

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

Blue Sheet No. 20050541

1. ACTION REQUESTED/PURPOSE: Approve the Resolution of Necessity for the acquisition and condemnation of parcels in Phase II, required for the Imperial Street Widening Project (Imperial River north to just south of East Terry Street), No. 4060.

2. WHAT ACTION ACCOMPLISHES: Allows the County to proceed with condemnation, if necessary, so parcels can be acquired for the Imperial Street Widening Project (Imperial River north to just south of East Terry Street), No. 4060.

3. MANAGEMENT RECOMMENDATION: Management recommends Board approve the Action Requested.

4. Departmental Category: 12 A 12 B **5. Meeting Date:** 05-10-2005

6. Agenda:	7. Requirement/Purpose: (specify)	8. Request Initiated:
<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Statute 73,74,125,127	Commissioner: _____
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance _____	Department: County Attorney
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code _____	Division: Litigation
<input type="checkbox"/> Public	<input type="checkbox"/> Other _____	By: John Renner, Assistant County Attorney
<input type="checkbox"/> Walk-On		

9. Background:

The Imperial Street Widening Project, No. 4060 provides for the construction of a four-lane roadway, from Bonita Beach Road north to East Terry Street, with sidewalks, bike paths, stormwater drainage, and utilities.

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

Attachments: Resolution, Location Map (Acquisition Area-Phase II)

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other <i>Co. Leads</i>	County Attorney	Budget Services <i>Admin 4/28</i>			County Manager/P.W. Director	
			<i>KF</i>	<i>[Signature]</i>	Analyst <i>RK 4/25</i>	Risk <i>5/28/05</i>	Grants <i>4/26/05</i>	Mgr. <i>4/27/05</i>	<i>[Signature]</i>

11. Commission Action:

Approved

Deferred

Denied

Other

Rec. by CoAtty

Date: *4/27/05*

Time: *11:22*

Forwarded To:

CO. ATTY.
FORWARDED
TO CO. ADMIN.
4/22/05

RECEIVED BY
COUNTY ADMIN: *24*

4-22-05 MR

3:40 pm

COUNTY ADMIN
FORWARDED TO: *[Signature]*

4/28/05

3pm

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

WHEREAS, after consideration of the availability of alternative routes, the costs of the project, environmental factors, long range area planning, and safety concerns, the Board of County Commissioners of Lee County, Florida, desires to exercise its right to condemn property for public use or purpose and that the property to be condemned is necessary for that use.

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

The Capital Improvement Project provides for the construction of the Imperial Street Widening, Project Number 4060, by acquiring the necessary land for construction of bridge improvements across the Imperial River and a collector roadway from Bonita Beach Road north to East Terry Street.

SECTION ONE: USE, NECESSITY AND DESCRIPTION OF PROPERTY

The Board of County Commissioners finds that the fee simple rights to property described in the attached Exhibit "A" are necessary for the **Imperial Street Widening Project, Phase II**, and are being acquired for the following specific public use or purpose:

To improve traffic flow and transportation safety by providing right-of-way for an increased traffic flow for public as well as private vehicles, and improved evacuation routes. This segment of the project provides for construction of bridge improvements across the Imperial River and improving/widening Imperial Street to a four lane collector roadway with sidewalks, bike paths, stormwater drainage, and utilities, from the Imperial River north to just south of East Terry Street. Exhibit "A" consists of Parcels 317-A, 317-E, 317-W, 321, 333, 335, 336, 337, and 339.

Resolution of Necessity

Page 2

SECTION TWO: AUTHORITY AND ESTATE

By virtue of the authority granted to the Board of County Commissioners of Lee County by Chapters 73, 74, 125 and 127, Florida Statutes, and all other statutory or common law which grant to the Board of County Commissioners the power to institute and proceed with acquiring property under the exercise of the power of eminent domain, the Board of County Commissioners hereby authorizes and directs the County Attorney's Office to commence and prosecute any and all proceedings necessary to acquire in fee simple the property described in Exhibit "A" for the above described public use or purpose.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote was as follows:

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

DULY PASSED AND ADOPTED this _____ day of _____, 2005.

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

Chairman

APPROVED AS TO FORM:

Office of County Attorney

LEGAL DESCRIPTION

Parcel 317-A

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

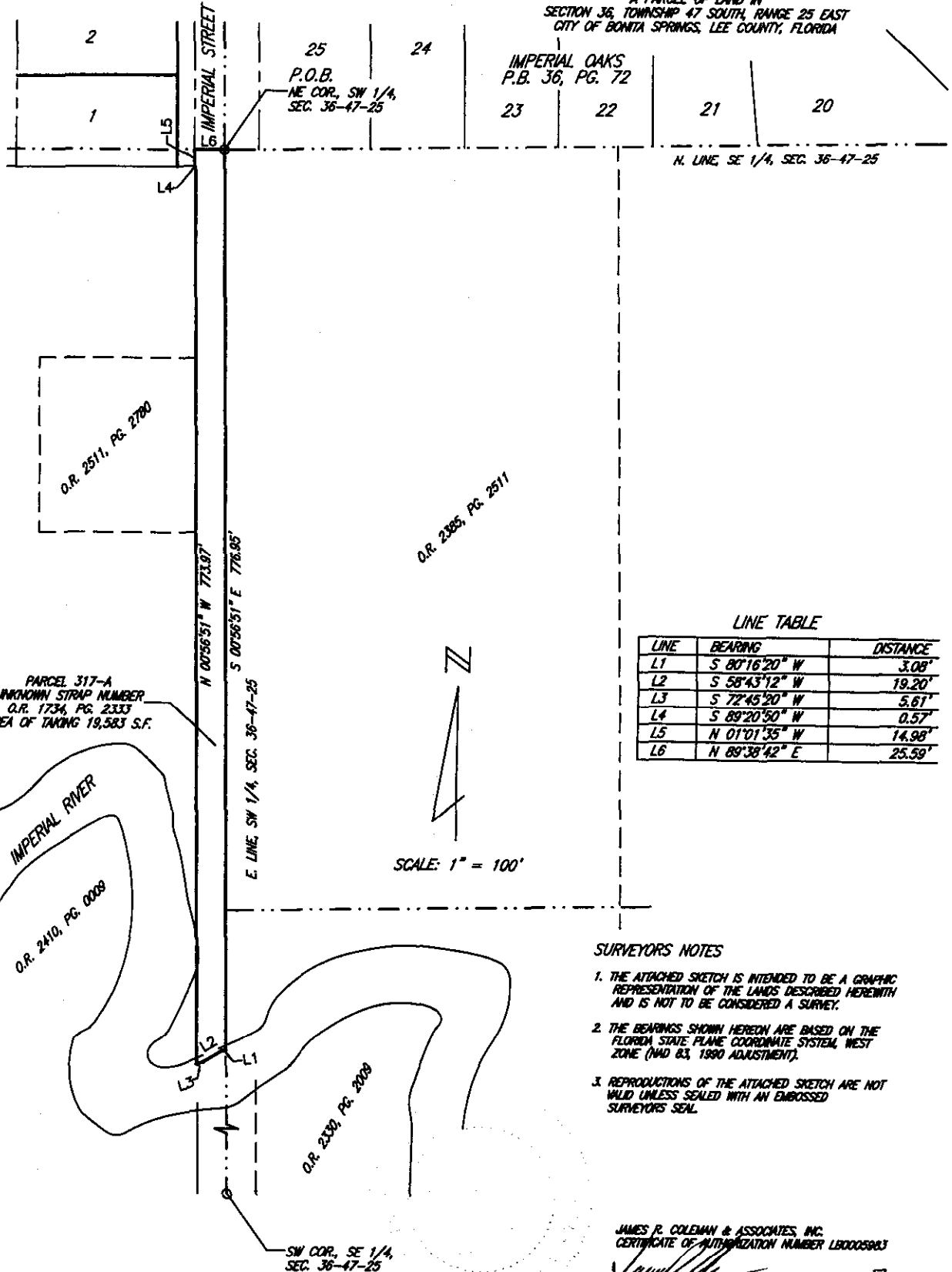
Begin at the northeast corner of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.00°56'51" E. along the east line of said southwest quarter for 776.95 feet to an intersection with the mean high water line of the Imperial River as located on January 9 and 10, 2003; thence along said mean high water line for the following three (3) courses, (1) S.80°16'20"W. for 3.08 feet; (2) thence S.58°43'12"W. for 19.20 feet; (3) thence S.72°45'20"W. for 5.61 feet to an intersection with a line parallel with and 25.00 feet west of as measured at right angles to the aforementioned east line of said southwest quarter; thence N.00°56'51"W along said parallel line for 773.97 feet; thence S.89°20'50"W. for 0.57 feet to an intersection with the east line of The Preserve according to the plat thereof as recorded in Plat Book 48 at Page 88 of the public records of Lee County, Florida; thence N.01°01'35"W. along said east line for 14.98 feet to an intersection with the north line of said southwest quarter; thence N.89°38'42"E. along said north line for 25.59 feet to the point of beginning.



James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 1459 Cornell Place
 Fort Myers, Florida 33919
 Phone: (239) 481-0189

DATE	JANUARY, 2003	JOB NO.	308456	DRAWING NO.	PCL317-A
DATE	02-23-05	REVISION	REFORMAT TO 8 1/2" X 14"	BY	J.R.C.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION 19
 A PARCEL OF LAND IN
 SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST
 CITY OF BONTA SPRINGS, LEE COUNTY, FLORIDA



LINE TABLE

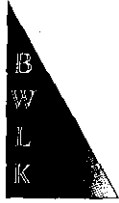
LINE	BEARING	DISTANCE
L1	S 80°16'20" W	3.08'
L2	S 58°43'12" W	19.20'
L3	S 72°45'20" W	5.61'
L4	S 89°20'50" W	0.57'
L5	N 01°01'35" W	14.98'
L6	N 89°38'42" E	25.59'

SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREIN AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83, 1990 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205
 DATE: 7/19/05



Bean, Whitaker, Lutz & Kareh, Inc.

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

LEGAL DESCRIPTION

Parcel 317-E Revised

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

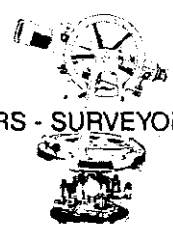
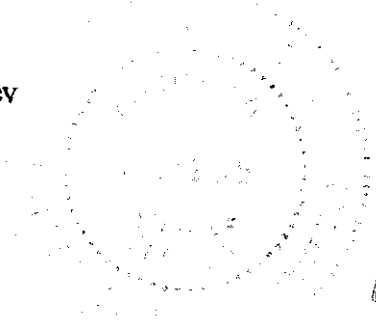
Begin at the northwest corner of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence S.00°56'51" E. along the west line of said southeast quarter for 776.95 feet to an intersection with the mean high water line of the Imperial River as located on January 9 and 10, 2003; thence along said mean high water line for the following seven (7) courses, (1) N.80°16'20"E. for 16.23 feet; (2) thence N.55°25'50"E. for 24.63 feet; (3) thence N.49°48'05"E. for 11.90 feet; (4) thence N.27°34'58"E. for 21.27 feet; (5) thence N.53°03'49"E. for 28.11 feet; (6) thence N.49°26'18"E. for 14.97 feet; (7) thence N.72°57'37"E. for 5.00 feet to an intersection with a line parallel with and 95.00 feet east of as measured at right angles to the aforementioned west line of said southeast quarter; thence N.00°56'51"W along said parallel line for 707.41 feet to an intersection with the north line of the aforementioned southeast quarter of said Section 36; thence S.88°54'24"W. along said north line for 95.00 feet to the point of beginning.

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

Date: 7 MAR 05

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

Pcl317-E_Rev

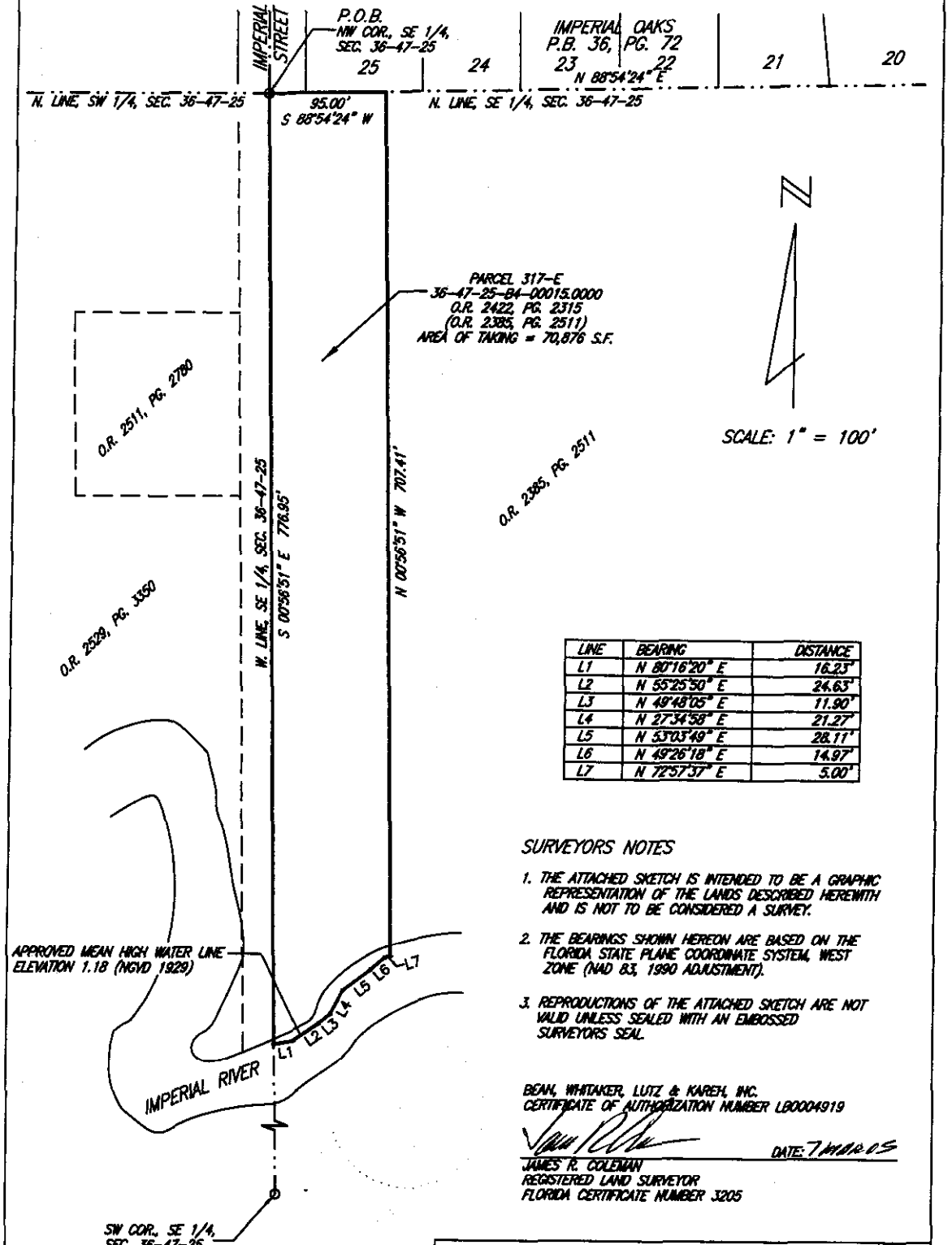


PRINCIPALS:
WILLIAM E. BEAN, PSM, CHAIRMAN
SCOTT C. WHITAKER, PSM, PRESIDENT
JOSEPH L. LUTZ, PSM
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

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

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
 OF
 A PARCEL OF LAND IN
 SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
 CITY OF BONITA SPRINGS
 LEE COUNTY, FLORIDA



LINE	BEARING	DISTANCE
L1	N 80°16'20" E	16.23'
L2	N 55°25'50" E	24.63'
L3	N 49°48'05" E	11.90'
L4	N 27°34'58" E	21.27'
L5	N 53°03'49" E	28.11'
L6	N 49°26'18" E	14.97'
L7	N 72°57'37" E	5.00'

SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83, 1990 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

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

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205

DATE: 7 MAR 05

Bean, Whitaker, Lutz & Kareh, Inc. (23 4819)
 CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
 13041-1 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-8910 (239) 481-1331

Pod17E2Bx14

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-P-T-0)
03-04-05	35955	J.R.C.	1" = 100'	1 of 1	36-47-25

Exhibit "A" *James R. Coleman & Associates, Inc.* Page 5 of 18
Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Phone (239) 433-2070
Fax (239) 433-5126

LEGAL DESCRIPTION

Parcel 317-W Revised

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the northeast corner of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.00°56'51" E. along the east line of said southwest quarter for 330.02 feet; thence S.89°38'42"W. for 25.00 feet to the point of beginning of the herein described parcel of land; thence continue S.89°38'42"W. for 10.00 feet; thence S.00°56'51" E. for 193.01 feet; thence S.37°22'41"W. for 41.64 feet to an intersection with the mean high water line of the Imperial River as located on January 9 and 10, 2003; thence along said mean high water line for the following thirteen (13) courses, (1) S.18°57'18"E. for 25.33 feet; (2) thence S.19°53'37"E. for 20.97 feet; (3) thence S.11°47'48"E. for 28.60 feet; (4) thence S.11°03'11"E. for 24.44 feet; (5) thence S.06°43'09"E. for 28.77 feet; (6) thence S.05°22'11"E. for 22.18 feet; (7) thence S.14°26'06"W. for 29.98 feet; (8) thence S.29°19'52"W. for 24.14 feet; (9) thence S.45°14'21"W. for 22.87 feet; (10) thence S.15°27'31"W. for 15.50 feet; (11) thence S.48°17'35"E. for 18.07 feet; (12) thence N.84°18'49"E. for 19.05 feet; (13) thence N.72°45'20"E. for 16.29 feet to an intersection with a line parallel with and 25.00 feet west of as measured at right angles to the aforementioned east line of said southwest quarter; thence N.00°56'51"W along said parallel line for 458.93 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 14 May 04

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL317-W-Revised

Exhibit "A"

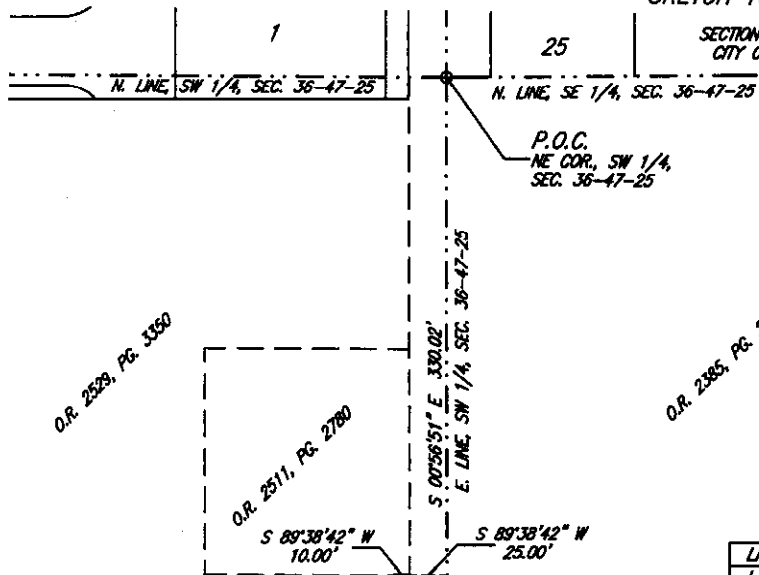
Page 6 of 18



James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 1460 Carmell Place
 Fort Myers, Florida 33909
 Phone: (888) 401-0189

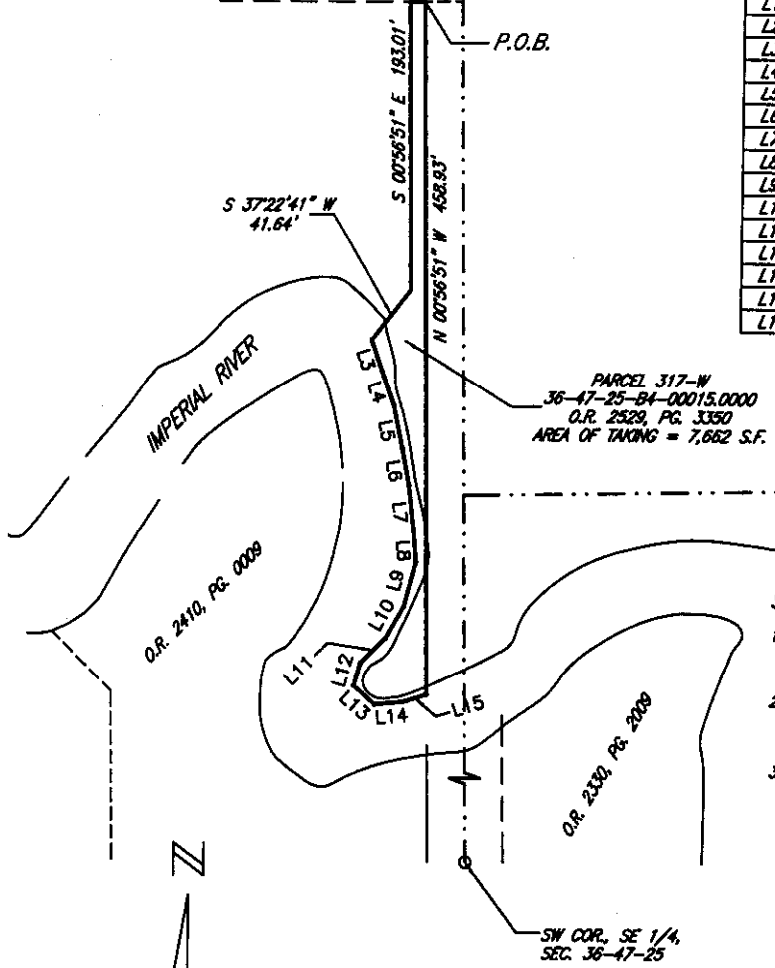
DATE	JOB NO.	ISSUANCE NO.
JANUARY, 2003	308456	PCL317-W
02-23-05	REFORMAT TO 8 1/2" X 14"	J.R.C.
MAY, 2004	REVISED BOUNDARY	J.R.C.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
 A PARCEL OF LAND IN
 SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST
 CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 30°22'01" W	10.40'
L2	S 33°28'47" E	28.20'
L3	S 18°57'18" E	25.33'
L4	S 19°53'37" E	20.97'
L5	S 11°47'48" E	28.60'
L6	S 11°03'11" E	24.44'
L7	S 06°43'09" E	28.77'
L8	S 05°22'11" E	22.18'
L9	S 14°26'06" W	29.98'
L10	S 29°19'52" W	24.14'
L11	S 45°14'21" W	22.87'
L12	S 15°27'31" W	15.50'
L13	S 48°17'35" E	18.07'
L14	N 84°18'49" E	19.05'
L15	N 72°45'20" E	16.29'



SURVEYORS NOTES

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREWITH AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83, 1990 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

SCALE: 1" = 100'

JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205
 DATE: 7/20/05



Bean, Whitaker, Lutz & Kareh, Inc.

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

LEGAL DESCRIPTION

Parcel 321

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County Florida, being a portion of Lot 26 of Imperial Oaks according to the plat thereof recorded in Plat Book 36 at Pages 72 and 73 of the public records of Lee County, Florida more particularly described as follows:

Commence at the southeast corner of Lot 26 of Imperial Oaks according to the plat thereof recorded in Plat Book 36 at Pages 72 and 73 of the public records of Lee County, Florida, thence S.88°58'04"W. along the south line of said Lot 26 for 107.50 feet to the point of beginning of the herein described parcel of land; thence continue S.88°58'04"W. along said south line for 40.01 feet to the point of curvature of a circular curve concave to the northeast; thence westerly and northwesterly along the arc of said curve having for its elements a radius of 30.00 feet and a central angle of 44°42'05" for 23.41 feet to an intersection with the northerly line of said Lot 26; thence N.43°40'09"E. along said northerly line for 86.87 feet; S.01°01'56"E. for 70.42 feet to the point of beginning.

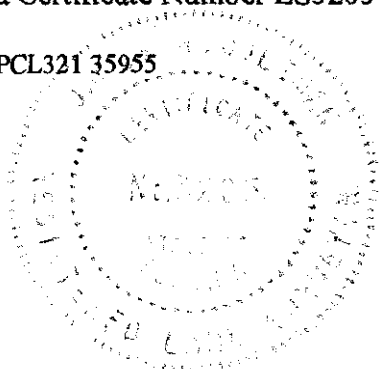
Bean, Whitaker, Lutz & Kareh, Inc.
Certificate of Authorization Number LB0004919

[Signature]

Date: 19 JAN 05

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

BWLKPCL321 35955



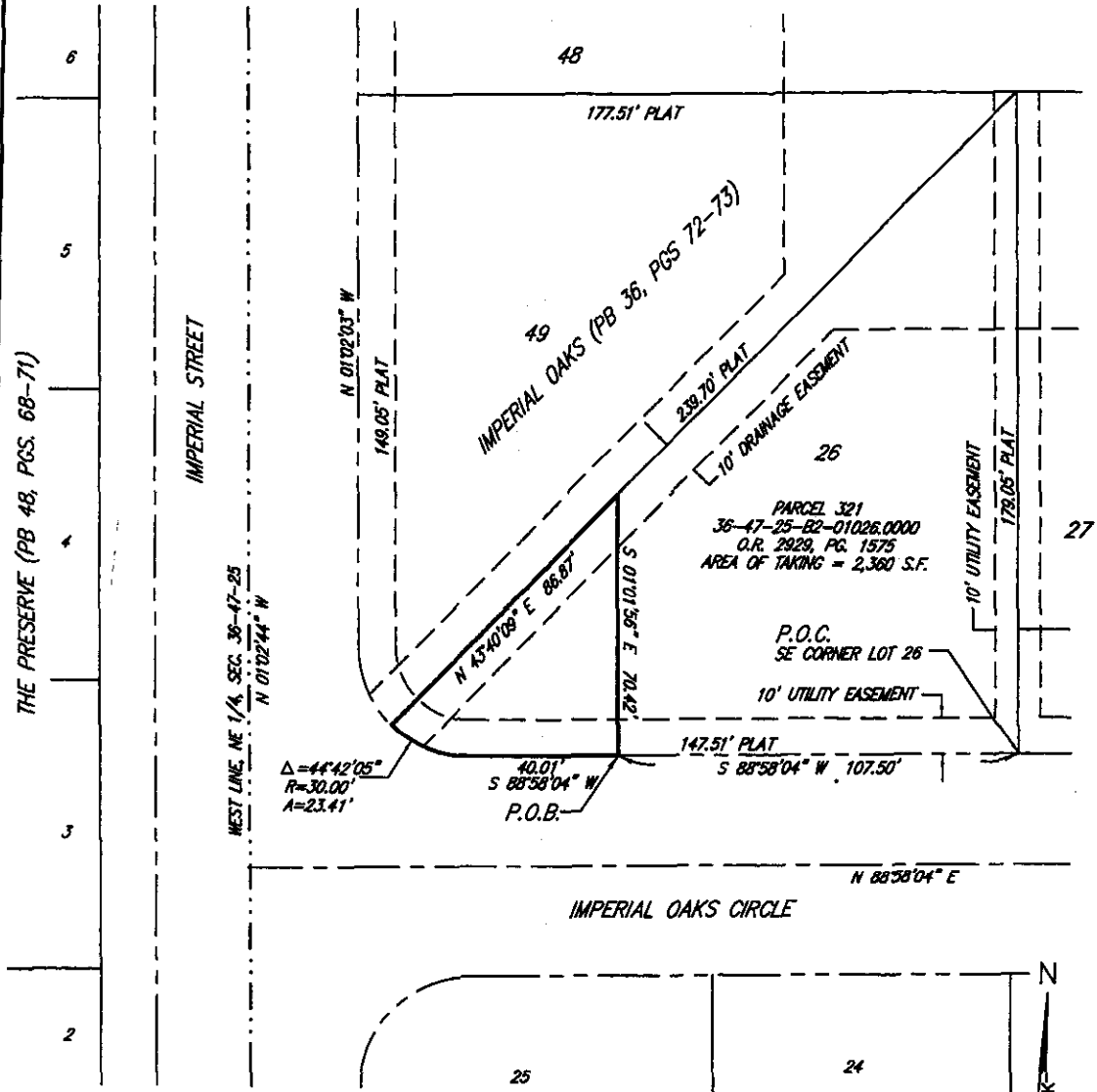
CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

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

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

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

OF
A PARCEL OF LAND IN
SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST,
CITY OF BONITA SPRINGS
LEE COUNTY, FLORIDA



SURVEYORS NOTES

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

BEAN, WHITAKER, LUTZ & KAREH, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB0004919
[Signature] DATE: 12/14/05
JAMES R. COLEMAN
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NUMBER 3205

Bean, Whitaker, Lutz & Kareh, Inc. (38 6819)
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS
13041-1 MOOREGORD BOULEVARD, FORT MYERS, FLORIDA 33919-8910 (239) 481-1331

FILE NO. 01-19-05	PROJECT NO. 35955	DRAWN BY J.R.C.	SCALE 1" = 40'	SHEET 1 OF 1	FILE NO. 36-47-25
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Exhibit "A" *James R. Coleman & Associates, Inc.*

Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Phone (239) 433-2070
Fax (239) 433-5126

Page 9 of 18

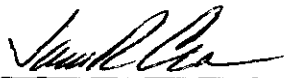
LEGAL DESCRIPTION

Parcel 333

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southwest corner the southwest quarter of the northwest quarter of the northeast quarter of Section 36, Township 47 South, Range 25 East, thence N.89°00'00"E. along the south line of the southwest quarter of the northwest quarter of the northeast quarter of said Section 36 for 30.00 feet to the point of beginning of the herein described parcel of land; Thence continue N.89°00'00"E. along said south line for 70.02 feet to an intersection with the arc of a circular curve concave to the east at a point bearing S.89°06'56"W. from the radius point of said curve; thence northerly along the arc of said curve having for its elements a radius of 5,307.50 feet and a central angle of 01°31'01" for 140.52 feet to an intersection with the north line of that certain parcel of land described in Official Record Book 3516 at Page 231 of the Public Records of Lee County, Florida; thence S.89°00'00"W. along said north line for 72.28 to an intersection with a line parallel with and 30.00 feet easterly of as measured at right angles to the west line of the northeast quarter of the aforementioned Section 36; thence S.01°02'44"E. along said parallel line for 140.50 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 17 FEB 2003

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL333

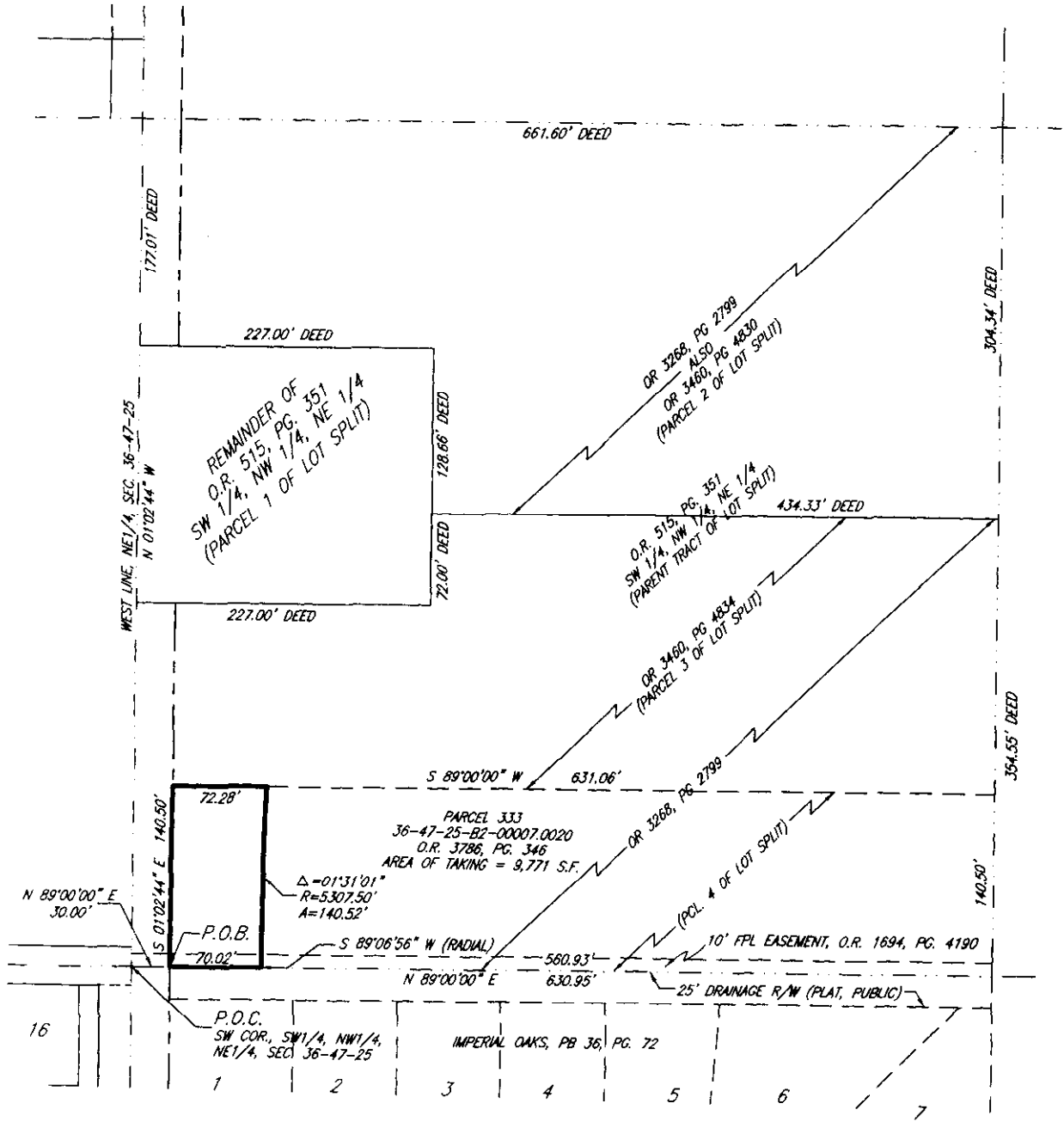
Exhibit "A"

Page 10 of 18



James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 6238 Presidential Court, Unit 2
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE	JOB NO.	DRAWING NO.
DECEMBER, 2002	308456	PCL 333



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).



JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER SLB0005983
[Signature]
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205
 DATE: 17 Feb 2003

Exhibit "A" James R. Coleman & Associates, Inc.
Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Phone (239) 433-2070
Fax (239) 433-5126

Page 11 of 18

LEGAL DESCRIPTION

Parcel 335

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southwest corner the southwest quarter of the northwest quarter of the northeast quarter of Section 36, Township 47 South, Range 25 East, thence N.01°02'44"W. along the west line of the northeast quarter of said Section 36 for 482.25 feet; thence N.88°54'49"E. for 30.00 feet to the point of beginning of the herein described parcel of land; thence continue N.88°54'49"E. for 91.45 feet to an intersection with the arc of a circular curve concave to the northwest at a point bearing S.87°49'33"E. from the radius point of said curve; thence northeasterly and northerly along the arc of said curve having for its elements a radius of 5,417.50 feet and a central angle of 01°52'22" for 177.07 feet to an intersection with the north line of that certain parcel of land described in Official Record Book 3268 at Page 2799 of the Public Records of Lee County, Florida; thence S.89°02'47"W. along said north line for 98.50 to an intersection with a line parallel with and 30.00 feet easterly of as measured at right angles to the west line of the northeast quarter of the aforementioned Section 36; thence S.01°02'44"E. along said parallel line for 177.14 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 17 FEB 2003

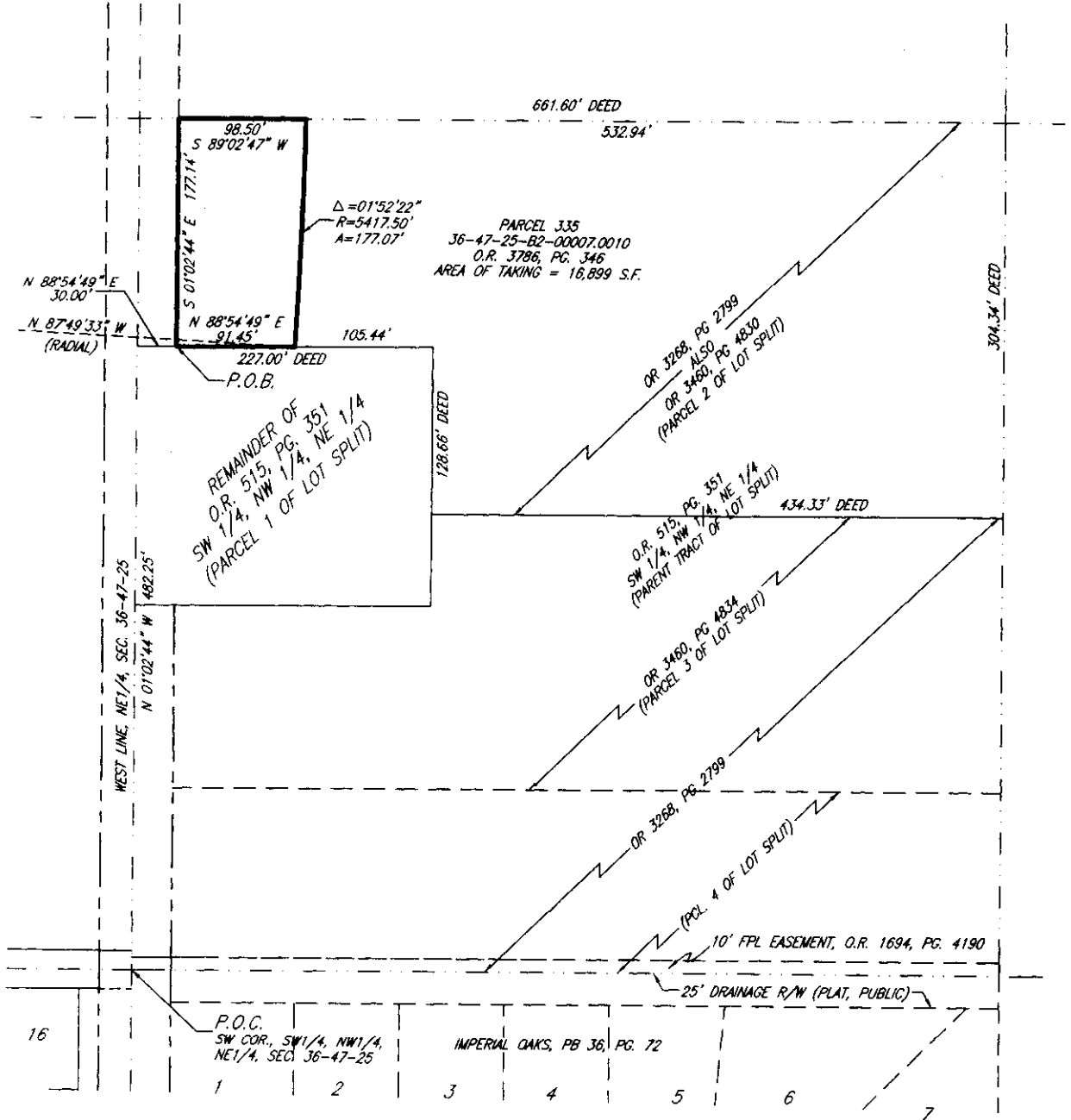
James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL335



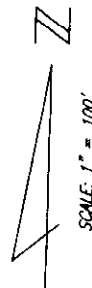
James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 8238 Presidential Court, Unit 2
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE	JOB NO.	DRAWING NO.
DECEMBER, 2002	308456	PCL335
DATE	REVISION	BY



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).



JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER BLD0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205

DATE: 17 FEB 2003

Exhibit "A" *James R. Coleman & Associates, Inc.*
Land Surveying Consultants

1459 Cornell Place
Fort Myers, Florida 33919

Phone (239) 433-2070

Page 13 of 18


LEGAL DESCRIPTION

Parcel 336

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southwest corner the northwest quarter of the northwest quarter of the northeast quarter of Section 36, Township 47 South, Range 25 East, thence N.89°02'47"E. along the south line of the northwest quarter of the northwest quarter of the northeast quarter of said Section 36 for 9.20 feet to an intersection with the maintained right of way line of Imperial Street as shown on the Maintained Right of Way maps thereof on file with the Lee County Division of Transportation, and the point of beginning of the herein described parcel of land; thence N.01°02'12"W. along said maintained right of way line for 131.97 feet to an intersection with the north line of that certain parcel of land described in Official Record Book 2699 at Page 2758 of the public records of Lee County, Florida; thence N.89°12'16"E. along said north line for 321.55 feet to an intersection with the east line of said parcel; thence S.01°01'28"E. along said east line for 131.09 feet to an intersection with the aforementioned south line of the northwest quarter of the northwest quarter of the northeast quarter of said Section 36; thence S.89°02'47"W. along said south line for 321.52 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 29/11/2004

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL336

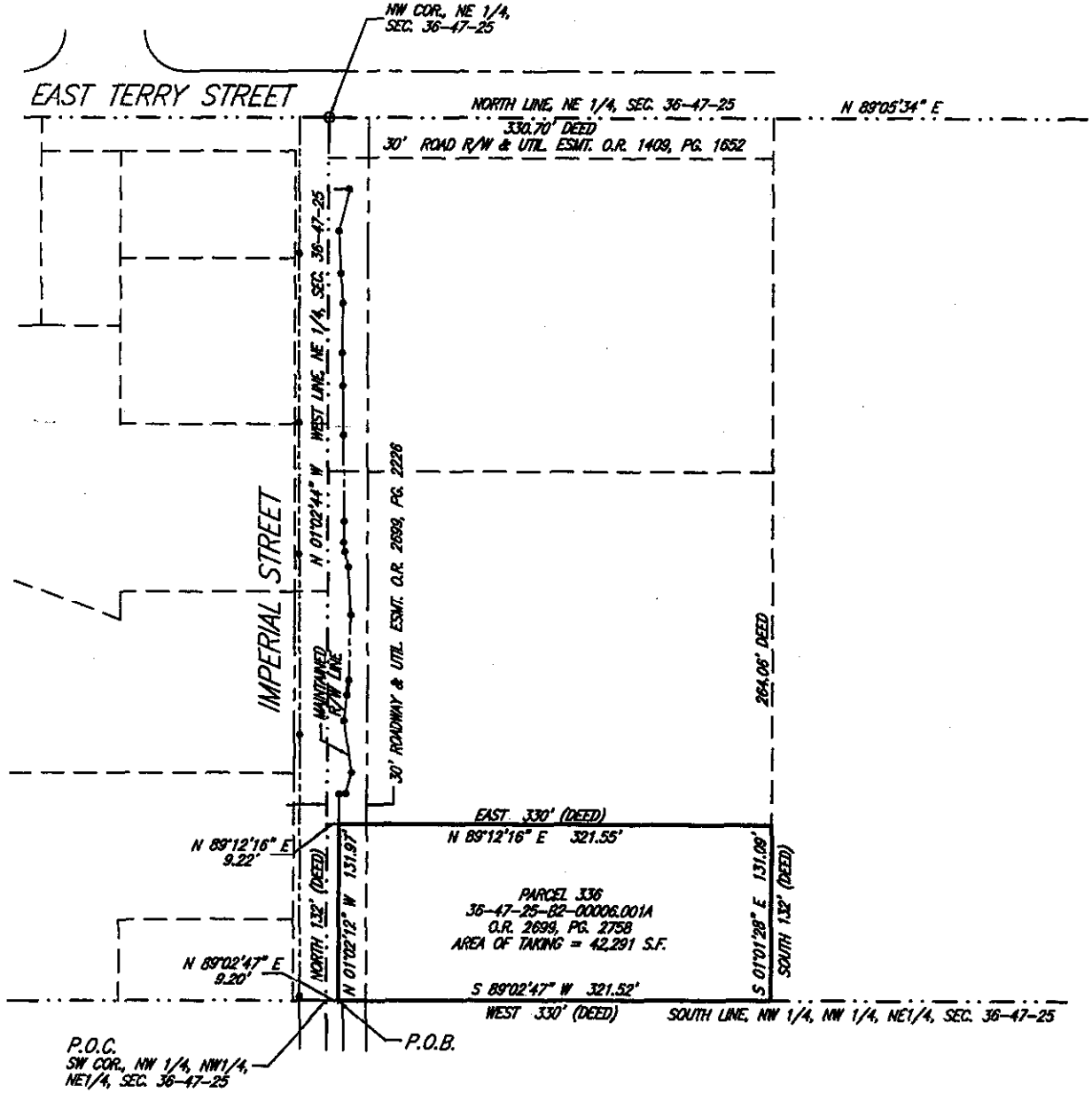
Exhibit "A"

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James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 6236 Presidential Court, Unit 2
 Fort Myers, Florida 33929
 Phone: (239) 433-2070

DATE APRIL, 2004	JOB NO. 308456	DRAWING NO. PCL336
DATE	REVISION	BY



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HEREWITH AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).



JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205

DATE: 23 APR 04

Exhibit "A" *James R. Coleman & Associates, Inc.*
Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Phone (239) 433-2070
Fax (239) 433-5126

Page 15 of 18

LEGAL DESCRIPTION

Parcel 337

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southwest corner the northwest quarter of the northwest quarter of the northeast quarter of Section 36, Township 47 South, Range 25 East, thence N.01°02'44"W. along the west line of the northeast quarter of said Section 36 for 132.00 feet; thence N.89°12'16"E. for 9.22 feet to an intersection with the maintained right of way line of Imperial Street as shown on the Maintained Right of Way maps thereof on file with the Lee County Division of Transportation, and the point of beginning of the herein described parcel of land; thence along said maintained right of way line for the following described thirteen (13) courses; (1) N.01°02'12"W. for 22.41 feet; (2) thence N.82°04'08"E. for 4.91 feet; (3) thence N.14°02'08"E. for 16.09 feet; (4) thence N.09°23'23"W. for 40.27 feet; (5) thence N.05°21'23"E. for 19.61 feet; (6) thence N.04°48'16"E. for 10.72 feet; (7) thence N.01°04'08"E. for 48.32 feet; (8) thence N.04°50'17"W. for 35.92 feet; (9) thence N.11°22'42"W. for 11.25 feet; (10) thence N.09°15'02"W. for 6.72 feet; (11) thence N.00°21'49"W. for 15.91 feet; (12) thence N.00°39'52"E. for 22.24 feet; (13) thence N.04°28'54"W. for 15.21 feet to an intersection with the north line of that certain parcel of land described in Official Record Book 1664 at Page 1652 of the Public Records of Lee County, Florida; thence N.89°08'46"E. along said north line for 117.91 feet to an intersection with a line parallel with and 130.00 feet easterly of as measured at right angles to the west line of the northeast quarter of the aforementioned Section 36; thence S.01°02'44"E. along said parallel line for 263.82 feet to an intersection with the south line of that certain parcel of land described in Official Record Book 1664 at Page 1652 of the Public Records of Lee County, Florida; thence S.89°12'16"W. along said south line for 120.78 feet to the point of beginning.

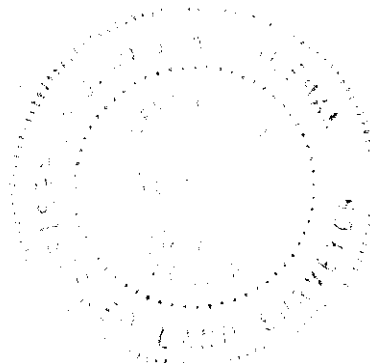
James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 17 Feb 2003

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

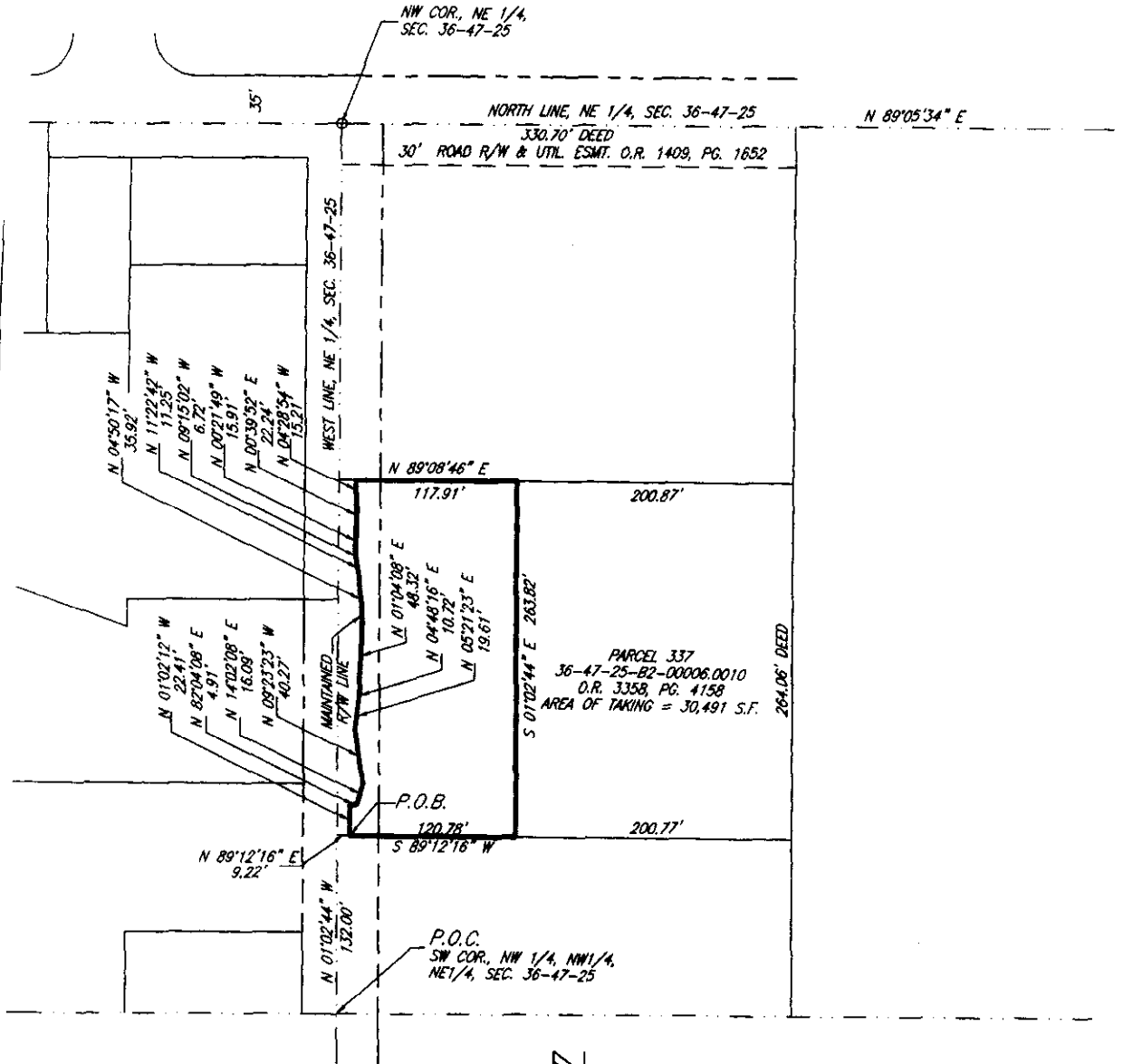
JRCAPCL337





James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 6238 Presidential Court, Unit 2
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE DECEMBER, 2002	SHEET NO. 308456	DRAWING NO. PCL337



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83 ADJUSTMENT).

JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983
[Signature]
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205
 DATE 1/7/2003

Exhibit "A" *James R. Coleman & Associates, Inc.*
Land Surveying Consultants

6238 Presidential Court Unit 2
Fort Myers, Florida 33919

Phone (239) 433-2070
Fax (239) 433-5126

Page 17 of 18

LEGAL DESCRIPTION

Parcel 339

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southwest corner the southwest quarter of the northwest quarter of the northeast quarter of Section 36, Township 47 South, Range 25 East, thence N.01°02'44"W. along the west line of the northeast quarter of said Section 36 for 140.50 feet; thence N.89°00'00"E. for 30.00 feet to the point of beginning of the herein described parcel of land; thence continue N.89°00'00"E. for 72.28 feet to an intersection with the arc of a circular curve concave to the southeast at a point bearing N.89°22'03"W. from the radius point of said curve; thence northeasterly along the arc of said curve having for its elements a radius of 5,307.50 feet and a central angle of 01°31'38" for 141.48 feet; thence S.88°54'49"W. for 78.30 to an intersection with a line parallel with and 30.00 feet easterly of as measured at right angles to the west line of the northeast quarter of the aforementioned Section 36; thence S.01°02'44"E. along said parallel line for 141.24 feet to the point of beginning.

James R. Coleman & Associates, Inc.
Certificate of Authorization Number LB0005983



Date: 17 FEB 2003

James R. Coleman
Registered Land Surveyor
Florida Certificate Number LS3205

JRCAPCL339

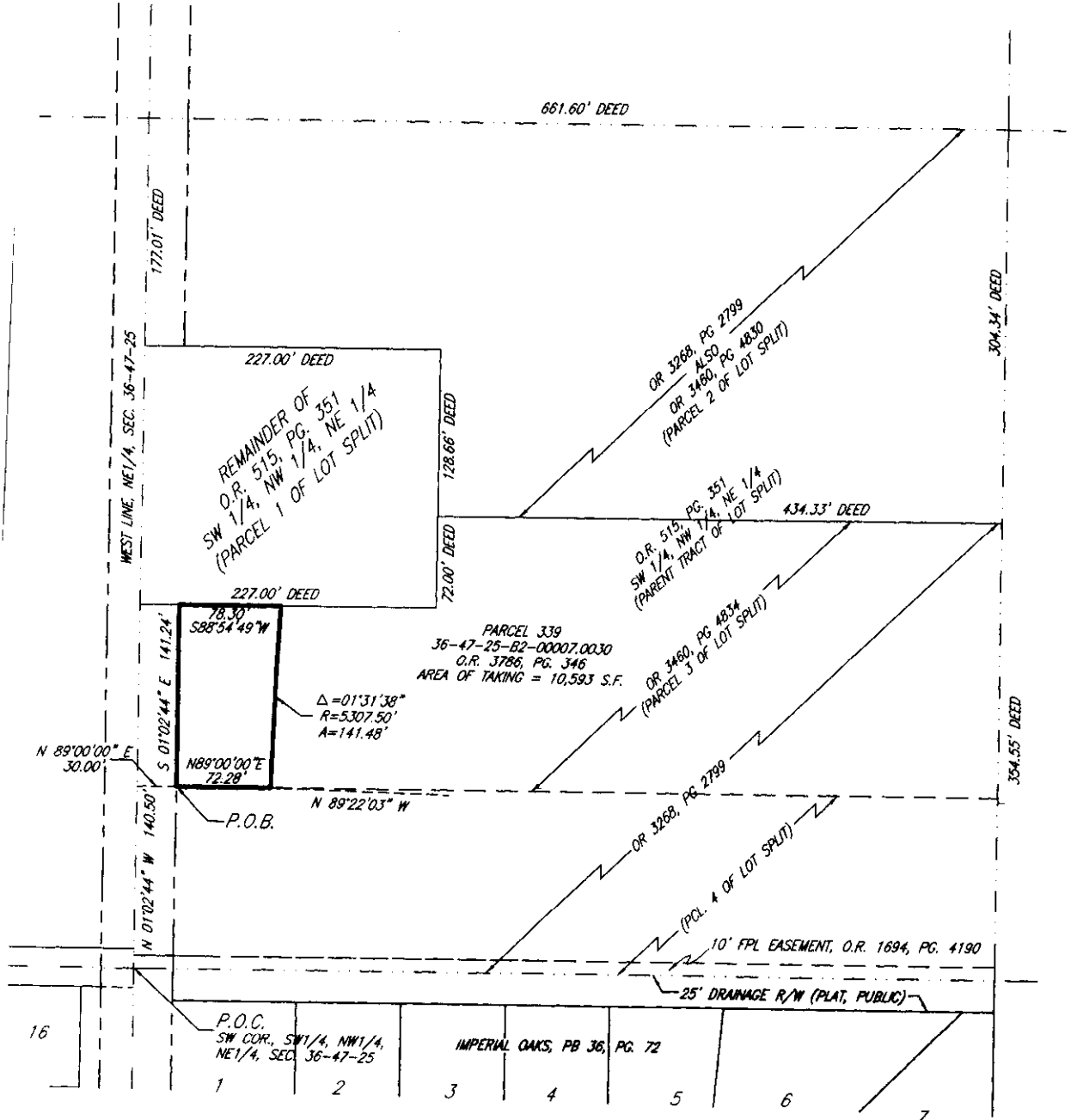
Exhibit "A"

Page 18 of 18



James R. Coleman & Associates, Inc.
 Land Surveying Consultants
 6238 Presidential Court, Unit 2
 Fort Myers, Florida 33919
 Phone: (239) 433-2070

DATE DECEMBER, 2002	JOB NO. 308456	DRAWING NO. PCL339



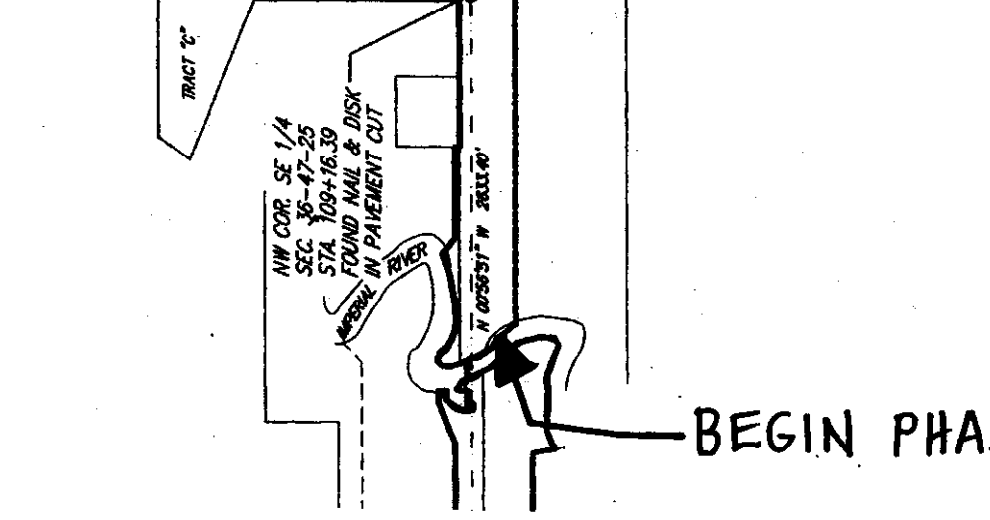
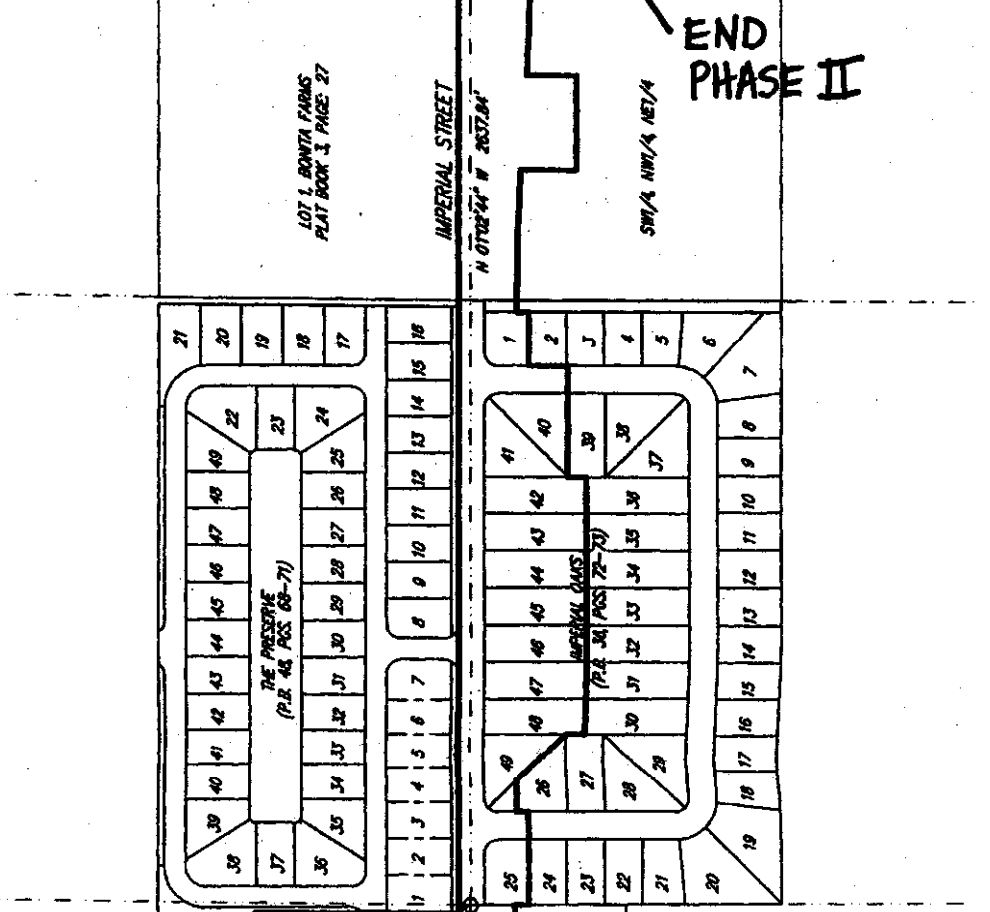
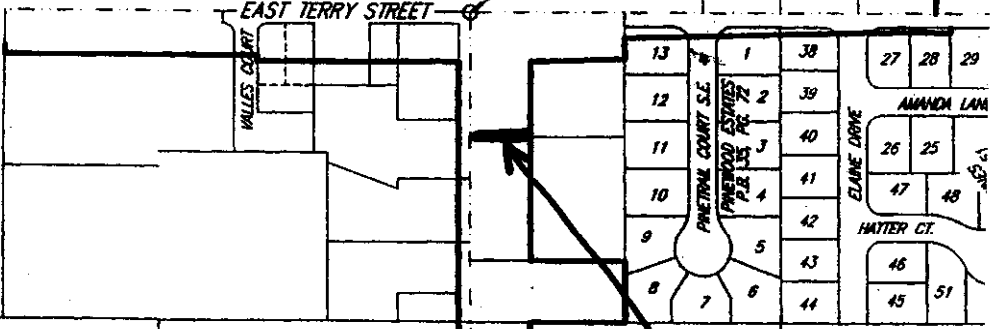
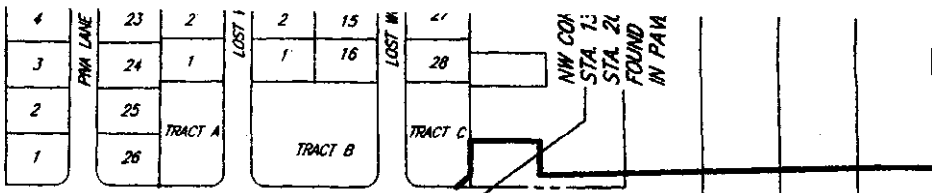
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

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JAMES R. COLEMAN & ASSOCIATES, INC.
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983

James R. Coleman
 JAMES R. COLEMAN
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATE NUMBER 3205
 DATE: 1/7/2003



END PHASE II

IMPERIAL STREET
WIDENING Project
No. 4060
Phase II
(Imperial River
north to just
south of East
Terry Street)



BEGIN PHASE II