's petition by evaluating the appropriateness of the request for boundary modification by providing a forum for the adoption of an ordinance.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

9:30

3. MEETING DATE:

02-22-2005

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE 190.046
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT County Attorney
- C. DIVISION *Army*
- BY: Joan C. Henry

7. BACKGROUND:

The Verandah West Community Development District is a uniform community development district established by the Board through adoption of LCO 02-13 on March 26, 2002.

Currently, the Verandah West Community Development District is comprised of 777.95 acres and has the power to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for the following basic infrastructure: water management; water supply; sewer and waste water management; bridges and culverts; district roads; and other projects within or without the district boundary for which a development order is issued.

(continued on next page)

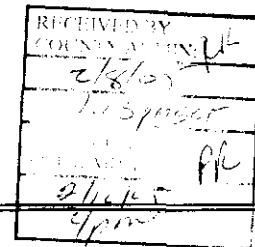
8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>Seaworthy</i>	OA	OM	RISK	GC	<i>5-10-05</i>
				<i>Con</i>	<i>RR</i>	<i>2/9/05</i>	<i>2/9/05</i>	<i>2/9/05</i>	

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER



In accordance with Florida Statutes Ch. 190, the Verandah West Community Development District has petitioned the Board of County Commissioners to conduct a public hearing for the purpose of adopting a non-emergency ordinance to:

1. expand the Verandah West Community Development District to include a 3.34 acre parcel, contiguous to the original district property, and amend the district external boundary; and
2. remove 3.23 acres from the Verandah West Community Development District property, and amend the District boundary.

Adding 3.34 acres to the Verandah West District and removing 3.23 acres will cause an increase of less than 1% to the District area, which is well below the 10% statutory maximum set forth in F.S. § 190.046(5)(f).

The Verandah West District's requests for boundary modification is consistent with the Lee County Comprehensive Plan. All development activity within the boundaries of the District will be subject to the Lee Plan and all related land development regulations.

At the subject public hearing, inquiry will focus on whether or not a change has occurred since the creation of the District that would render authorization for modification of the boundaries inappropriate. Staff has reviewed the factors set forth in F.S. § 190.005(1)(e) and finds no new information relevant to those factors that is inconsistent with the expansion of District boundaries.

The Office of the County Attorney and Planning Staff recommend that the Board of County Commissioners grant the Verandah West Community Development District petition by adopting the proposed amendment to LCO 02-13.

Attachments:

1. Planning Staff Report
2. Proposed ordinance
3. District Petition requesting boundary modification
4. FAIS

**ANALYSIS OF THE VERANDAH WEST UNIFORM COMMUNITY DEVELOPMENT
DISTRICT PETITION TO AMEND BOUNDARIES**

**Prepared for
Board of County Commissioners
by
Lee County Division of Planning
January 12, 2005**

The Uniform Community Development District Act was originally adopted in 1980. The act sets forth the procedure for the establishment and amendment of such a district, the district's powers and duties for public improvements and community facilities, and additional special powers that the district may petition for. The Verandah West Community Development District was established by the Lee County Board of County Commissioners through Ordinance No. 02-13 on March 26, 2002, with an effective date of April 2, 2002.

The Verandah West Community Development District, hereafter called "District", has petitioned the Lee County Board of County Commissioners to adopt an ordinance to add approximately 3.34 acres to the District and remove approximately 3.23 acres from the District. Currently the District covers approximately 777.95 acres of land. The amendment proposes new boundaries covering approximately 778.06 acres of land. Both the lands to be added and the lands to be removed have a future land use designation of Suburban and Wetlands.

The current property within the district is located in Lee County, Florida, lying within Sections 25 and 36, Township 43 South, Range 25 East and Sections 29, 30, 31, and 32, Township 43 South, Range 26 East. The land area is bounded on the West by large tracts of undeveloped land, on the North by S.R. 80, on the East by large tracts of undeveloped property and on the South by the Orange River. The subject petition specifically involves land on the eastern edge of the district boundaries in Sections 29 and 32, Township 43 South, Range 26 East. The petition states that the land being added to the District is part of a neighborhood and the amended boundary will include the entire neighborhood. The petition also states that the land being deleted from the District is part of an adjacent neighborhood.

When established in 2002, the District was granted the power to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for the following basic infrastructure: water management; water supply, sewer, and waste water management; bridges or culverts; district roads; and other projects within or without the district boundary for which a Development Order is issued. In addition in 2003, the District was granted the ability to exercise the optional special powers for parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and, for security, including, but not limited to, guard houses, fences and gates, electronic-intrusion detection systems, and patrol cars as listed under F.S. Section 190.012(2)(a) and (d).

A petition to amend the District boundaries was received by Lee County from the District on October 19, 2004. Lee County Planning staff has reviewed the petition and finds it to be sufficient. At this time, the District has petitioned the Board of County Commissioners to conduct a hearing for the purpose of adopting an ordinance amending Ordinance 02-13 that will add approximately 3.34 acres to the District and remove approximately 3.23 acres from the District.

At the subject hearing the focus of the inquiry will not be the appropriateness of the established district, rather, the focus will be consideration of the contents of the petition and whether the petition for amendment should be supported. Staff has reviewed the factors set forth in 190.046 Florida Statutes involving the

expansion or contraction of a district and can find no change in circumstance or condition which would be inconsistent with consenting to the boundary amendment. In addition staff finds that granting the amendment will afford benefits to the people owning property within the district.

As described in the petition, the subject lands are small in size and reflect a correction being made to include a portion of a neighborhood being served by the District and removing a portion of an adjacent neighborhood. Staff concludes that the amendment to the district is not inconsistent with any applicable element or portion of either the state comprehensive plan or the Lee County local government comprehensive plan, the Lee Plan. The petitioner has provided that no additional facilities will be required to service the lands being added and that no existing facilities currently serve the lands to be removed.

The District's request for consent by the County to amend the boundaries is not inconsistent with, and shall always be subject to, the Lee County Comprehensive Plan and all of the County's related land development regulations.

Planning staff recommends that the Lee County Board of County Commissioners adopt an ordinance amending Ordinance 02-13 granting the amendment to the boundaries of the Verandah West Community Development District and establishing the external boundaries of the district which are set forth in ordinance Attachment A.

LEE COUNTY ORDINANCE NO. _____

AN ORDINANCE CONSENTING TO AND AUTHORIZING THE MODIFICATION OF BOUNDARIES OF THE VERANDAH WEST COMMUNITY DEVELOPMENT DISTRICT AS SET FORTH IN FLORIDA STATUTE §190.046; PROVIDING FOR ORDINANCE AUTHORITY; AUTHORIZATION TO MODIFY BOUNDARIES; STATUTORY PROVISIONS GOVERNING THE DISTRICT; AND PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, The Verandah West Community Development District was established in accordance with Florida Statutes §190.005(2) pursuant to Lee County Ordinance No. 02-13, and adopted by the Lee County Board of County Commissioners on March 26, 2002; and

WHEREAS, The Verandah West Community Development District has requested the Lee County Board of County Commissioners for authorization to modify its boundaries pursuant to Florida Statutes §190.046; and

WHEREAS, Florida Statutes §190.046 provides that an established community development district can modify its boundaries only after the Lee County Board of County Commissioners consent to the modification of its boundaries; and

WHEREAS, The Verandah West Community Development District specifically requests permission to add the lands set forth in Exhibit 1 to the District and remove the lands set forth in Exhibit 2 from the District and establish new boundaries as set forth in Exhibit 3; and

WHEREAS, staff review of the request to modify the boundaries of the Verandah West Community Development District and all related information indicates there is no rational basis to refuse the requests set forth in the District's petition; and

WHEREAS, the requested modification of the District's boundaries is not inconsistent and will always be subject to the Lee County Comprehensive Land Use Plan and all related land development regulations and are activities of the District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA:

SECTION ONE: ORDINANCE AUTHORITY

This ordinance is adopted in accordance with Florida Statutes Chapter 190 and other applicable provisions of law governing County Ordinances.

SECTION TWO: AUTHORIZATION TO MODIFY BOUNDARIES

The Lee County Board of County Commissioners consent to and authorize modification of The Verandah West Community Development District boundaries as set forth in Florida Statutes §190.046.

Specifically, The Verandah West Community Development District boundaries are to be modified as follows:

1. The lands described in Exhibit 1, comprising of approximately 3.34 acres are added to the District.
2. The lands described in Exhibit 2, comprising of approximately 3.23 acres are removed from the District.
3. The District boundaries are amended to include all of the lands described in Exhibit 3.

SECTION THREE: STATUTORY PROVISIONS GOVERNING THE DISTRICT

The Verandah West Community Development District will continue to be governed by the provisions of Florida Statutes, Chapter 190.

SECTION FOUR: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other Lee County ordinance or other applicable law, the more restrictive will apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion will be deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portion.

SECTION FIVE: EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Office of the Secretary of the Florida Department of State.

THE FOREGOING ORDINANCE was offered by Commissioner _____,
who moved its adoption. The motion was seconded by Commissioner _____
and, being put to a vote, the vote was as follows:

Douglas R. St. Cerny	_____
Ray Judah	_____
Tammy Hall	_____
John E. Albion	_____
Robert P. Janes	_____

DULY PASSED AND ADOPTED THIS ____ DAY OF _____, 2005.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of County Attorney

August 17, 2004

VERANDAH WEST CDD - PARCEL 1A

PARCEL LYING IN
SECTION 29, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 29, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of said Section 29, run N 01° 29' 31" W along the west line of the Southwest Quarter (SW-1/4) of said section for 589.75 feet to an intersection with the north line of a Florida Power & Light Company Transmission Line easement as recorded in Deed Book 230, page 106, in the Public Records of Lee County, Florida; thence run N 89° 02' 25" E along said north line for 265.34 feet; thence, departing said north line, run S 00° 57' 35" E for 248.06 feet; thence run N 79° 59' 06" W for 37.36 feet; thence run S 78° 54' 13" W for 61.13 feet to the Point of Beginning.

From said Point of Beginning run S 78° 54' 13" W for 55.65 feet; thence run S 35° 05' 20" W for 29.34 feet; thence run N 17° 45' 29" E for 54.87 feet; thence run S 72° 14' 31" E for 57.48 feet to the Point of Beginning.

Containing 1,012 square feet or 0.02 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Southwest Quarter (SW-1/4) of Section 29, Township 43 South, Range 26 East, Lee County, Florida, to bear N 01° 29' 31" W.

20044600 VWCCD Parcel 1A (Added Parcel) 081704

PAGE 1 OF 5

August 17, 2004

VERANDAH WEST CDD - PARCEL 2A

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of said Section 32, run N 00° 28' 09" W along the west line of said fraction for 1357.69 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said section; thence run N 89° 47' 08" W along said north line for 1220.62 feet; thence, departing said north line, run N 32° 26' 49" W for 918.85 feet; thence run N 49° 29' 21" W for 44.14 feet to the Point of Beginning.

From said Point of beginning continue N 49° 29' 21" W for 78.39 feet; thence run S 80° 11' 26" E for 8.15 feet to a point of curvature; thence run southeasterly along the arc of said curve to the right, having a radius of 50.00 feet (delta 46° 45' 20") (chord bearing S 56° 48' 46" E) (chord 39.68 feet) for 40.80 feet; thence run S 33° 26' 06" E for 33.33 feet to the Point of Beginning.

Containing 535 square feet or 0.01 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 00° 28' 09" W.

August 17, 2004

VERANDAH WEST CDD – PARCEL 3A

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of said Section 32, run N 00° 28' 09" W along the west line of said fraction for 1357.69 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said section; thence run N 89° 47' 08" W along said north line for 1220.62 feet; thence, departing said north line, run S 32° 26' 49" E for 57.97 feet an intersection with a non-tangent curve and the Point of Beginning.

From said Point of Beginning run southeasterly along the arc of said curve to the right, having a radius of 440.00 feet (delta 10° 25' 24") (chord bearing S 66° 35' 52" E) (chord 79.94 feet) for 80.05 feet to a point of reverse curvature; thence run easterly along the arc of said curve to the left, having a radius of 385.00 feet (delta 32° 17' 34") (chord bearing S 77° 31' 57" E) (chord 214.13 feet) for 216.99 feet; thence run N 86° 19' 16" E for 48.39 feet; thence run S 82° 45' 03" W for 264.06 feet; thence run N 32° 26' 49" W for 128.21 feet to the Point of Beginning.

Containing 9,292 square feet or 0.21 acres, more or less.

Bearings hereinabove mentioned are based on the west line of Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 00° 28' 09" W.

20044600 VWCDD Parcel 3A (Added Parcel) 081704

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August 17, 2004

VERANDAH WEST CDD - PARCEL 4A

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southeast corner of the North Half (N-1/2) of the Southwest Quarter (SW-1/4) of said Section 32, run N 87° 48' 58" W along the north line of said fraction for 147.62 feet; thence, departing said north line, run N 02° 11' 02" E for 113.43 feet to the Point of Beginning.

From said Point of beginning continue N 02° 11' 02" E for 109.85 feet; thence run N 23° 42' 48" W for 160.85 feet; thence run N 09° 39' 49" W for 171.40 feet; thence run N 25° 29' 37" W for 257.92 feet; thence run N 15° 26' 48" W for 290.90 feet; thence run N 54° 59' 22" W for 132.10 feet; thence run N 07° 14' 57" W for 61.74 feet to an intersection with a non-tangent curve; thence run southeasterly along the arc of said curve to the right, having a radius of 465.01 feet (delta 17° 42' 43") (chord bearing S 51° 22' 24" E) (chord 143.18 feet) for 143.75 feet; thence run S 42° 31' 02" E for 265.63 feet to a point of curvature; thence run southeasterly along the arc of said curve to the right, having a radius of 615.00 feet (delta 35° 19' 02") (chord bearing S 24° 51' 32" E) (chord 373.11 feet) for 379.09 feet to an intersection with a non-tangent curve; thence run southerly along the arc of said curve to the right, having a radius of 1,772.51 feet (delta 04° 34' 59") (chord bearing S 06° 02' 11" E) (chord 141.74 feet) for 141.78 feet; thence run S 03° 10' 17" E for 123.30 feet to a point of curvature; thence run southerly along the arc of said curve to the left, having a radius of 100.00 feet (delta 26° 03' 50") (chord bearing S 16° 12' 12" E) (chord 45.10 feet) for 45.49 feet to a point of reverse curvature; thence run southerly along the arc of said curve to the right, having a radius of 195.00 feet (delta 44° 01' 21") (chord bearing S 07° 13' 26" E) (chord 146.17 feet) for 149.83 feet; thence run S 89° 55' 48" W for 107.17 feet to the Point of Beginning.

Containing 135,106 square feet or 3.10 acres, more or less.

Bearings hereinabove mentioned are based on the north line of the South Half (S-1/2) Southwest Quarter (SW-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 87° 48' 58" W.

20044600 VWCCD Parcel 4A (Added Parcel) 081704



EXHIBIT 2

August 18, 2004

VERANDAH WEST CDD – PARCEL 1R

PARCEL LYING IN
SECTION 29, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 29, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of said Section 29, run N 01° 29' 31" W along the west line of the Southwest Quarter (SW-1/4) of said section for 589.75 feet to an intersection with the north line of a Florida Power & Light Company Transmission Line easement as recorded in Deed Book 230, page 106, in the Public Records of Lee County, Florida; thence run N 89° 02' 25" E along said north line for 265.34 feet; thence, departing said north line, run S 00° 57' 35" E for 248.06 feet to the Point of Beginning.

From said Point of beginning continue S 00° 57' 35" E for 36.46 feet; thence run N 72° 14' 31" W for 102.26 feet; thence run N 78° 54' 13" E for 61.13 feet; thence run S 79° 59' 06" E for 37.36 feet to the Point of Beginning.

Containing 2,177 square feet or 0.05 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Southwest Quarter (SW-1/4) of Section 29, Township 43 South, Range 26 East, Lee County, Florida, to bear N 01° 29' 31" W.

20044600 VWCDD Parcel 1R 081804

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August 18, 2004

VERANDAH WEST CDD - PARCEL 2R

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of said Section 32, run N 00° 28' 09" W along the west line of said fraction for 1357.69 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said section; thence run N 89° 47' 08" W along said north line for 1220.62 feet; thence, departing said north line, run N 32° 26' 49" W for 918.85 feet; thence run N 49° 29' 21" W for 122.53 feet to the Point of Beginning.

From said Point of Beginning run N 80° 11' 26" W for 144.35 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right, having a radius of 375.00 feet (delta 15° 20' 39") (chord bearing N 72° 31' 07" W) (chord 100.13 feet) for 100.43 feet; thence run N 64° 50' 47" W for 293.20 feet; thence run S 83° 34' 25" E for 339.97 feet; thence run S 49° 29' 21" E for 217.44 feet to the Point of Beginning.

Containing 29,462 square feet or 0.68 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 00° 28' 09" W.



August 18, 2004

VERANDAH WEST CDD – PARCEL 3R

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of said Section 32, run N 00° 28' 09" W along the west line of said fraction for 1357.69 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said section; thence run N 89° 47' 08" W along said north line for 1220.62 feet; thence, departing said north line, run S 32° 26' 49" E for 28.98 feet to an intersection with a non-tangent curve and the Point of Beginning.

From said Point of Beginning run westerly along the arc of said curve to the left, having a radius of 440.00 feet (delta 39° 45' 40") (chord bearing S 88° 18' 36" W) (chord 229.25 feet) for 305.34 feet to an intersection with a non-tangent line; thence run N 02° 11' 14" W for 267.84 feet to a point of curvature; thence run northerly along the arc of said curve to the left, having a radius of 825.00 feet (delta 31° 14' 52") (chord bearing N 17° 48' 40" W) (chord 444.38 feet) for 449.94 feet; thence run N 33° 26' 06" W for 175.72 feet; thence run S 49° 29' 21" E for 44.14 feet; thence run S 32° 26' 49" E for 947.84 feet to the Point of Beginning.

Containing 79,362 square feet or 1.82 acres, more or less.

Bearings hereinabove mentioned are based on the west line of Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 00° 28' 09" W.

20044600 VWCDD Parcel 3R 081804

August 18, 2004

VERANDAH WEST CDD – PARCEL 4R

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

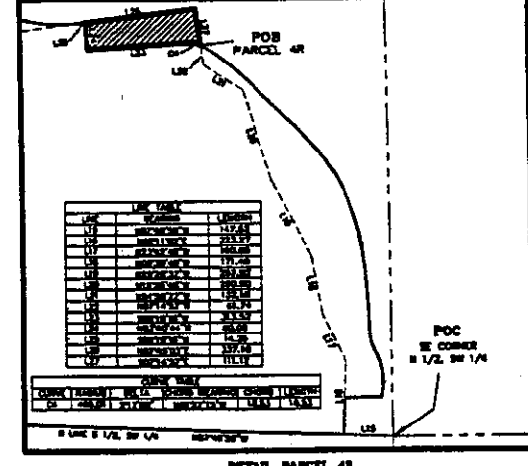
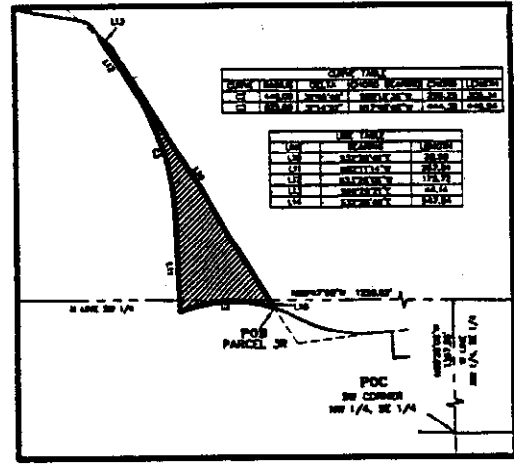
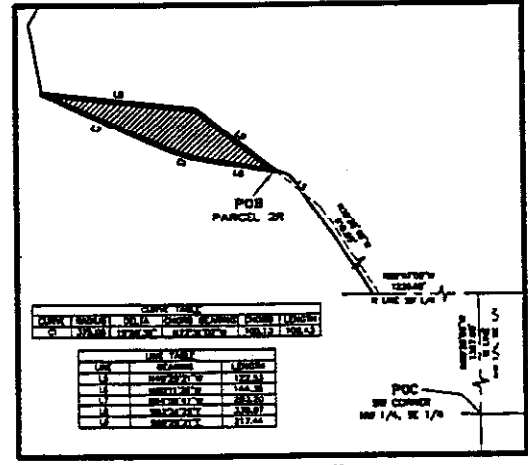
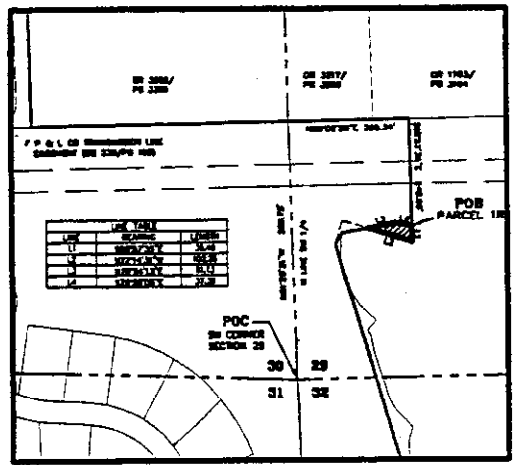
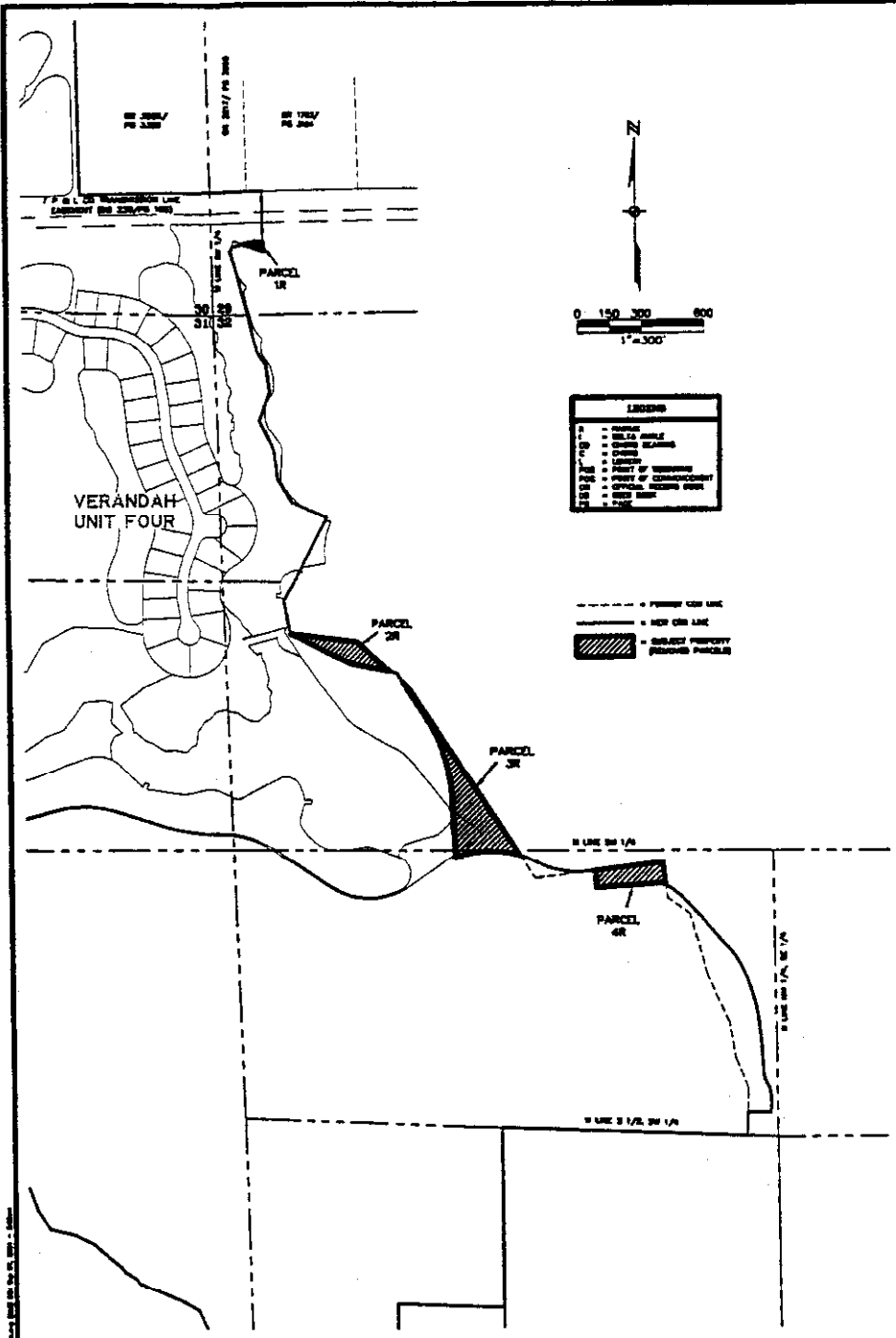
A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southeast corner of the North Half (N-1/2) of the Southwest Quarter (SW-1/4) of said Section 32, run N 87° 48' 58" W along the north line of said fraction for 147.62 feet; thence, departing said north line, run N 02° 11' 02" E for 223.27 feet; thence run N 23° 42' 48" W for 160.85 feet; thence run N 09° 39' 49" W for 171.40 feet; thence run N 25° 29' 37" W for 257.92 feet; thence run N 15° 26' 48" W for 290.90 feet; thence run N 54° 59' 22" W for 132.10 feet; thence run N 07° 14' 57" W for 61.74 to an intersection with a non-tangent curve and the Point of Beginning.

From said Point of Beginning run northwesterly along the arc of said curve to the left, having a radius of 465.01 feet (delta 02° 17' 00") (chord bearing N 61° 22' 15" W) (chord 18.53 feet) for 18.53 feet to an intersection with a non-tangent line; thence run S 86° 19' 16" W for 313.52 feet; thence run N 03° 40' 44" W for 80.00 feet; thence run S 86° 19' 16" W for 14.26 feet; thence run N 82° 45' 03" E for 337.18 feet; thence run S 07° 14' 57" E for 111.12 feet to the Point of Beginning.

Containing 29,706 square feet or 0.68 acres, more or less.

Bearings hereinabove mentioned are based on the north line of the South Half (S-1/2) Southwest Quarter (SW-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 87° 48' 58" W.



- NOTES**
1. THIS SKETCH DOES NOT HAVE ANY REPRESENTATION AS TO WHETHER OR NOT DEVELOPMENT PROVISIONS OF THE SUBJECT PARCELS.
 2. SEE SHEET 1 FOR "TRUCK" PARCELS.
 3. SEE SHEET 2 FOR LEGAL DESCRIPTIONS.
 4. SEE LEGAL DESCRIPTIONS FOR BOUNDARY INFORMATION.
 5. PARCELS 2R, 3R AND 4R SHOW THE NEW CDD LINE, BOUNDARY OF LEGAL.
 6. PARCELS 2R, 3R AND 4R SHOW THE OLD CDD LINE, BOUNDARY OF LEGAL.
 7. PARCELS 2R, 3R AND 4R SHOW THE OLD CDD LINE, BOUNDARY OF LEGAL.

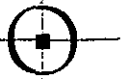
PARCELS 1R, 2R, 3R & 4R
LYING IN
SECTIONS 29 & 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



2150 JOHNSON STREET
P.O. BOX 1000
FORT MYERS, FLORIDA 33902-1000
PHONE (239) 334-0000
FAX (239) 334-3061
E.A. 8042 & L.A. 8042

SKETCH TO ACCOMPANY DESCRIPTION
VERANDAH WEST CDD
(REMOVED PARCELS)

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUGUST 2004	20044800	30-43-25	AS SHOWN	2 OF 3



July 29, 2004

VERANDAH WEST CDD**PARCEL LYING IN
SECTIONS 25 & 36, TOWNSHIP 43 SOUTH, RANGE 25 EAST AND
SECTIONS 29, 30, 31 & 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Sections 25 and 36, Township 43 South, Range 25 East and Sections 29, 30, 31 and 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Beginning at the southwest corner of the Northeast Quarter (NE-1/4) of the Northeast Quarter (NE-1/4) of said Section 36, Township 43 South, Range 25 East, thence run S 89° 08' 18" W along the south line of the Northwest Quarter (NW-1/4) of the Northeast Quarter (NE-1/4) for 1,324.03 feet; thence run N 00° 50' 29" W along the west line of said fraction for 740.15 feet to an intersection with the southeasterly right-of-way line of Palm Beach Boulevard (SR 80); thence run N 71° 36' 06" E along said southeasterly line for 1,465.40 feet; thence run S 18° 23' 54" E for 10.00 feet; thence run S 71° 36' 06" W for 49.43 feet to an intersection with a non-tangent curve; thence run southerly, southeasterly and easterly along an arc of said curve to the left, having a radius of 350.00 feet (delta 69° 13' 26") (chord bearing S 56° 17' 11" E) (chord 397.61 feet) for 422.87 feet to a point of tangency; thence run N 89° 06' 06" E for 45.96 feet; thence run N 71° 36' 06" E for 57.64 feet; thence run S 19° 48' 46" E for 523.96 feet; thence run N 70° 11' 14" E for 685.45 feet; thence run N 00° 43' 19" W for 292.55 feet; thence run N 70° 11' 14" E for 44.14 feet; thence run S 76° 24' 31" E for 187.84 feet; thence run N 72° 41' 10" E for 217.40 feet; thence run N 08° 37' 27" W for 213.75 feet; thence run N 73° 17' 15" E for 164.76 feet; thence run N 16° 21' 11" W for 462.79 feet to an intersection with said southeasterly right-of-way line; thence run N 71° 36' 06" E along said right-of-way line for 574.19 feet to a point of curvature; thence run northeasterly along an arc of said curve to the right, having a radius of 5,589.55 feet (delta 01° 23' 02") (chord bearing N 72° 17' 37" E) (chord 135.00 feet) for 135.00 feet to a jog in said right-of-way line; thence run N 17° 00' 52" W along said jog for 20.00 feet to an intersection with a non-tangent curve; thence run northeasterly along said southeasterly right-of-way line and along an arc of said curve to the left, having a radius of 5,609.55 feet (delta 02° 00' 09") (chord bearing N 73° 59' 12" E) (chord 196.03 feet) for 196.05 feet to an intersection with a non-tangent line; thence run N 67° 44' 10" E along said southeasterly right-of-way line for 299.35 feet; thence run N 77° 10' 13" E along said southeasterly right-of-way line for 961.79 feet to an intersection with the westerly line of lands described in Official Record Book 1200, page 710, in the Public Records of Lee County, Florida; thence run S 12° 49' 47" E along said west line for 175.00 feet; thence run N 77° 10' 13" E along the south line of said lands for 125.00 feet; thence run N 12° 49' 47" W along the east line of said lands for 175.00 feet to an intersection with said southeasterly right-of-way line of Palm

Beach Boulevard; thence run N 77° 10' 13" E along said right-of-way line for 1,781.13 feet to an intersection with the west line of lands described in Official Record Book 1418, page 2194, of said public records; thence run S 12° 49' 47" E along said west line for 155.00 feet; thence run N 77° 10' 13" E along the south line of said lands for 95.00 feet to an intersection with the west line of lands described in Official Record Book 3526, page 3329 of said public records; thence run S 01° 29' 33" E along said west line for 865.78 feet to an intersection with the north line of a Florida Power & Light Company Transmission Line easement as recorded in Deed Book 230, page 106 of said public records; thence run N 89° 02' 25" E along the north line of said easement and the south line of said lands in Official Record Book 3526, page 3329 for 600.45 feet to an intersection with the west line of the Southeast Quarter (SE-1/4) of said Section 29, Township 43 South, Range 26 East; thence continue N 89° 02' 25" E along the north line of said easement and along the south line of lands described in Official Record Book 3217, page 3959 and Official Record Book 1763, page 3164 of said public records for 265.34 feet; thence departing said line run S 00° 57' 35" E for 248.06 feet; thence run N 79° 59' 06" W for 37.36 feet; thence run S 78° 54' 13" W for 116.78 feet; thence run S 35° 05' 20" W for 29.34 feet; thence run S 15° 56' 31" E for 496.97 feet; thence run S 36° 01' 16" E for 73.71 feet; thence run S 07° 49' 37" E for 130.25 feet; thence run S 19° 52' 21" W for 141.71 feet; thence run S 25° 14' 53" E for 155.22 feet; thence run S 08° 38' 21" E for 138.47 feet; thence run S 32° 03' 07" E for 137.14 feet; thence run S 68° 38' 44" E for 195.04 feet; thence run S 29° 41' 01" W for 453.37 feet; thence run S 10° 36' 57" E for 161.15 feet; thence run S 64° 50' 47" E for 293.20 feet to a point of curvature; thence run easterly along an arc of said curve to the left, having a radius of 375.00 feet (delta 15° 20' 39") (chord bearing S 72° 31' 07" E) (chord 100.13 feet) for 100.43 feet to a point of tangency; thence run S 80° 11' 26" E for 152.50 feet to a point of curvature; thence run southeasterly along an arc of said curve to the right, having a radius of 50.00 feet (delta 46° 45' 20") (chord bearing S 56° 48' 46" E) (chord 39.68 feet) for 40.80 feet to a point of tangency; thence run S 33° 26' 06" E for 209.05 feet to a point of curvature; thence run southerly along an arc of said curve to the right, having a radius of 825.00 feet (delta 31° 14' 52") (chord bearing S 17° 48' 40" E) (chord 444.38 feet) for 449.94 feet to a point of tangency; thence run S 02° 11' 14" E for 267.84 feet to an intersection with a non-tangent curve; thence run easterly along an arc of said curve to the right, having a radius of 440.00 feet (delta 50° 11' 04") (chord bearing S 86° 28' 42" E) (chord 373.19 feet) for 385.39 feet to a point of reverse curvature; thence run easterly along an arc of said curve to the left, having a radius of 385.00 feet (delta 32° 17' 34") (chord bearing S 77° 31' 57" E) (chord 214.13 feet) for 216.99 feet to a point of tangency; thence run N 86° 19' 16" E for 62.65 feet; thence run S 03° 40' 44" E for 80.00 feet; thence run N 86° 19' 16" E for 313.52 feet to an intersection with a non-tangent curve; thence run southeasterly along an arc of said curve to the right, having a radius of 465.01 feet (delta 19° 59' 43") (chord bearing S 52° 30' 54" E) (chord 161.46 feet) for 162.28 feet to a point of tangency; thence run S 42° 31' 02" E for 265.63 feet to a point of curvature; thence run southeasterly along an arc of said curve to the right, having a radius of 615.00 feet (delta 35° 19' 02") (chord bearing S 24° 51' 31" E) (chord 373.11 feet)

"EXHIBIT 5"

for 379.09 feet to an intersection with a non-tangent curve; thence run southerly along an arc of said curve to the right, having a radius of 1,772.51 feet (delta $04^{\circ} 34' 59''$) (chord bearing S $06^{\circ} 02' 11''$ E) (chord 141.74 feet) for 141.78 feet to an intersection with a non-tangent line; thence run S $03^{\circ} 10' 17''$ E for 123.30 feet to a point of curvature; thence run southerly along an arc of said curve to the left, having a radius of 100.00 feet (delta $26^{\circ} 03' 50''$) (chord bearing S $16^{\circ} 12' 12''$ E) (chord 45.10 feet) for 45.49 feet to a point of reverse curvature; thence run southerly along an arc of said curve to the right, having a radius of 195.00 feet (delta $44^{\circ} 01' 21''$) (chord bearing S $07^{\circ} 13' 26''$ E) (chord 146.17 feet) for 149.83 feet to an intersection with a non-tangent line; thence run S $89^{\circ} 55' 48''$ W for 107.17 feet; thence run S $02^{\circ} 11' 02''$ W for 113.43 feet to an intersection with the north line of the South Half (S-1/2) of the Southwest Quarter (SW-1/4) of Section 32, Township 43 South, Range 26 East; thence run N $87^{\circ} 48' 58''$ W along said north line for 1,164.34 feet to an intersection with the east line of the Southwest Quarter (SW-1/4) of the Southwest Quarter (SW-1/4) of said section; thence run S $00^{\circ} 04' 13''$ E along said east line for 852.37 feet; thence run N $87^{\circ} 48' 58''$ W for 497.77 feet; thence run S $00^{\circ} 04' 13''$ E for 540.88 feet; thence run S $89^{\circ} 45' 59''$ W for 40.00 feet; thence run S $00^{\circ} 14' 01''$ E for 40.00 feet; thence run S $89^{\circ} 43' 23''$ W for 172.32 feet to an intersection with the Mean High Water Line of Orange River; thence run northwesterly along said Mean High Water Line for 12,598 feet more or less to an intersection with the west line of the Southeast Quarter (SE-1/4) of the Northeast Quarter (NE-1/4) of said Section 36; thence run N $00^{\circ} 46' 17''$ W along said west line for 987.65 feet to the Point of Beginning.

Parcel contains 778.06 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Northeast Quarter (NE-1/4) of the Northeast Quarter (NE-1/4) of Section 36, Township 43 South, Range 25 East, Lee County, Florida as bearing N $00^{\circ} 50' 29''$ W.

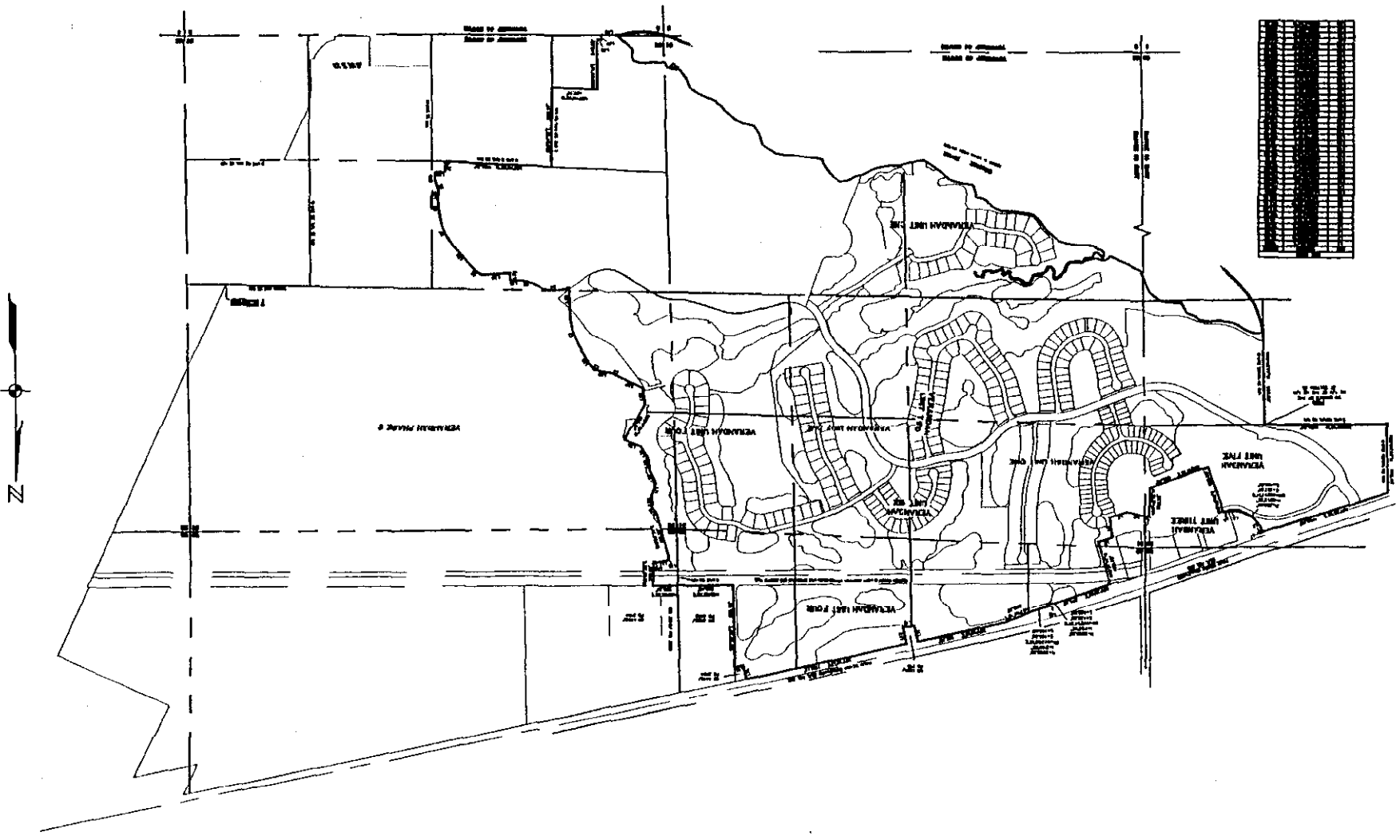
PART 13, LYING IN
 SECTIONS 25 & 36, TOWNSHIP 43 SOUTH, RANGE 25 EAST
 AND
 SECTIONS 29, 30, 31 & 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
 LEE COUNTY, FLORIDA

JOHNSON ENGINEERING

2158 JOHNSON STREET
 P.O. BOX 1550
 FORT MYERS, FLORIDA 33902-1550
 E.B. #642 & L.B. #642
 FAX (239) 334-3661
 PHONE (239) 334-0046

DATE: AUGUST 2004
 PROJECT NO.: 20044600
 FILE NO.: 36-43-25
 SCALE: NOT TO SCALE
 SHEET: 1 OF 1

VERANDAH WEST CDD



BOARD OF COUNTY COMMISSIONERS

LEE COUNTY, FLORIDA

RE: PETITION TO AMEND LEE COUNTY ORDINANCE
NO. 02-13, PURSUANT TO SECTION 190.046,
FLORIDA STATUTES, TO MODIFY THE
BOUNDARIES OF THE VERANDAH WEST
COMMUNITY DEVELOPMENT DISTRICT

**PETITION TO AMEND LEE COUNTY ORDINANCE
NO. 02-13 AND TO MODIFY THE BOUNDARIES OF
VERANDAH WEST COMMUNITY DEVELOPMENT DISTRICT**

THE BOARD OF SUPERVISORS OF THE VERANDAH WEST COMMUNITY DEVELOPMENT DISTRICT, (hereinafter "Petitioner") by and through its undersigned attorney, hereby petitions the BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA (hereinafter "Commission") to adopt an ordinance amending Lee County Ordinance No. 02-13, which established the Verandah West Community Development District (hereinafter "District"), in order to modify the boundaries of the District pursuant to the Uniform Community Development District Act of Florida, Section 190.046, Florida Statutes, (2003), as amended, and specifically to add certain lands to the District and to remove certain other lands from the District. In support thereof, Petitioner submits:

1. Current Location and Size. The District is located entirely within Lee County, Florida. Exhibit 1 depicts the general location of the project. The District covers approximately 777.95 acres of land. The District is located in Sections 25 and 36, Township 43 South, Range 25 East, and Sections 29, 30, 31, and 32, Township 43 South,

Range 26 East, all of Lee County Florida. A metes and bounds description of the external boundaries of the District is set forth in Exhibit 2.

2. Lands to be Added. A metes and bounds description of the land to be added to the District is set forth in Exhibit 3. The land to be added to the District is approximately 3.34 acres in size and is contiguous with the existing boundaries of the District.

3. Lands to be Removed. A metes and bounds description of the land to be removed from the District is shown in Exhibit 4. The land to be removed from the District is approximately 3.23 acres in size.

4. New Boundaries. Exhibit 5 sets forth a metes and bounds description of the proposed boundaries of the District. The District boundaries, as modified, will cover approximately 778.06 acres of land.

5. Landowner Consent. At the time of filing this Petition, all of the land to be added or deleted from the District is owned by Verandah Development, LLC. A statement of consent to this petition and the proposed modification is attached as Exhibit 6.

6. District Services and Facilities. The lands to be added and deleted from the District are of sufficiently small size that no additional facilities are required to service the lands being added other than those contemplated by the original petition. Similarly, there are no existing facilities serving the lands to be removed from the District that will have any adverse impact on the District.

7. Future Land Uses. The future general distribution, location, and extent of the public and private land uses, by future land use plan element of the County's Future Land Use Plan, for the lands proposed to be added to the District is identified on Exhibit 7. The Lee County Comprehensive Plan ("Lee Plan") designates the land to be added to the

District as Wetlands and Suburban. The Lee Plan designates the land to be removed from the District as Suburban and Wetlands.

8. Statement of Estimated Regulatory Costs. Due to the small size of the lands to be added and removed from the District, and the counterbalancing effect of the similar sizes and uses of these two parcels, the Petitioner asserts that the proposed modification to the boundaries of the District will not alter the regulatory costs set forth in the original petition establishing the District. The statement of estimated regulatory costs ("SERC") prepared for the original petition establishing the District, in accordance with the requirements of Section 120.541, Florida Statutes (2003), is attached as Exhibit 8.

10. Authorized Agent. The authorized agent for the Petitioner is:

Neale Montgomery, Esq.
Pavese Law Firm
P.O. Drawer 1507
Ft. Myers, FL 33902-1507

See Exhibit 9 – Authorization of Agent. Copies of all correspondence and official notices should go to the Authorized Agent.

11. This petition to amend Lee County Ordinance No. 02-13, amending the boundaries of the District should be granted for the following reasons:

A. Modifying the boundaries of the District is not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the Lee County Comprehensive Plan.

B. The area of land to be added to the District is part of a neighborhood located within the Verandah and the District boundary and will include the entire neighborhood. The land to be deleted from the District is not a part of any of the neighborhoods within the District, but rather, is part of an adjacent planned neighborhood.

Therefore, the boundaries of the District, as modified, are of sufficient size and are sufficiently compact and contiguous to be developed as one functional and interrelated neighborhood.

C. The District is the best alternative for delivering community development service and facilities to the lands to be added to the District, which lands are part of the planned neighborhood. The lands to be deleted from the District are no longer part of the neighborhoods included in the District and, therefore, this District is not the best alternative for delivering community services to those lands to be deleted.

D. The community development services and facilities of the District serving the lands to be added will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District over these lands will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District's services and facilities in the lands to be added.

E. The lands to be added to the District are part of the planned community currently being served by the District and are amenable to separate special-district government. The lands to be deleted from the District are no longer part of any of the neighborhoods within the District and are, therefore, not amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the Board of County Commissioners of Lee County, Florida to:

1. Direct its staff to schedule a public hearing in accordance with the requirements of Section 190.046, Florida Statutes (2003) and in the same manner and with the same public notice as other ordinance amendments;

2. Grant the petition and adopt an ordinance to amend Lee County Ordinance No. 02-13, adding the lands set forth in Exhibit 3 to the District, removing the lands set forth in Exhibit 4 from the District, and establishing the new boundaries of the District as set forth in Exhibit 5.

RESPECTFULLY SUBMITTED this 9th day of SEPTEMBER, 2004.


By: 
Neale Montgomery
Pavese, Haverfield, Dalton,
Harrison & Jensen, L.L.P.
1833 Hendry Street
P.O. Drawer 1507
Fort Myers, FL 33902-1507
Representatives for the Petitioner

EXHIBIT "1"
Sketch of General Location of the Project

EXHIBIT "2"
Metes and Bounds description of the External Boundaries

EXHIBIT "3"
Metes and Bounds Description of Land to be Added

EXHIBIT "4"
Metes and Bounds Description of the Land to be Removed

EXHIBIT "5"
Metes and Bounds Description of the New Proposed Boundaries

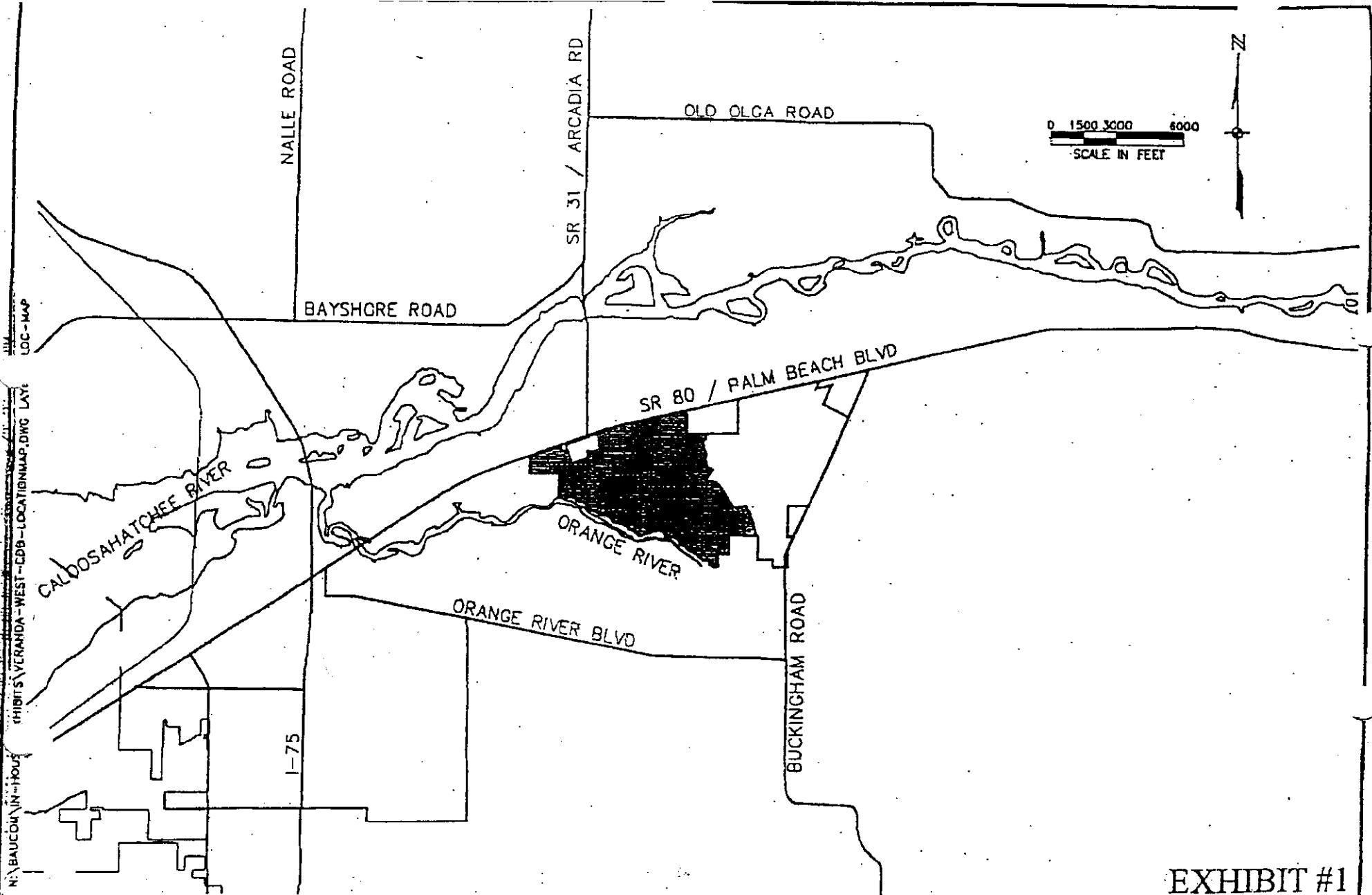
EXHIBIT "6"
Statement of Consent to the Petition and the Proposed Modification

EXHIBIT "7"
Future Distribution, Location and Extent of Land Uses for Lands to be Added

EXHIBIT "8"
Statement of Estimated Regulatory Costs

EXHIBIT "9"
Authorization of Agent

F:\WPDATA\CM\mm\Bonita Bay\Verandah CDD.Petition



N:\BAUCON\IN-HOUSE\THIBITS\VERANDA - WEST - EDB - LOCATION\MAP.DWG LAYE
 LOC - MAP

EXHIBIT #1



JOHNSON
ENGINEERING

2158 JOHNSON STREET
 P.O. BOX 1550
 FORT MYERS, FLORIDA 33902-1550
 PHONE (941) 334-0046
 FAX (941) 334-3661
 E.B. #842 & L.B. #642

VERANDAH WEST
 LOCATION MAP

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
7-13-01	20002118	43-25-43	6000	1 OF 1



July 12, 2001

DESCRIPTION

**VERANDAH WEST
PARCEL IN
SECTION 25 AND 36, TOWNSHIP 43 SOUTH, RANGE 25 EAST
AND
SECTION 29, 30, 31 AND 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Sections 25 and 36, Township 43 South, Range 25 East, and Sections 29, 30, 31 and 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Beginning at the southwest corner of the Northeast Quarter (NE-1/4) of the Northeast Quarter (NE-1/4) of Section 36, Township 43 South, Range 25 East run S 89° 08' 18" W along the south line of the Northwest Quarter (NW-1/4) of the Northeast Quarter (NE-1/4) of said Section 36 for 1324.04 feet; thence run N 00° 50' 29" W along the west line of said fraction for 740.15 feet to an intersection with the south line of Palm Beach Boulevard (State Road No. 80); thence run N 71° 36' 06" E along said south line for 1465.40 feet; thence run S 18° 23' 54" E for 10.00 feet; thence run S 71° 36' 06" W for 49.43 feet; thence run southerly, southeasterly and easterly along the arc of a curve to the left of radius 350.00 feet (chord bearing S 56° 17' 11" E) (chord 397.61 feet) (delta 69° 13' 26") for 422.87 feet to a point of tangency; thence run N 89° 06' 06" E for 45.96 feet; thence run N 71° 36' 06" E for 57.64 feet; thence run S 19° 48' 46" E for 523.96 feet; thence run N 70° 11' 14" E for 685.45 feet; thence run N 00° 43' 19" W for 292.55 feet; thence run N 70° 11' 14" E for 44.14 feet; thence run S 76° 24' 31" E for 187.84 feet; thence run N 72° 41' 10" E for 217.40 feet; thence run N 08° 37' 27" W for 213.75 feet; thence run N 73° 17' 15" E for 164.76 feet; thence run N 16° 21' 11" W for 462.79 feet to an intersection with said south line of Palm Beach Boulevard; thence run N 71° 36' 06" E along the south line of Palm Beach Boulevard for 574.19 feet to a point of curvature; thence run northeasterly along an arc of said curve to the right of radius 5589.55 feet (chord bearing N 72° 17' 37" E) (chord 135.00 feet) (delta 01° 23' 02") for 135.00 feet; thence run N 17° 00' 52" W for 20.00 feet; thence run easterly along said south line along the arc of a curve to the right of radius of 5609.55 feet (chord bearing N 73° 59' 12" E) (chord 196.03 feet) (delta 02° 00' 09") for 196.05 feet; thence run N 67° 44' 10" E along said south line for 299.35 feet; thence run N 77° 10' 13" E along said south line for 961.79 feet to an intersection with the westerly line of lands described in Official Record Book 1200 beginning at Page 710 of the Public Records of Lee County, Florida; thence run S 12° 49' 47" E along said west line for 175.00 feet; thence run N 77° 10' 13" E along the south line of said parcel for 125.00 feet; thence run N 12° 49' 47" W along the east line of said parcel for 175.00 feet to an intersection with the south line of said Palm Beach Boulevard; thence run N 77° 10' 13" E along said south line for 1781.13 feet to an intersection with the west line of lands described in Official Record Book 1418 beginning at Page 2194 of said public records; thence run S 12° 49' 47" E along said west line for

"EXHIBIT 2"

155.00 feet; thence run N 77° 10' 13" E along the south line of said parcel for 95.00 feet to an intersection with the west line of lands described in Official Record Book 655 beginning at Page 407 of said public records; thence run S 01° 29' 33" E along said west line for 865.78 feet to an intersection with the north line of a Florida Power & Light Company Transmission Line Easement; thence run N 89° 02' 25" E along said north line for 865.80 feet; thence leaving said easement line run S 00° 57' 35" E for 284.52 feet; thence run N 72° 14' 31" W for 159.74 feet; thence run S 17° 45' 29" W for 54.87 feet; thence run S 15° 56' 31" E for 496.97 feet; thence run S 36° 01' 16" E for 73.71 feet; thence run S 07° 49' 37" E for 130.25 feet; thence run S 19° 52' 21" W for 141.71 feet; thence run S 25° 14' 53" E for 155.22 feet; thence run S 08° 38' 21" E for 138.47 feet; thence run S 32° 03' 07" E for 137.14 feet; thence run S 68° 38' 44" E for 195.04 feet; thence run S 29° 41' 01" W for 453.37 feet; thence run S 10° 36' 57" E for 161.15 feet; thence run S 83° 34' 25" E for 339.97 feet; thence run S 49° 29' 21" E for 339.97 feet; thence run S 32° 26' 49" E for 1076.04 feet; thence run N 82° 45' 03" E for 601.24 feet; thence run S 07° 14' 57" E for 172.86 feet; thence run S 54° 59' 22" E for 132.10 feet; thence run S 15° 26' 48" E for 290.90 feet; thence run S 25° 29' 37" E for 257.92 feet; thence run S 09° 39' 49" E for 171.40 feet; thence run S 23° 42' 48" E for 160.85 feet; thence run S 02° 11' 02" W for 223.27 feet; thence run N 87° 48' 58" W for 1164.34 feet; thence run S 00° 04' 13" E for 852.37 feet; thence run N 87° 48' 58" W for 497.77 feet; thence run S 00° 04' 13" E for 540.88 feet; thence run S 89° 45' 59" W for 40.00 feet; thence run S 00° 14' 01" E for 40.00 feet to an intersection with the south line of said Section 32, Township 43 South, Range 26 east; thence run S 89° 45' 59" W along said south line for 172.45 feet to the Mean High Water Line of the Orange River; thence run northwesterly along said Mean High Water Line for 12,598 feet more or less to an intersection with the west line of the Southeast Quarter (SE-1/4) of the Northeast Quarter (NE-1/4) of Section 36, 987.65 feet to the Point of Beginning.

Containing 777.95 acres, more or less.

Bearings hereinabove mentioned are plane coordinate for the Florida West Zone, NAD 1983 (1990 Adjustment).

Michael A. Ward (for The Firm LB-642)
Professional Land Surveyor
Florida Certificate No. 5301

19991536/Description 0712301

0 300 600 1200
SCALE IN FEET



PALM BEACH BOULEVARD (S.R. NO. 80)

FIRE STATION
OR 1200/P 710

PUMP STATION
OR 1418/P 2194

FLORIDA POWER & LIGHT CO TRANSMISSION LINE EASEMENT

W LINE NW 1/4, NE 1/4
SECTION 36

S LINE NW 1/4, NE 1/4
SECTION 36

POB DESC
SW COR NE 1/4 NE 1/4
SECTION 36

W LINE SE 1/4, NE 1/4
SECTION 36

EAST LINE SECTION 36

RANGE 25 EAST
RANGE 26 EAST

36 31
1 6

ORANGE RIVER

12598' ± MEAN HIGH WATER

TOWNSHIP 43 SOUTH
TOWNSHIP 44 SOUTH

LINE TABLE					
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S 18°23'54" E	10.00	L24	S 07°49'37" E	130.25
L2	S 71°36'06" W	49.43	L25	S 19°52'21" W	141.71
L3	N 89°06'06" E	45.96	L26	S 25°14'53" E	155.22
L4	N 71°36'06" E	57.64	L27	S 08°38'21" E	138.47
L5	N 00°43'19" W	292.55	L28	S 32°03'07" E	137.14
L6	N 70°11'14" E	44.14	L29	S 68°38'44" E	195.04
L7	S 76°24'31" E	187.84	L30	S 29°41'01" W	453.37
L8	N 72°41'10" E	217.40	L31	S 10°36'57" E	161.15
L9	N 08°37'27" W	213.75	L32	S 83°34'25" E	339.97
L10	N 73°17'15" E	164.76	L33	S 49°29'21" E	339.97
L11	N 16°21'11" W	462.79	L34	S 32°26'49" E	1076.04
L12	N 17°00'52" W	20.00	L35	N 82°45'03" E	601.24
L13	N 67°44'10" E	299.35	L36	S 07°14'57" E	172.86
L14	S 12°49'47" E	175.00	L37	S 54°59'22" E	132.10
L15	N 77°10'13" E	125.00	L38	S 15°26'48" E	290.90
L16	N 12°49'47" W	175.00	L39	S 25°29'37" E	257.92
L17	S 12°49'47" E	155.00	L40	S 09°39'49" E	171.40
L18	N 77°10'13" E	95.00	L41	S 23°42'48" E	160.85
L19	S 00°57'35" E	284.52	L42	S 02°11'02" W	223.27
L20	N 72°14'31" W	159.74	L43	S 89°45'59" W	40.00
L21	S 17°45'29" W	54.87	L44	S 00°14'01" E	40.00
L22	S 15°56'31" E	496.97	L45	S 89°45'59" W	172.45
L23	S 36°01'16" E	73.71			

CURVE TABLE					
CURVE	RADIUS	DELTA	DIRECTION	CHORD	LENGTH
C1	350.00	69°13'26"	S 56°17'11" E	397.61	422.87
C2	5589.55	01°23'02"	N 72°17'37" E	135.00	135.00
C3	5609.55	02°00'09"	N 73°59'12" E	196.03	196.05

NOTES

1. POC = POINT OF COMMENCEMENT
2. POB = POINT OF BEGINNING
3. DESC = DESCRIPTION
4. DESCRIPTION ATTACHED
5. SEC. = SECTIONS
6. AREA = 777.95 ACRES MORE OR LESS.

THIS IS NOT A SURVEY

MICHAEL A. WARD (FOR THE FIRM LB-642)
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 5301

DATE SIGNED: 7/12/2001

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

PARCEL IN
SEC. 25 & 36, TOWNSHIP 43 SOUTH, RANGE 25 EAST &
SEC. 29, 30, 31 & 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (941) 334-0046
FAX (941) 334-3661
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION
VERANDAH WEST

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
JUNE 12, 2001	20002118	25-43-25	1" = 1200'	SHEET 1

August 17, 2004

VERANDAH WEST CDD - PARCEL 1A

PARCEL LYING IN
SECTION 29, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 29, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of said Section 29, run N 01° 29' 31" W along the west line of the Southwest Quarter (SW-1/4) of said section for 589.75 feet to an intersection with the north line of a Florida Power & Light Company Transmission Line easement as recorded in Deed Book 230, page 106, in the Public Records of Lee County, Florida; thence run N 89° 02' 25" E along said north line for 265.34 feet; thence, departing said north line, run S 00° 57' 35" E for 248.06 feet; thence run N 79° 59' 06" W for 37.36 feet; thence run S 78° 54' 13" W for 61.13 feet to the Point of Beginning.

From said Point of Beginning run S 78° 54' 13" W for 55.65 feet; thence run S 35° 05' 20" W for 29.34 feet; thence run N 17° 45' 29" E for 54.87 feet; thence run S 72° 14' 31" E for 57.48 feet to the Point of Beginning.

Containing 1,012 square feet or 0.02 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Southwest Quarter (SW-1/4) of Section 29, Township 43 South, Range 26 East, Lee County, Florida, to bear N 01° 29' 31" W.

August 17, 2004

VERANDAH WEST CDD - PARCEL 2A

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of said Section 32, run N 00° 28' 09" W along the west line of said fraction for 1357.69 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said section; thence run N 89° 47' 08" W along said north line for 1220.62 feet; thence, departing said north line, run N 32° 26' 49" W for 918.85 feet; thence run N 49° 29' 21" W for 44.14 feet to the Point of Beginning.

From said Point of beginning continue N 49° 29' 21" W for 78.39 feet; thence run S 80° 11' 26" E for 8.15 feet to a point of curvature; thence run southeasterly along the arc of said curve to the right, having a radius of 50.00 feet (delta 46° 45' 20") (chord bearing S 56° 48' 46" E) (chord 39.68 feet) for 40.80 feet; thence run S 33° 26' 06" E for 33.33 feet to the Point of Beginning.

Containing 535 square feet or 0.01 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 00° 28' 09" W.

20044600 VWCDD Parcel 2A (Added Parcel) 081704

PAGE 2 OF 5

August 17, 2004

VERANDAH WEST CDD – PARCEL 3A

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of said Section 32, run N 00° 28' 09" W along the west line of said fraction for 1357.69 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said section; thence run N 89° 47' 08" W along said north line for 1220.62 feet; thence, departing said north line, run S 32° 26' 49" E for 57.97 feet an intersection with a non-tangent curve and the Point of Beginning.

From said Point of Beginning run southeasterly along the arc of said curve to the right, having a radius of 440.00 feet (delta 10° 25' 24") (chord bearing S 66° 35' 52" E) (chord 79.94 feet) for 80.05 feet to a point of reverse curvature; thence run easterly along the arc of said curve to the left, having a radius of 385.00 feet (delta 32° 17' 34") (chord bearing S 77° 31' 57" E) (chord 214.13 feet) for 216.99 feet; thence run N 86° 19' 16" E for 48.39 feet; thence run S 82° 45' 03" W for 264.06 feet; thence run N 32° 26' 49" W for 128.21 feet to the Point of Beginning.

Containing 9,292 square feet or 0.21 acres, more or less.

Bearings hereinabove mentioned are based on the west line of Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 00° 28' 09" W.

August 17, 2004

VERANDAH WEST CDD - PARCEL 4A

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

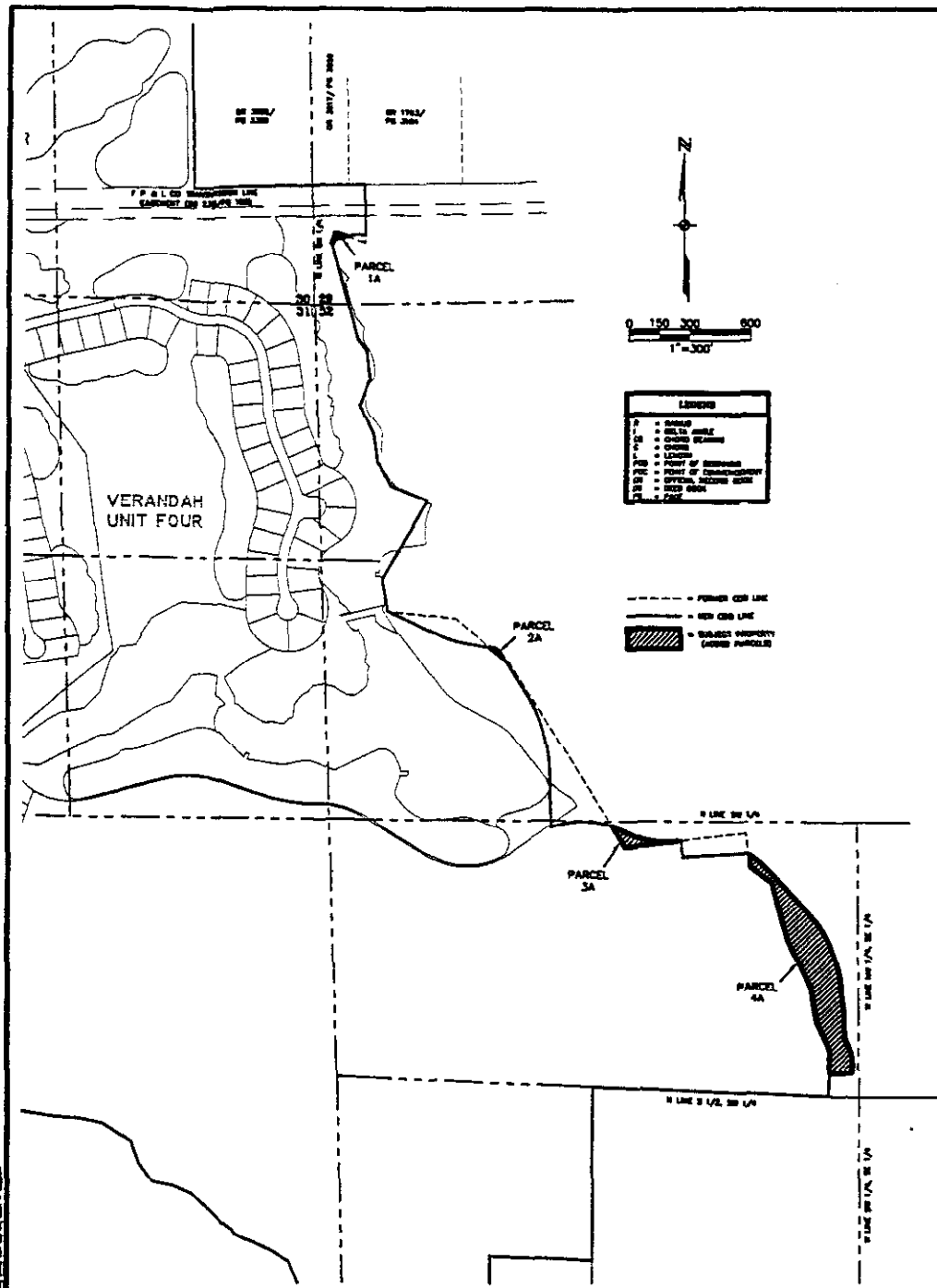
From the southeast corner of the North Half (N-1/2) of the Southwest Quarter (SW-1/4) of said Section 32, run N 87° 48' 58" W along the north line of said fraction for 147.62 feet; thence, departing said north line, run N 02° 11' 02" E for 113.43 feet to the Point of Beginning.

From said Point of beginning continue N 02° 11' 02" E for 109.85 feet; thence run N 23° 42' 48" W for 160.85 feet; thence run N 09° 39' 49" W for 171.40 feet; thence run N 25° 29' 37" W for 257.92 feet; thence run N 15° 26' 48" W for 290.90 feet; thence run N 54° 59' 22" W for 132.10 feet; thence run N 07° 14' 57" W for 61.74 feet to an intersection with a non-tangent curve; thence run southeasterly along the arc of said curve to the right, having a radius of 465.01 feet (delta 17° 42' 43") (chord bearing S 51° 22' 24" E) (chord 143.18 feet) for 143.75 feet; thence run S 42° 31' 02" E for 265.63 feet to a point of curvature; thence run southeasterly along the arc of said curve to the right, having a radius of 615.00 feet (delta 35° 19' 02") (chord bearing S 24° 51' 32" E) (chord 373.11 feet) for 379.09 feet to an intersection with a non-tangent curve; thence run southerly along the arc of said curve to the right, having a radius of 1,772.51 feet (delta 04° 34' 59") (chord bearing S 06° 02' 11" E) (chord 141.74 feet) for 141.78 feet; thence run S 03° 10' 17" E for 123.30 feet to a point of curvature; thence run southerly along the arc of said curve to the left, having a radius of 100.00 feet (delta 26° 03' 50") (chord bearing S 16° 12' 12" E) (chord 45.10 feet) for 45.49 feet to a point of reverse curvature; thence run southerly along the arc of said curve to the right, having a radius of 195.00 feet (delta 44° 01' 21") (chord bearing S 07° 13' 26" E) (chord 146.17 feet) for 149.83 feet; thence run S 89° 55' 48" W for 107.17 feet to the Point of Beginning.

Containing 135,106 square feet or 3.10 acres, more or less.

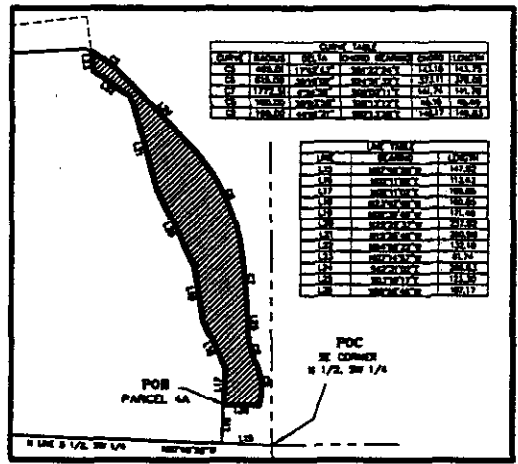
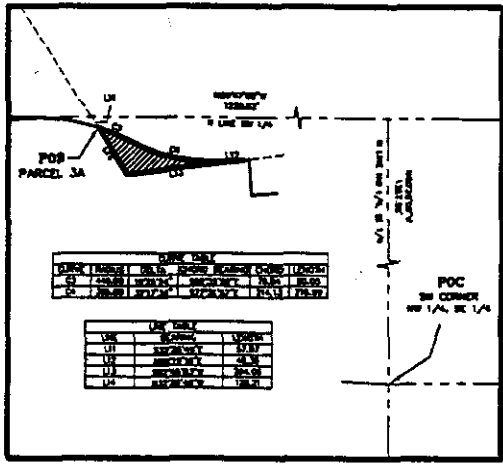
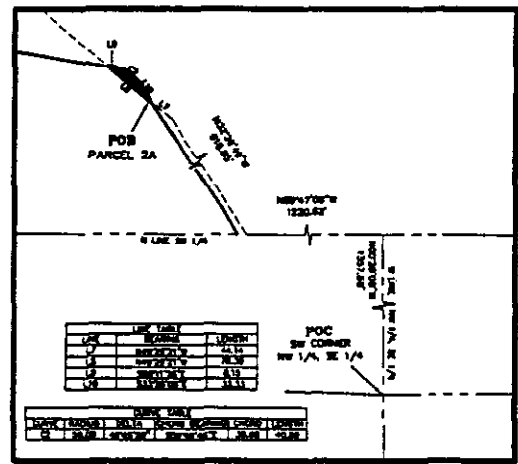
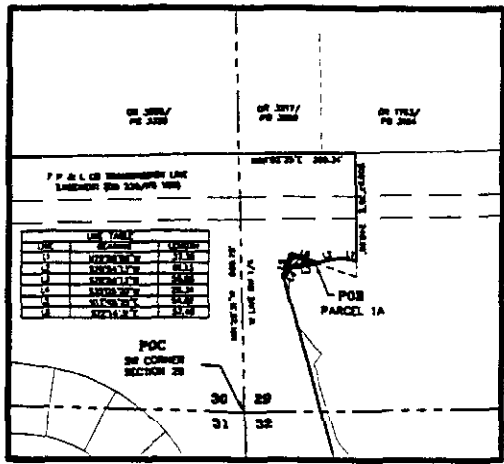
Bearings hereinabove mentioned are based on the north line of the South Half (S-1/2) Southwest Quarter (SW-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 87° 48' 58" W.

20044600 VWCCD Parcel 4A (Added Parcel) 081704



LEGEND

- FORMER CDD LINE
- - - - - NEW CDD LINE
- ▨ SHADING INDICATES ADDED PARCELS



- NOTES
1. THIS SKETCH DOES NOT HAVE ANY PRECEDENCE AS TO BEING OF DEVELOPMENT REVISIONS ON THE RELATED PARCELS.
 2. SEE SHEET 2 FOR "REVISION" PARCELS.
 3. SEE SHEET 2 FOR LEGAL DESCRIPTIONS.
 4. SEE LEGAL DESCRIPTION FOR SIZE OF PARCELS.
 5. SEE LEGAL DESCRIPTION FOR SIZE OF PARCELS.
 6. PARCEL 1A CONTAINS 4.00 SQUARE FEET ON 0.10 ACRES MORE OR LESS.
 7. PARCEL 2A CONTAINS 5.00 SQUARE FEET ON 0.11 ACRES MORE OR LESS.
 8. PARCEL 3A CONTAINS 6.00 SQUARE FEET ON 0.14 ACRES MORE OR LESS.
 9. PARCEL 4A CONTAINS 10.00 SQUARE FEET ON 0.23 ACRES MORE OR LESS.

THIS IS NOT A SURVEY

JOHNSON ENGINEERING, INC. 2156 JOHNSON STREET, FORT MYERS, FLORIDA 33902-1200
 PHONE (239) 334-2240 FAX (239) 334-3881
 C.B. #842 & L.B. #842

PARCELS 1A, 2A, 3A & 4A LYING IN SECTIONS 29 & 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA



JOHNSON ENGINEERING

2156 JOHNSON STREET
 P.O. BOX 1200
 FORT MYERS, FLORIDA 33902-1200
 PHONE (239) 334-2240
 FAX (239) 334-3881
 C.B. #842 & L.B. #842

SKETCH TO ACCOMPANY DESCRIPTION VERANDAH WEST CDD (ADDED PARCELS)

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUGUST 2004	20044800	38-43-25	AS SHOWN	1 OF 3



August 18, 2004

VERANDAH WEST CDD - PARCEL 1R

PARCEL LYING IN
SECTION 29, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 29, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of said Section 29, run N 01° 29' 31" W along the west line of the Southwest Quarter (SW-1/4) of said section for 589.75 feet to an intersection with the north line of a Florida Power & Light Company Transmission Line easement as recorded in Deed Book 230, page 106, in the Public Records of Lee County, Florida; thence run N 89° 02' 25" E along said north line for 265.34 feet; thence, departing said north line, run S 00° 57' 35" E for 248.06 feet to the Point of Beginning.

From said Point of beginning continue S 00° 57' 35" E for 36.46 feet; thence run N 72° 14' 31" W for 102.26 feet; thence run N 78° 54' 13" E for 61.13 feet; thence run S 79° 59' 06" E for 37.36 feet to the Point of Beginning.

Containing 2,177 square feet or 0.05 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Southwest Quarter (SW-1/4) of Section 29, Township 43 South, Range 26 East, Lee County, Florida, to bear N 01° 29' 31" W.

20044600 VWCCD Parcel 1R 081804

August 18, 2004

VERANDAH WEST CDD – PARCEL 2R

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of said Section 32, run N 00° 28' 09" W along the west line of said fraction for 1357.69 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said section; thence run N 89° 47' 08" W along said north line for 1220.62 feet; thence, departing said north line, run N 32° 26' 49" W for 918.85 feet; thence run N 49° 29' 21" W for 122.53 feet to the Point of Beginning.

From said Point of Beginning run N 80° 11' 26" W for 144.35 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right, having a radius of 375.00 feet (delta 15° 20' 39") (chord bearing N 72° 31' 07" W) (chord 100.13 feet) for 100.43 feet; thence run N 64° 50' 47" W for 293.20 feet; thence run S 83° 34' 25" E for 339.97 feet; thence run S 49° 29' 21" E for 217.44 feet to the Point of Beginning.

Containing 29,462 square feet or 0.68 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 00° 28' 09" W.

20044600 VWCDD Parcel 2R 081804



August 18, 2004

VERANDAH WEST CDD – PARCEL 3R

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southwest corner of the Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of said Section 32, run N 00° 28' 09" W along the west line of said fraction for 1357.69 feet to an intersection with the north line of the Southwest Quarter (SW-1/4) of said section; thence run N 89° 47' 08" W along said north line for 1220.62 feet; thence, departing said north line, run S 32° 26' 49" E for 28.98 feet to an intersection with a non-tangent curve and the Point of Beginning.

From said Point of Beginning run westerly along the arc of said curve to the left, having a radius of 440.00 feet (delta 39° 45' 40") (chord bearing S 88° 18' 36" W) (chord 229.25 feet) for 305.34 feet to an intersection with a non-tangent line; thence run N 02° 11' 14" W for 267.84 feet to a point of curvature; thence run northerly along the arc of said curve to the left, having a radius of 825.00 feet (delta 31° 14' 52") (chord bearing N 17° 48' 40" W) (chord 444.38 feet) for 449.94 feet; thence run N 33° 26' 06" W for 175.72 feet; thence run S 49° 29' 21" E for 44.14 feet; thence run S 32° 26' 49" E for 947.84 feet to the Point of Beginning.

Containing 79,362 square feet or 1.82 acres, more or less.

Bearings hereinabove mentioned are based on the west line of Northwest Quarter (NW-1/4) of the Southeast Quarter (SE-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 00° 28' 09" W.

20044600 VWCDD Parcel 3R 081804

August 18, 2004

VERANDAH WEST CDD - PARCEL 4R

PARCEL LYING IN
SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

From the southeast corner of the North Half (N-1/2) of the Southwest Quarter (SW-1/4) of said Section 32; run N 87° 48' 58" W along the north line of said fraction for 147.62 feet; thence, departing said north line, run N 02° 11' 02" E for 223.27 feet; thence run N 23° 42' 48" W for 160.85 feet; thence run N 09° 39' 49" W for 171.40 feet; thence run N 25° 29' 37" W for 257.92 feet; thence run N 15° 26' 48" W for 290.90 feet; thence run N 54° 59' 22" W for 132.10 feet; thence run N 07° 14' 57" W for 61.74 to an intersection with a non-tangent curve and the Point of Beginning.

From said Point of Beginning run northwesterly along the arc of said curve to the left, having a radius of 465.01 feet (delta 02° 17' 00") (chord bearing N 61° 22' 15" W) (chord 18.53 feet) for 18.53 feet to an intersection with a non-tangent line; thence run S 86° 19' 16" W for 313.52 feet; thence run N 03° 40' 44" W for 80.00 feet; thence run S 86° 19' 16" W for 14.26 feet; thence run N 82° 45' 03" E for 337.18 feet; thence run S 07° 14' 57" E for 111.12 feet to the Point of Beginning.

Containing 29,706 square feet or 0.68 acres, more or less.

Bearings hereinabove mentioned are based on the north line of the South Half (S-1/2) Southwest Quarter (SW-1/4) of Section 32, Township 43 South, Range 26 East, Lee County, Florida, to bear N 87° 48' 58" W.

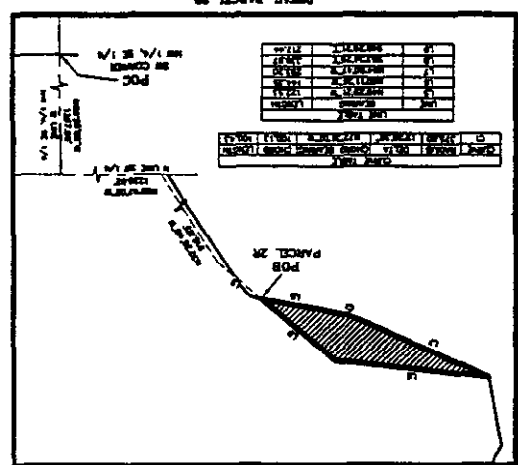
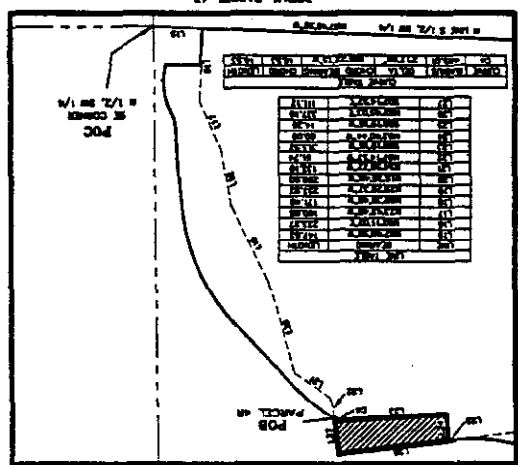
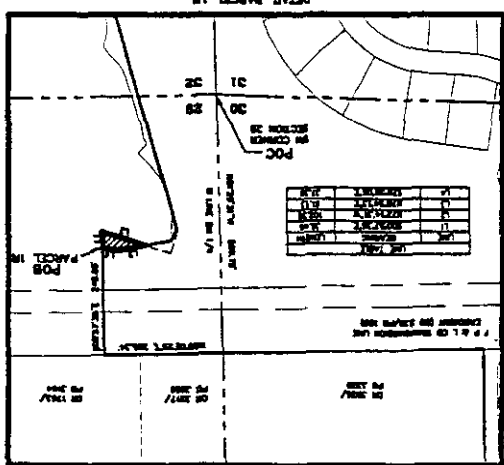
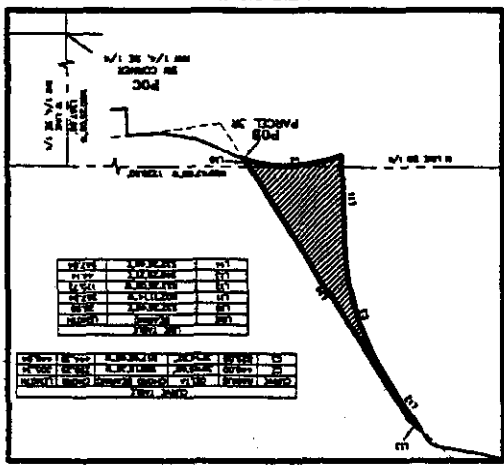
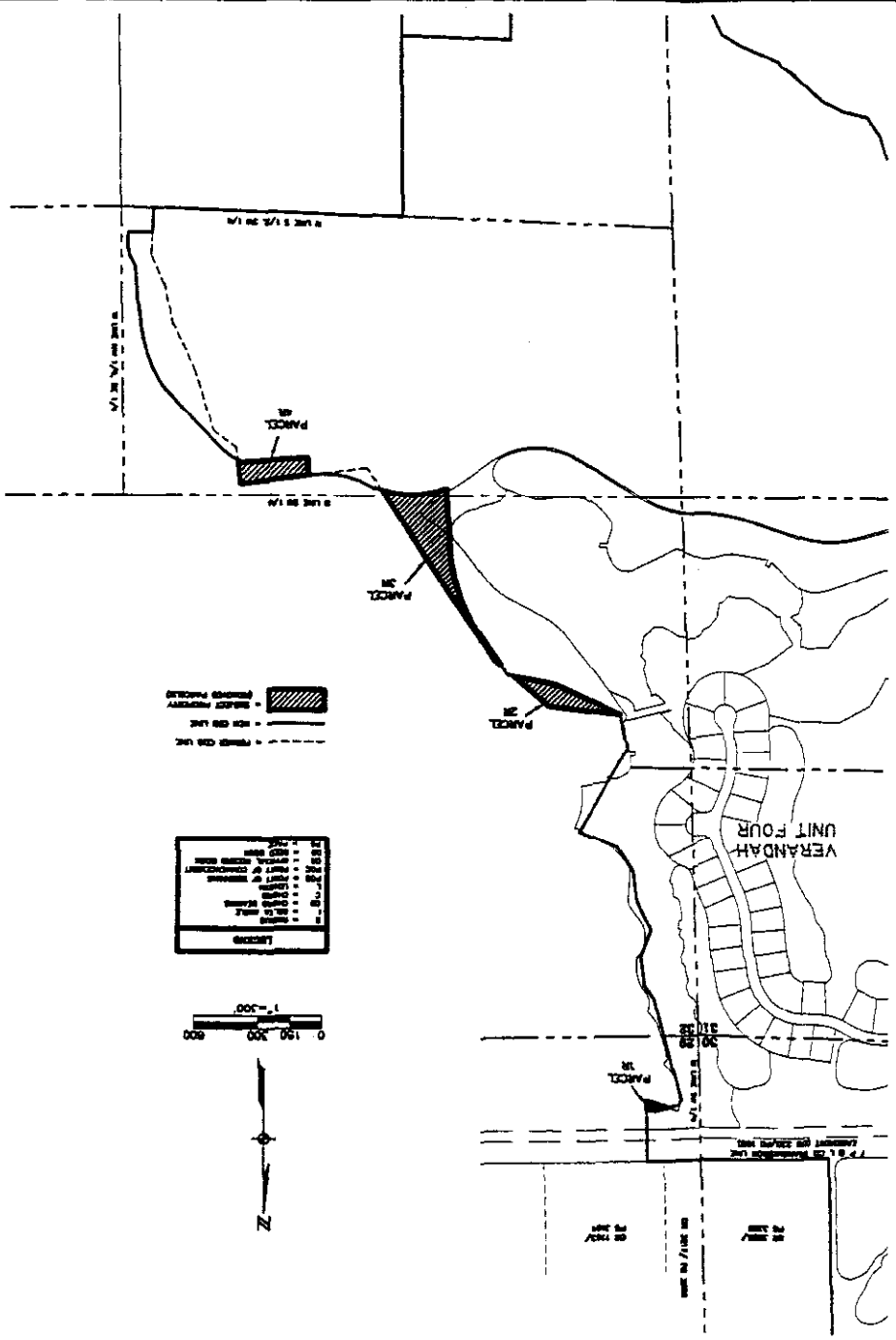
PARCELS 18, 19, 20, 21, 22 & 23
 LYING IN
 SECTIONS 29 & 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
 LEE COUNTY, FLORIDA

Verandah

JOHNSON
 ENGINEERING

2108 JACKSON STREET
 P.O. BOX 1200
 FORT WALKER, FLORIDA 32837-1200
 TEL. 813-434-1843
 FAX 813-434-1843

SKETCH TO ACCOMPANY DESCRIPTION
VERANDAH WEST CDD
 (REMOVED PARCELS)



NOTES:
 1. THE BOUNDARIES OF THIS SKETCH ARE BASED ON THE RECORD PLATS OF THE VERANDAH WEST CDD.
 2. THE BOUNDARIES OF THIS SKETCH ARE BASED ON THE RECORD PLATS OF THE VERANDAH WEST CDD.
 3. THE BOUNDARIES OF THIS SKETCH ARE BASED ON THE RECORD PLATS OF THE VERANDAH WEST CDD.
 4. THE BOUNDARIES OF THIS SKETCH ARE BASED ON THE RECORD PLATS OF THE VERANDAH WEST CDD.
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 9. THE BOUNDARIES OF THIS SKETCH ARE BASED ON THE RECORD PLATS OF THE VERANDAH WEST CDD.
 10. THE BOUNDARIES OF THIS SKETCH ARE BASED ON THE RECORD PLATS OF THE VERANDAH WEST CDD.



July 29, 2004

VERANDAH WEST CDD**PARCEL LYING IN
SECTIONS 25 & 36, TOWNSHIP 43 SOUTH, RANGE 25 EAST AND
SECTIONS 29, 30, 31 & 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land lying in Sections 25 and 36, Township 43 South, Range 25 East and Sections 29, 30, 31 and 32, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Beginning at the southwest corner of the Northeast Quarter (NE-1/4) of the Northeast Quarter (NE-1/4) of said Section 36, Township 43 South, Range 25 East, thence run S 89° 08' 18" W along the south line of the Northwest Quarter (NW-1/4) of the Northeast Quarter (NE-1/4) for 1,324.03 feet; thence run N 00° 50' 29" W along the west line of said fraction for 740.15 feet to an intersection with the southeasterly right-of-way line of Palm Beach Boulevard (SR 80); thence run N 71° 36' 06" E along said southeasterly line for 1,465.40 feet; thence run S 18° 23' 54" E for 10.00 feet; thence run S 71° 36' 06" W for 49.43 feet to an intersection with a non-tangent curve; thence run southerly, southeasterly and easterly along an arc of said curve to the left, having a radius of 350.00 feet (delta 69° 13' 26") (chord bearing S 56° 17' 11" E) (chord 397.61 feet) for 422.87 feet to a point of tangency; thence run N 89° 06' 06" E for 45.96 feet; thence run N 71° 36' 06" E for 57.64 feet; thence run S 19° 48' 46" E for 523.96 feet; thence run N 70° 11' 14" E for 685.45 feet; thence run N 00° 43' 19" W for 292.55 feet; thence run N 70° 11' 14" E for 44.14 feet; thence run S 76° 24' 31" E for 187.84 feet; thence run N 72° 41' 10" E for 217.40 feet; thence run N 08° 37' 27" W for 213.75 feet; thence run N 73° 17' 15" E for 164.76 feet; thence run N 16° 21' 11" W for 462.79 feet to an intersection with said southeasterly right-of-way line; thence run N 71° 36' 06" E along said right-of-way line for 574.19 feet to a point of curvature; thence run northeasterly along an arc of said curve to the right, having a radius of 5,589.55 feet (delta 01° 23' 02") (chord bearing N 72° 17' 37" E) (chord 135.00 feet) for 135.00 feet to a jog in said right-of-way line; thence run N 17° 00' 52" W along said jog for 20.00 feet to an intersection with a non-tangent curve; thence run northeasterly along said southeasterly right-of-way line and along an arc of said curve to the left, having a radius of 5,609.55 feet (delta 02° 00' 09") (chord bearing N 73° 59' 12" E) (chord 196.03 feet) for 196.05 feet to an intersection with a non-tangent line; thence run N 67° 44' 10" E along said southeasterly right-of-way line for 299.35 feet; thence run N 77° 10' 13" E along said southeasterly right-of-way line for 961.79 feet to an intersection with the westerly line of lands described in Official Record Book 1200, page 710, in the Public Records of Lee County, Florida; thence run S 12° 49' 47" E along said west line for 175.00 feet; thence run N 77° 10' 13" E along the south line of said lands for 125.00 feet; thence run N 12° 49' 47" W along the east line of said lands for 175.00 feet to an intersection with said southeasterly right-of-way line of Palm

"EXHIBIT 5"

Beach Boulevard; thence run N 77° 10' 13" E along said right-of-way line for 1,781.13 feet to an intersection with the west line of lands described in Official Record Book 1418, page 2194, of said public records; thence run S 12° 49' 47" E along said west line for 155.00 feet; thence run N 77° 10' 13" E along the south line of said lands for 95.00 feet to an intersection with the west line of lands described in Official Record Book 3526, page 3329 of said public records; thence run S 01° 29' 33" E along said west line for 865.78 feet to an intersection with the north line of a Florida Power & Light Company Transmission Line easement as recorded in Deed Book 230, page 106 of said public records; thence run N 89° 02' 25" E along the north line of said easement and the south line of said lands in Official Record Book 3526, page 3329 for 600.45 feet to an intersection with the west line of the Southeast Quarter (SE-1/4) of said Section 29, Township 43 South, Range 26 East; thence continue N 89° 02' 25" E along the north line of said easement and along the south line of lands described in Official Record Book 3217, page 3959 and Official Record Book 1763, page 3164 of said public records for 265.34 feet; thence departing said line run S 00° 57' 35" E for 248.06 feet; thence run N 79° 59' 06" W for 37.36 feet; thence run S 78° 54' 13" W for 116.78 feet; thence run S 35° 05' 20" W for 29.34 feet; thence run S 15° 56' 31" E for 496.97 feet; thence run S 36° 01' 16" E for 73.71 feet; thence run S 07° 49' 37" E for 130.25 feet; thence run S 19° 52' 21" W for 141.71 feet; thence run S 25° 14' 53" E for 155.22 feet; thence run S 08° 38' 21" E for 138.47 feet; thence run S 32° 03' 07" E for 137.14 feet; thence run S 68° 38' 44" E for 195.04 feet; thence run S 29° 41' 01" W for 453.37 feet; thence run S 10° 36' 57" E for 161.15 feet; thence run S 64° 50' 47" E for 293.20 feet to a point of curvature; thence run easterly along an arc of said curve to the left, having a radius of 375.00 feet (delta 15° 20' 39") (chord bearing S 72° 31' 07" E) (chord 100.13 feet) for 100.43 feet to a point of tangency; thence run S 80° 11' 26" E for 152.50 feet to a point of curvature; thence run southeasterly along an arc of said curve to the right, having a radius of 50.00 feet (delta 46° 45' 20") (chord bearing S 56° 48' 46" E) (chord 39.68 feet) for 40.80 feet to a point of tangency; thence run S 33° 26' 06" E for 209.05 feet to a point of curvature; thence run southerly along an arc of said curve to the right, having a radius of 825.00 feet (delta 31° 14' 52") (chord bearing S 17° 48' 40" E) (chord 444.38 feet) for 449.94 feet to a point of tangency; thence run S 02° 11' 14" E for 267.84 feet to an intersection with a non-tangent curve; thence run easterly along an arc of said curve to the right, having a radius of 440.00 feet (delta 50° 11' 04") (chord bearing S 86° 28' 42" E) (chord 373.19 feet) for 385.39 feet to a point of reverse curvature; thence run easterly along an arc of said curve to the left, having a radius of 385.00 feet (delta 32° 17' 34") (chord bearing S 77° 31' 57" E) (chord 214.13 feet) for 216.99 feet to a point of tangency; thence run N 86° 19' 16" E for 62.65 feet; thence run S 03° 40' 44" E for 80.00 feet; thence run N 86° 19' 16" E for 313.52 feet to an intersection with a non-tangent curve; thence run southeasterly along an arc of said curve to the right, having a radius of 465.01 feet (delta 19° 59' 43") (chord bearing S 52° 30' 54" E) (chord 161.46 feet) for 162.28 feet to a point of tangency; thence run S 42° 31' 02" E for 265.63 feet to a point of curvature; thence run southeasterly along an arc of said curve to the right, having a radius of 615.00 feet (delta 35° 19' 02") (chord bearing S 24° 51' 31" E) (chord 373.11 feet)

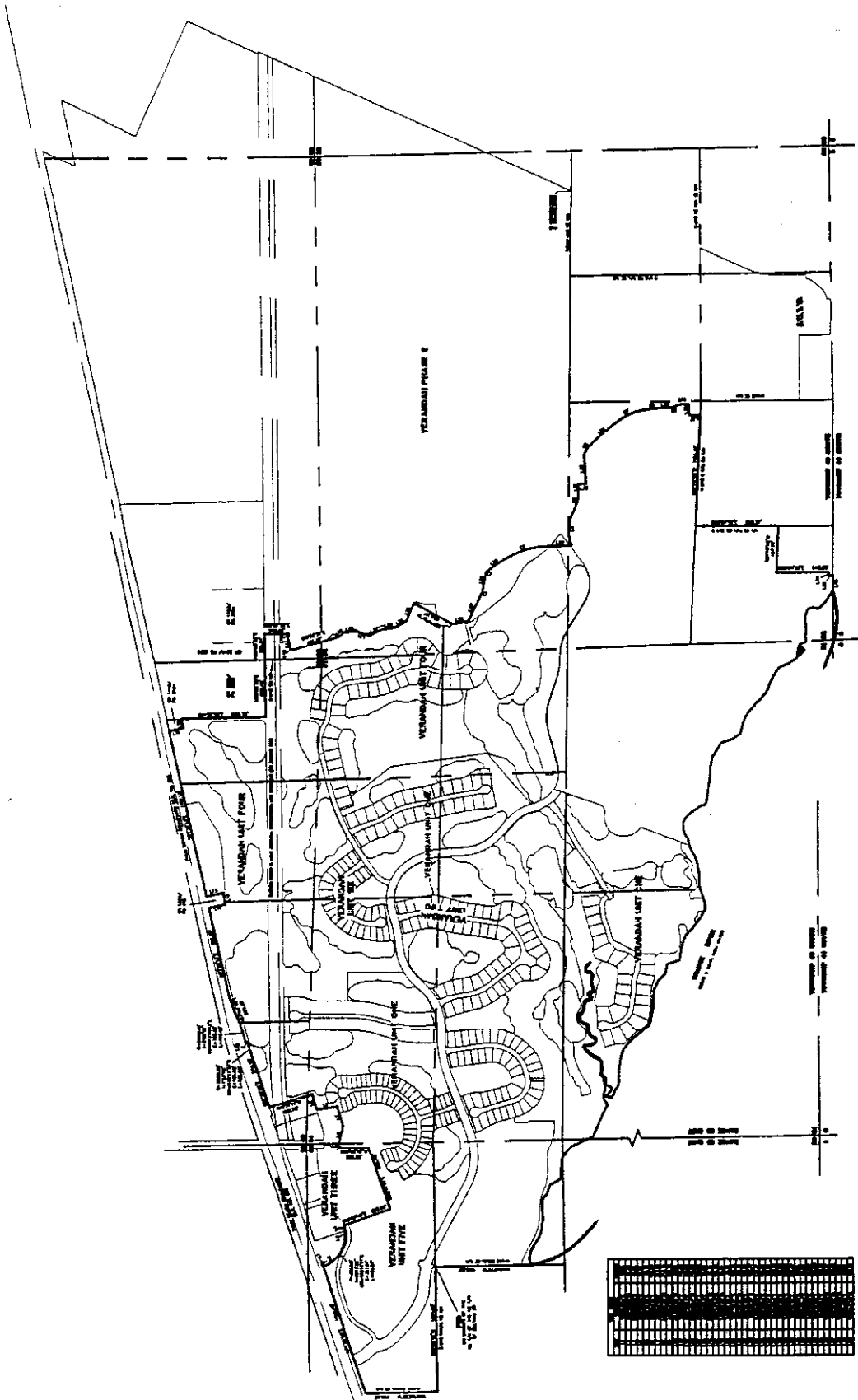
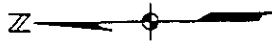
"EXHIBIT 5"

for 379.09 feet to an intersection with a non-tangent curve; thence run southerly along an arc of said curve to the right, having a radius of 1,772.51 feet (delta $04^{\circ} 34' 59''$) (chord bearing S $06^{\circ} 02' 11''$ E) (chord 141.74 feet) for 141.78 feet to an intersection with a non-tangent line; thence run S $03^{\circ} 10' 17''$ E for 123.30 feet to a point of curvature; thence run southerly along an arc of said curve to the left, having a radius of 100.00 feet (delta $26^{\circ} 03' 50''$) (chord bearing S $16^{\circ} 12' 12''$ E) (chord 45.10 feet) for 45.49 feet to a point of reverse curvature; thence run southerly along an arc of said curve to the right, having a radius of 195.00 feet (delta $44^{\circ} 01' 21''$) (chord bearing S $07^{\circ} 13' 26''$ E) (chord 146.17 feet) for 149.83 feet to an intersection with a non-tangent line; thence run S $89^{\circ} 55' 48''$ W for 107.17 feet; thence run S $02^{\circ} 11' 02''$ W for 113.43 feet to an intersection with the north line of the South Half (S-1/2) of the Southwest Quarter (SW-1/4) of Section 32, Township 43 South, Range 26 East; thence run N $87^{\circ} 48' 58''$ W along said north line for 1,164.34 feet to an intersection with the east line of the Southwest Quarter (SW-1/4) of the Southwest Quarter (SW-1/4) of said section; thence run S $00^{\circ} 04' 13''$ E along said east line for 852.37 feet; thence run N $87^{\circ} 48' 58''$ W for 497.77 feet; thence run S $00^{\circ} 04' 13''$ E for 540.88 feet; thence run S $89^{\circ} 45' 59''$ W for 40.00 feet; thence run S $00^{\circ} 14' 01''$ E for 40.00 feet; thence run S $89^{\circ} 43' 23''$ W for 172.32 feet to an intersection with the Mean High Water Line of Orange River; thence run northwesterly along said Mean High Water Line for 12,598 feet more or less to an intersection with the west line of the Southeast Quarter (SE-1/4) of the Northeast Quarter (NE-1/4) of said Section 36; thence run N $00^{\circ} 46' 17''$ W along said west line for 987.65 feet to the Point of Beginning.

Parcel contains 778.06 acres, more or less.

Bearings hereinabove mentioned are based on the west line of the Northeast Quarter (NE-1/4) of the Northeast Quarter (NE-1/4) of Section 36, Township 43 South, Range 25 East, Lee County, Florida as bearing N $00^{\circ} 50' 29''$ W.

20044600 New Revised Verandah West CDD 072904



VERANDAH WEST CDD

2158 JOHNSON STREET
 P.O. BOX 1550
 FORT MYERS, FLORIDA 33902-1550
 PHONE (239) 334-0046
 FAX (239) 334-3661
 E.B. #642 & L.B. #642

JOHNSON ENGINEERING

PARCEL LAYING IN
 SECTIONS 25 & 36, TOWNSHIP 43 SOUTH, RANGE 25 EAST
 AND
 SECTIONS 29, 30, 31 & 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST
 LEE COUNTY, FLORIDA

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUGUST 2004	20044600	36-43-25	NOT TO SCALE	1 OF 1

**CONSENT AND JOINDER OF LANDOWNERS
TO THE MODIFICATION OF THE BOUNDARIES
OF THE VERANDAH WEST COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands more fully described in Exhibit A to this Consent, attached hereto and made a part hereof.

The undersigned understands and acknowledges that The Board of Supervisors of the Verandah West Community Development District ("Petitioner") intends to submit an application to modify and amend the boundaries of a Community Development District in accordance with the provisions of Chapter 190 of the Florida Statutes.

As the owner of the lands which are intended be added to and deleted from the boundaries of the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.046, Florida Statutes, the Petitioner is required to include the written consent to the amendment to the Community Development District of one hundred percent (100%) of the owners of the lands to be added to or deleted from the Community Development District.

The undersigned, on behalf of the Verandah Development, L.L.C., does hereby consent to the proposed modification of the boundaries of the Community Development District which will include the lands to be added to and deleted from the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this Consent and Joinder during the application process for the modification to the boundaries to the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the community Development District is modified or three years from the date hereof, whichever shall occur first. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this Consent form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this Consent and Joinder by the officer executing this instrument.

Executed this 13 day of September, 2004

Verandah Development, LLC, a Florida Limited Liability Company

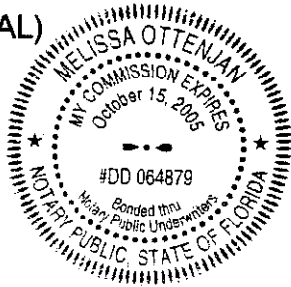
By: Resource Conservation Properties, Inc., its Managing Member

By: Katherine A
Print Name: Katherine C. Green
Title: Vice Pres.

STATE OF FLORIDA)
COUNTY OF Lee)

The foregoing instrument was acknowledged before me this 13 day of September, 2004, by Katherine Green, as Vice President of Resource Conservation Properties, Inc., Managing Member of Verandah Development, LLC. He/She is personally known to me.

(SEAL)



Melissa Ottenjan
Notary Public

Melissa Ottenjan
Printed Name of Notary Public

dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). (Amended by Ordinance No. 94-30, 02-02)

POLICY 1.1.4: The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, the city of Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30, 02-02)

POLICY 1.1.5: The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Amended by Ordinance No. 94-30)

POLICY 1.1.6: The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low-density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed. In the Outlying Suburban area in North Fort Myers east of I-75 and in the Buckingham area (see Goal 17), the maximum density permitted is two dwelling units per acre (2 du/acre). (Amended by Ordinance 91-19)

POLICY 1.1.7: The Industrial Development areas play an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. To a great extent these are the areas to which Lee County must look for expanded job opportunities, investments and production opportunities, and a balanced and sufficient tax base. These areas have special locational requirements that are more stringent than those for residential areas, including transportation needs (e.g., air, rail, highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are convenient for employees to reach. Whereas the other Future Urban Areas will include a broad combination of residential, commercial, public, and limited industrial land uses, the Industrial Development area is to be reserved mainly for industrial activities per se, as well as for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations), and office complexes (if specifically related to adjoining industrial uses) that constitute a growing part of Florida's economic development sector. New natural resource extraction (mining) activities and fill dirt operations must be approved through the Industrial Planned Development rezoning

OBJECTIVE 1.5: WETLANDS. Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Amended by Ordinance No. 94-30)

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 84 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)

POLICY 1.5.2: When the exact location of Wetlands boundaries is in question, Chapter XIII of this plan provides an administrative process, including a field check, to precisely define the boundary. (Amended by Ordinance No. 94-30)

POLICY 1.5.3: Wetlands that are conservation lands will be subject to the provisions of Policy 1.4.6 as well as the provisions of Objective 1.5. The most stringent provisions of either category will apply. Conservation wetlands will be identified on the FLUM to distinguish them from non-conservation wetlands. (Added by Ordinance No. 98-09)

OBJECTIVE 1.6: NEW COMMUNITY. Designate on the Future Land Use Map areas which are suitable for the development of large-scale multi-use communities developed pursuant to an overall master plan. This category is also considered a Future Urban Area.

POLICY 1.6.1: New Community areas are lands that are capable of being planned and developed as a cohesive unit in order to better achieve conservation of important environmental resources and to initiate areawide surface water management. New Community land must be located such that the area is capable of being developed with a balance of residential and non-residential uses and that major impacts of the development are internalized and/or alleviated by infrastructure that is existing or will be funded privately. New Community areas will be developed as freestanding economic units and will not impose negative fiscal impacts on the county (other than those associated with the delay in placing property improvements on the tax rolls).

New Communities will not exceed a residential density of six dwelling units per gross acre and must have at least the following characteristics:

1. The land will be developed under a well-conceived overall master plan;
2. The land can be served with all necessary facilities and services at no expense to the county. Uniform Community Development Districts and special taxing districts may be utilized toward achieving this objective;
3. Population, recreation, open space, educational, office, and research facilities are distributed in an orderly and attractive manner;
4. The land must be developed in such a manner as to protect environmentally sensitive areas;
5. The land must be developed as a free-standing community offering a complete range of land uses (e.g. a full mix of housing types for a range of household incomes, industrial and office employment centers, and community facilities such as fire departments, schools, law enforcement offices, public recreational areas, health care facilities, and community commercial areas);
6. Off-site impacts must be mitigated; and,

ROUTE	ROUTE NO.	ROUTE NAME	ROUTE TYPE	ROUTE CLASSIFICATION
1	1	US 1	Interstate	Interstate
2	2	US 2	Interstate	Interstate
3	3	US 3	Interstate	Interstate
4	4	US 4	Interstate	Interstate
5	5	US 5	Interstate	Interstate
6	6	US 6	Interstate	Interstate
7	7	US 7	Interstate	Interstate
8	8	US 8	Interstate	Interstate
9	9	US 9	Interstate	Interstate
10	10	US 10	Interstate	Interstate
11	11	US 11	Interstate	Interstate
12	12	US 12	Interstate	Interstate
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45	45	US 45	Interstate	Interstate
46	46	US 46	Interstate	Interstate
47	47	US 47	Interstate	Interstate
48	48	US 48	Interstate	Interstate
49	49	US 49	Interstate	Interstate
50	50	US 50	Interstate	Interstate

LEGEND

FIGURE URBAN AREAS

- Metropolitan
- Urban
- Urban Core
- Urban Fringe
- Urban Sprawl
- Urban Transition
- Urban Edge
- Urban Core
- Urban Fringe
- Urban Sprawl
- Urban Transition
- Urban Edge

INTERCHANGE AREAS

- General Interchange
- General Interchange
- General Interchange
- General Interchange
- General Interchange
- General Interchange
- General Interchange
- General Interchange
- General Interchange
- General Interchange

NEW COMMUNITY

- New Community
- New Community
- New Community
- New Community
- New Community
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- New Community
- New Community
- New Community
- New Community

APPROXIMATE AREAS

- Approximate Area
- Approximate Area
- Approximate Area
- Approximate Area
- Approximate Area
- Approximate Area
- Approximate Area
- Approximate Area
- Approximate Area
- Approximate Area

NON-URBAN AREAS

- Non-Urban Area
- Non-Urban Area
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- Non-Urban Area
- Non-Urban Area
- Non-Urban Area
- Non-Urban Area

ENVIRONMENTALLY CRITICAL AREAS (ETCLANDS)

- Environmentally Critical Area
- Environmentally Critical Area
- Environmentally Critical Area
- Environmentally Critical Area
- Environmentally Critical Area
- Environmentally Critical Area
- Environmentally Critical Area
- Environmentally Critical Area
- Environmentally Critical Area
- Environmentally Critical Area

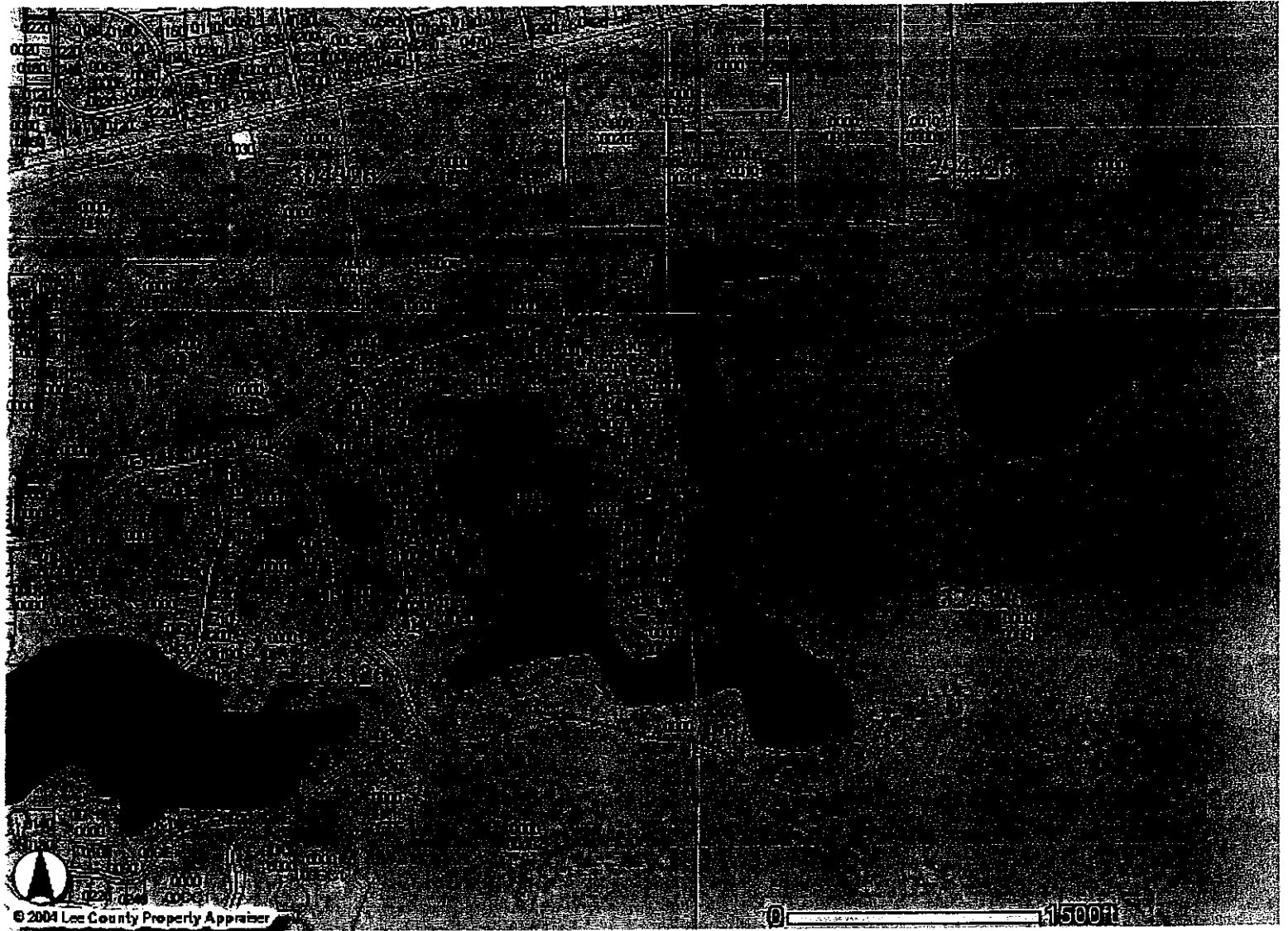
Other Legend Items:

- Water
- Wetlands
- Wetlands
- Wetlands
- Wetlands
- Wetlands
- Wetlands
- Wetlands
- Wetlands
- Wetlands

Map Generated May 2004



"EXHIBIT 7"



STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the state created and chartered **Verandah West Community Development District** ("District"). The land proposed for the District is approximately 777.95 acres of land located in unincorporated Lee County, Florida. The limitations on the scope of this SERC are explicitly set out in Section 190.002 (2) (d), F.S. (governing District establishment or alteration) as follows:

"That the process of establishing such a district pursuant to uniform general law shall be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."

1.2 Overview of the Verandah West Community Development District

The District will comprise of approximately 777.95 acres within unincorporated Lee County, Florida. The District is designed to provide infrastructure systems, services, and facilities along with certain ongoing operations and maintenance to the Verandah Community (the "Development"). The portion of the community development proposed to be within the Verandah West Community Development is planned for approximately 786 residential units, comprising 538 single-family units and 248 multi-family units.

A Community Development District ("CDD") is an independent unit of special and single purpose local government created and chartered by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in large, planned community developments. CDD's provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers." Section 190.002 (1) (a) F.S.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the county in which the CDD lies. A CDD does not have the permitting, zoning or police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments, such as the Verandah community. The scope of this SERC is limited to evaluating the consequences approving the proposal to establish the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541 (2), F.S. (1997), defines the elements a statement of estimated regulatory costs for rules and rulemaking (which pursuant to section 190.005 (1)(a)8, Fla. Stat., by way of section 190.005(2)(c), Fla. Stat., applying the estimated regulatory costs statement to ordinance establishment) must contain:

- (a) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
- (b) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.
- (c) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this paragraph, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting.
- (d) An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S. Lee County is not defined as a small county for purposes of this requirement.
- (e) Any additional information that the agency determines may be useful.
- (f) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.

As noted above, the portion of the community development proposed to be within the Verandah West Community Development District is designed for up to approximately 786 residential units. Establishment of the District would provide storm water management, mitigation and conservation and landscaping, systems, facilities and services to all of the proposed property through the District operations in the exercise of District general and specific powers. It is not anticipated that anyone outside the Development would be affected by the ordinance establishing the state created and chartered District, although the State of Florida and the County would be required to honor and apply with the general law establishment of the District by county ordinance. The number of people includes residents within the District some of whom are landowners (including the Developer). The number of entities required to comply with the ordinance are the State, the County and the District itself upon establishment.

3.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed rule, or in the case of Districts under 1000 acres, an ordinance of the general purpose government establishing the District, and any anticipated effect on state and local revenues.

3.1 Costs to Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement the proposed establishment of the District. The District as proposed on the property set-forth in the petition will encompass under 1,000 acres; therefore, the County is the establishing entity under 190.005 (2) F.S. The modest costs to various State entities to implement the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those State agencies that will receive and process the District's reports are very small because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.412, F.S., the District must pay an annual fee to the State of Florida Department of Community Affairs, which offsets such costs.

Lee County

The proposed land for the District is in the Lee County ("County") and consists of less than 1,000 acres. The County and its staff will process, analyze, and review the petition and its attachments and related information and then conduct public hearings (the EROC Hearing and the County Establishment Hearing) and vote upon the petition to establish the District. There is no charter to create which would otherwise require substantial time, effort and cost of the County and its staff. Therefore, these activities will absorb some but only a few resources. The costs to review and consider the petition, its attachments

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and related information dealing with the six (6) statutory establishment factors will however, be offset by the processing fee required under section 190.005 (2) F.S., of up to \$15,000.00 as set forth in section 190.05(1)(b)2,F.S., as determined by the County.

These costs to the County are modest for a number of reasons. First, according to Chapter 190, F.S., review of the petition to establish the District does not include analysis of the Development itself. Second, the petition and related filings itself provides much of the information needed for a staff review. Third, existing local governments already possess the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by the required filing fee. Finally, local governments routinely process petitions for land uses and zoning changes that are far more complex than is the petition to establish a CDD.

The annual costs to the County, because of the establishment of the District, are also very small. The District is an independent unit of specialized and single purpose local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County.

3.2 Impact on State and Local Revenues

Adoption of the proposed ordinance establishing the CDD will have no negative impact on State and local revenues. The District is an independent unit of local government. It is designed to provide community systems facilities and services to serve the lands comprising the Verandah development project. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State of Florida, the County, or any other unit of local government. In accordance with State law, debts of the District are strictly its own responsibility.

4.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

The term "transactional costs" means those costs incurred by state and local government agencies reviewing reports and receiving information from the District as well as by land owners, both present and future, who receive notices from the District and eventually qualified electors who live within the District and who will vote for election of District Board of Supervisors whose members manage District projections. Table 1 provides an outline of the various District systems, facilities and services and how they are to be managed, owned and funded.

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**Table 1. Verandah West Community Development District
Proposed Facilities and Services**

FACILITY	FUNDED BY	O&M	OWNERSHIP
Roadway	D/CDD	HOA/CDD	HOA/CDD
Utilities	D	LCU	LCU
Storm Water Management & Irrigation	CDD	CDD	CDD
Wetland Mitigation	D	D	D
	CDD	CDD	CDD

D=Developer; CDD=Community Development District; LCU=Lee County Utilities;
HOA=Homeowner's or Community Association

The petitioner has estimated the design and development costs for managing and financing the provision of the capital facilities as outlined in Table 1. The cost estimates are shown in Table 2 below. Total design and development costs for these facilities are estimated to be approximately \$102,695,000. The District may levy non-ad valorem special assessment and issue revenue bonds to fund the provision of these facilities. These bonds would be repaid through non ad valorem assessments levied on all properties in the District that may meet the lienability requirements of law in regard to the law of non-ad valorem special assessments as applied to the District's capital improvement program as outlined in Table 2.

Accordingly, prospective future landowners in the Development may be required to pay non ad valorem assessments levied by the District to secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District may also levy a non ad valorem assessment to fund the operations and maintenance by the District of its systems, facilities and services. However, locating in the District by new residents is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the non ad valorem assessments as a tradeoff for the special and peculiar benefits, as apportioned reasonably and fairly, that flow to the property within the District from the systems, facilities and services that the District will provide to the property. In addition, state law requires all non-ad valorem special assessments levied by the District to be disclosed under various sets of laws both by the District and by the seller of property to prospective purchasers within the boundaries of the District.

The District is an alternative means to manage (with related financing powers) necessary community development systems, facilities and services constituting infrastructure, improvements or projects. The District is a highly specialized single purpose local

government as an alternative way to manage the delivery of such infrastructure. The District has financing powers to pay for these management functions. There are alternative ways to manage and finance the provision of such infrastructure to the property constituting the community development within the jurisdiction of the District. The District is a public alternative. There are other public alternatives including independent Districts that may be created by special act so long as pursuant to the general law provisions consistent with state policy in section 189.404.F.S. Other public alternatives include the county or the city where the land proposed for the state chartered District is located. If the land is located within a county, a general purpose local government and a political subdivision of the state, the county can manage the delivery of the infrastructure and finance it through such financing mechanisms as municipal service taxing units (for ad valorem taxation) and municipal service benefit units (for types of non-ad valorem special assessments or non-liable service charges). Another alternative is creation by the county by home rule ordinance of a dependent district to that both the function of management and the related function of financing the management would be by the dependent district (the financing through the auspices of the dependent district could involve ad valorem taxation, non-ad valorem special assessments or non-liable service charges or fees). If the land area proposed for the District is within the jurisdiction of a municipality, then the municipality may decide under its charter powers to create a dependent district to manage the delivery of the infrastructure with related financing by ad valorem taxes, non-ad valorem special assessments or non-liable charges and fees. There are also private alternatives for the management of the delivery of such basic infrastructure to the property constituting a community development. These private management alternatives include the developer itself and any related developer business entities and organizations such as partnerships or limited liability companies. In these instances, the management of the infrastructure would be financed by developer equity or other private sources. Other private alternatives include such non-profit entities as homeowner associations in which case the management would be by a selected board of homeowners consisting of homeowners in order to deliver the infrastructure but primarily on common areas. The financing of the management of the infrastructure would be by homeowner assessments (which are not government levies of any type and which are not enforced by government enforcement capabilities). In comparison to other public alternatives to manage and finance infrastructure, and also in comparison to private alternatives for such management and financing, the District through notice and continuing disclosure of its management decisions and related public financing and through its enhancement of the intrinsic value of the property with less costly overhead enables the District to put in higher quality infrastructure at marginally less cost, especially when tax exempt financing is used.

In considering these costs it shall be noted that occupants of the lands to be included within the Development will receive three major classes of benefits. First, those residents and businesses in the Development will receive timely a higher level of quality service from the public provision of systems, facilities and services than would otherwise be the case.

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Second, a CDD is a mechanism for assuring that the community services will be completed concurrently with development of lands within the Development. This satisfies the revised properly managed provision of infrastructure systems, facilities and services constitutes the basis for the observation that growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that only these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is a unique form of governance created by state general law as a growth management tool which allows District landowners, through landowner voting and ultimately qualified elector voting for resident qualified elector membership elected boards, as applicable, to determine the type, quality and expense of the District systems, facilities and services their property receives, provided they meet the County's overall requirements.

The cost impact on the ultimate landowners in the Development is not the total cost for the District to provide infrastructure systems, services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.

Table 2. Cost Estimate for District Facilities

CATEGORY	COST
Roadway	\$ 19,000,000
Utilities	11,000,000
Earthwork	11,000,000
Water Management	17,000,000
Landscape & Irrigation	4,000,000
Electrical Service & Roadway Lighting	2,700,000
Wetland Mitigation	2,000,000
Wetland & Lake Acquisition	4,754,000
Road R/W Acquisition	1,402,000
Off-Site Impacts	4,300,000
Miscellaneous	<u>5,000,000</u>
SUBTOTAL	\$ 82,156,000
Professional Fees & Permitting	12,323,000
Contingency (10% off above subtotal)	<u>8,216,000</u>
GRAND TOTAL	\$102,695,000

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5.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be little impact on small businesses from the establishment of the state created District on the property proposed in the petition. If anything, the impact may be positive because, among other things, the District Board of Supervisors must bid competitively certain contracts and negotiate competitively certain consulting contracts. These requirements afford small businesses the opportunity to bid or to negotiate competitively on District work. Also, the District adds intrinsic value to the property which the count has already enhanced by working with the developer on the county entitlements. It is the management by the District in a pinpointed focused way in the provision of infrastructure subject to county entitlements that enhances the intrinsic value of the property. This makes the entire community development more attractive to small businesses. The county has an estimated population that is greater than 75,000 according to the Lee County Government website. Therefore, Lee County is not a "small" county according to section 120.52, F.S. and the proposed land areas on which the state created District would be established is not within a municipality.

6.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Petitioner's Engineer and other professionals associated with the Petitioner.

Prepared by:


AJC Associates, Inc.

07/22/01

AUTHORIZATION TO REPRESENT

Please be advised that NEALE MONTGOMERY of PAVESE LAW FIRM is hereby authorized to represent The Board of Supervisors of the Verandah West Community Development District in all aspects of the petition to Lee County for the Modification of the Boundaries of the Verandah West Community Development District.

ATTEST:

**BOARD OF SUPERVISORS OF THE
VERANDAH WEST COMMUNITY
DEVELOPMENT DISTRICT**

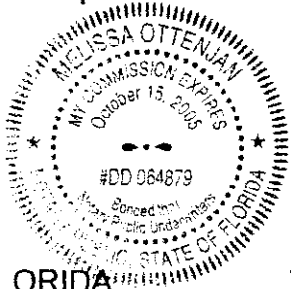
James P. Ward
James P. Ward, Secretary

William Wier
William Wier, Chairperson

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 13 day of September, 2004, by William Wier as Chairperson of the Verandah West Community Development District. He is personally known to me.

(SEAL)



Melissa Ottenjan
Signature of Notary Public

Melissa Ottenjan
Printed Name of Notary Public

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 29 day of September, 2004, by James P. Ward, Secretary of the Verandah West Community Development District. He is personally known to me.

(SEAL)



Cassandra L. Cox
Commission #DD274945
Expires: Dec 14, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Cassandra L. Cox
Signature of Notary Public

CASSANDRA L. COX
Printed Name of Notary Public

**LEE COUNTY, FLORIDA
FINANCIAL & ADMINISTRATIVE IMPACT STATEMENT
PROPOSED COUNTY ORDINANCE
VERANDAH WEST UCDD REVISED BOUNDARY**

II. FISCAL IMPACT ON COUNTY AGENCIES/COUNTY FUNDS.

- A. What is estimated Demand? (Develop Indicators) N/A
- B. What is estimated Workload? (Develop Indicators) N/A
- C. What are estimated costs?

	1st Year \$'s		2nd Year \$'s	
	<u>Existing</u>	<u>New</u>	<u>Existing</u>	<u>New</u>
Personnel	N/A		N/A	
Fringe	N/A		N/A	
Operating	N/A		N/A	
Capital Outlay	N/A		N/A	
Total	N/A		N/A	

D. List the anticipated revenues to cover costs identified in II C above. If a fee is to be charged, answer the following:

- 1. What is the basis (rationale) for the fee? N/A
- 2. Do the anticipated fees cover the full cost of operation? If not, what percentage of the costs are covered? N/A

E. Give a brief narrative analysis of the information contained in II A through D above. The Verandah West Community Development District was established in 2002. The purpose of this ordinance is simply to authorize a re-identification of boundaries. No financial administrative impact.