

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

**Blue Sheet No. 20050797**

**1. ACTION REQUESTED/PURPOSE:** Approve the Resolution of Necessity for the acquisition and condemnation of parcels in Phase III, required for the Imperial Street Widening Project (Dean Street intersection north to the Imperial River), 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 (Dean Street intersection north to the Imperial River).

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

<b>4. Departmental Category:</b> 12		<i>AIDA</i>	<b>5. Meeting Date:</b> <i>06-21-2005</i>	
<b>6. Agenda:</b> <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose: (specify)</b>		<b>8. Request Initiated:</b>	
	<input checked="" type="checkbox"/> Statute	<i>73,74,125,127</i>	<b>Commissioner</b>	
	<input type="checkbox"/> Ordinance		<b>Department</b> <u>County Attorney</u>	
	<input type="checkbox"/> Admin. Code		<b>Division</b> <u>Litigation</u>	
	<input type="checkbox"/> Other		<b>By:</b> <u>John J. Renner,</u> Chief Assistant County Attorney	

**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 III)

10. Review for Scheduling:									
Department Director	Purchasing or Contracts	Human Resources	Other <i>Co. Lands</i>	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
			<i>KF</i>	<i>[Signature]</i>		<i>ME 6/18/05</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

**11. Commission Action:**  
 Approved  
 Deferred  
 Denied  
 Other

Rec. by CoAtty

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Forwarded To: \_\_\_\_\_

*4/17/05*

RECEIVED BY  
COUNTY ADMIN: *[Signature]*

*6-7-05*

*3:40*

COUNTY ADMIN  
FORWARDED TO: *[Signature]*

*6/19/05*

*3:30 PM*

**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", and perpetual slope easement rights to the property described in Exhibit "B" are necessary for the **Imperial Street Widening Project, Phase III**, 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 Dean Street intersection north to the Imperial River. Exhibit "A" consists of Parcels 315, 316, 316-A, 318, 318-A, and 510; Exhibit "B" consists of Slope Easement Parcels 318, 510, 603, 605, 606, 607, 608, 609, 610, and 611.

**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 the fee simple interests and the slope easement rights to the properties described in Exhibits "A" and "B" 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

# 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

## Exhibit "A"

Page 1 of 14

### LEGAL DESCRIPTION

Parcel 315

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described in Official Record Book 3006 at Page 0529 of the Public Records of Lee County, Florida as follows:

Lot 1, BONITA GARDENS, an unrecorded subdivision of that part of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 36, Township 47 South, Range 25 East, Lee County, Florida more particularly described as follows:

Commencing at the SW corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 36, Township 47 South, Range 25 East, Lee County, Florida, Tallahassee Meridian, run North on the centerline of Imperial Drive 25 feet, thence W  $89^{\circ} 47' E$  (N  $89^{\circ} 47' E$ ) 25 feet to an iron pin, the point of beginning; thence continue N  $89^{\circ} 47' E$  105 feet to an iron pin, thence N  $0^{\circ} 13' W$  100 feet to an iron pin, thence S  $89^{\circ} 47' W$  105 feet, thence South 100 feet to the Point of Beginning.

Lot 2, BONITA GARDENS, an unrecorded subdivision of that part of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 36, Township 47 South, Range 25 East, Lee County, Florida more particularly described as follows:

Commencing at the SW corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 36, Township 47 South, Range 25 East, Lee County, Florida, Tallahassee Meridian, run North on the centerline of Imperial Drive 125 feet, thence N  $89^{\circ} 47' E$  25 feet to an iron pin, the Point of Beginning; thence continue N  $89^{\circ} 47' E$  105 feet to an iron pin, thence N  $0^{\circ} 13' W$  70 feet to an iron pin, thence S  $89^{\circ} 47' W$  105 feet to an iron pin, thence South 70 feet to the Point of Beginning.

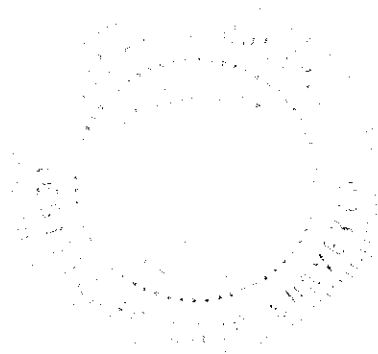
James R. Coleman & Associates, Inc.  
Certificate of Authorization Number LB0005983



Date: 27-Jan-2003

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

JRCAPCL315

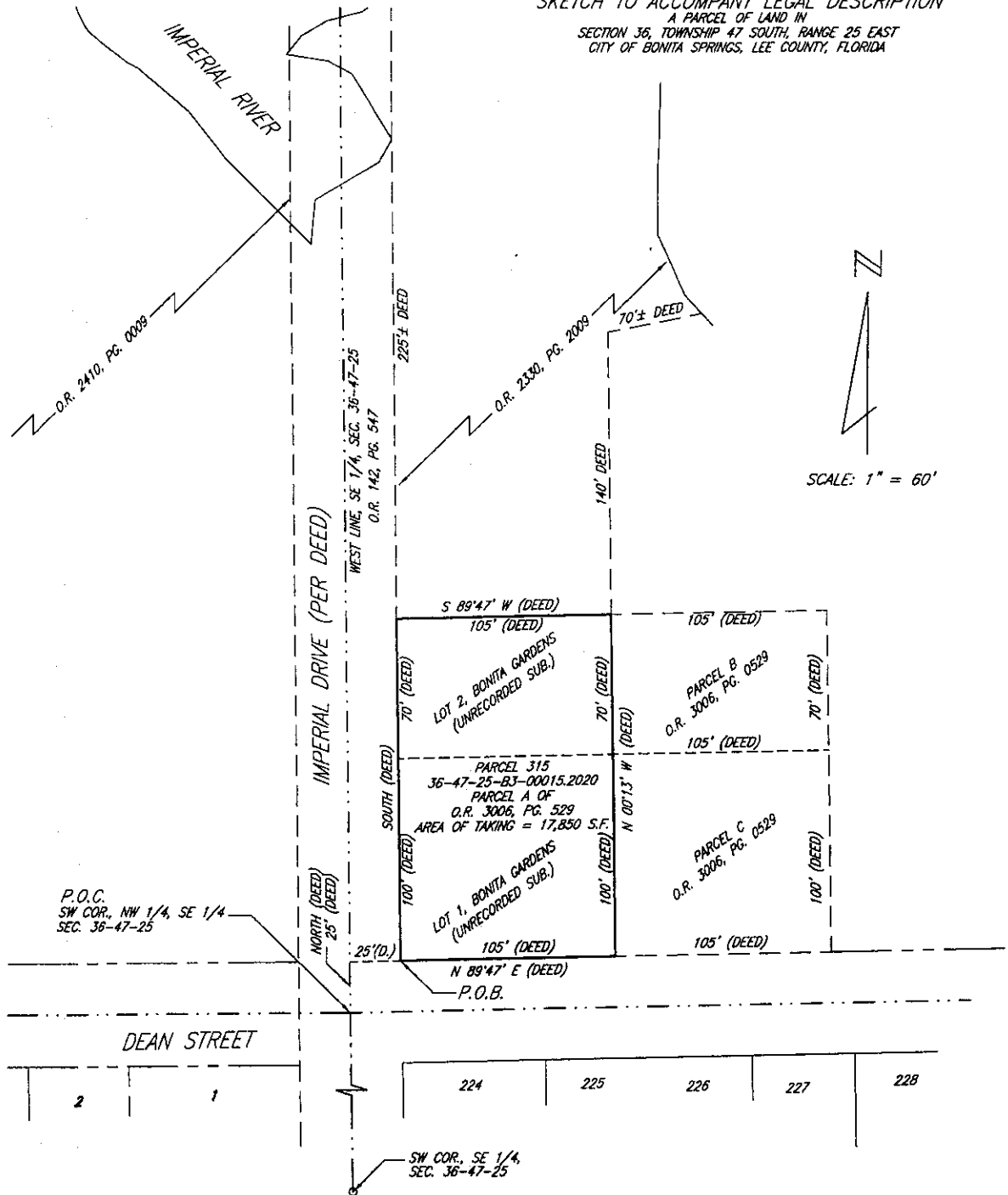


James R. Coleman & Associates, Inc.  
 Land Surveying Consultants  
 1459 Cornall Place  
 Fort Myers, Florida 33919  
 Phone: (239) 481-0189

DATE March, 2004	JOB NO. 308456	DRAWING NO. PCL3158X14
02-23-05	REFORMAT TO B 1/2" X 14"	J.R.C.
DATE	REVISION	BY

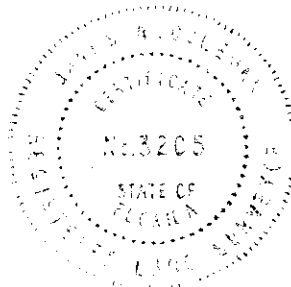
SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
 A PARCEL OF LAND IN  
 SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
 CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA

Exhibit "A"  
 Page 2 of 14



**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.



JAMES R. COLEMAN & ASSOCIATES, INC.  
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005883

*James R. Coleman*  
 JAMES R. COLEMAN  
 REGISTERED LAND SURVEYOR  
 FLORIDA CERTIFICATE NUMBER 3205  
 DATE: 7/11/05

# 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

## Exhibit "A"

Page 3 of 14

### LEGAL DESCRIPTION

Parcel 316

A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described in Official Record Book 2330 at Page 2009 of the Public Records of Lee County, Florida as follows:

LOTS 3, 4, 5 AND 6, BONITA GARDENS, AN UNRECORDED SUBDIVISION OF THAT PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF THE NW 1/4 OF THE SE 1/4 OF SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, RUN NORTH ON THE CENTERLINE OF IMPERIAL DRIVE 195 FEET; THENCE N 89° 47' 00" E. 25 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUE N 89°47' 00" E. 105 FEET, THENCE NORTH 140 FEET, THENCE N 78° 34' 00 E. 70 FEET, MORE OR LESS, TO WATERS OF IMPERIAL RIVER; THENCE NW ALONG THE MEANDERS OF SAID IMPERIAL RIVER TO A POINT ON A LINE WHICH BEARS NORTH OF THE POINT OF BEGINNING; THENCE SOUTH ALONG SAID LINE, 225 FEET MORE OR LESS TO THE POINT OF BEGINNING.

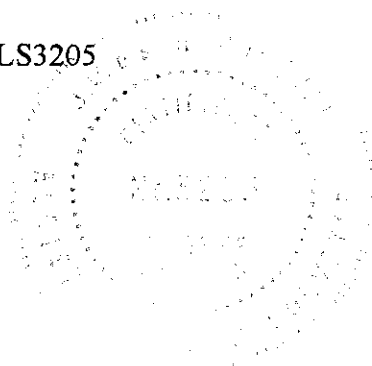
James R. Coleman & Associates, Inc.  
Certificate of Authorization Number LB0005983

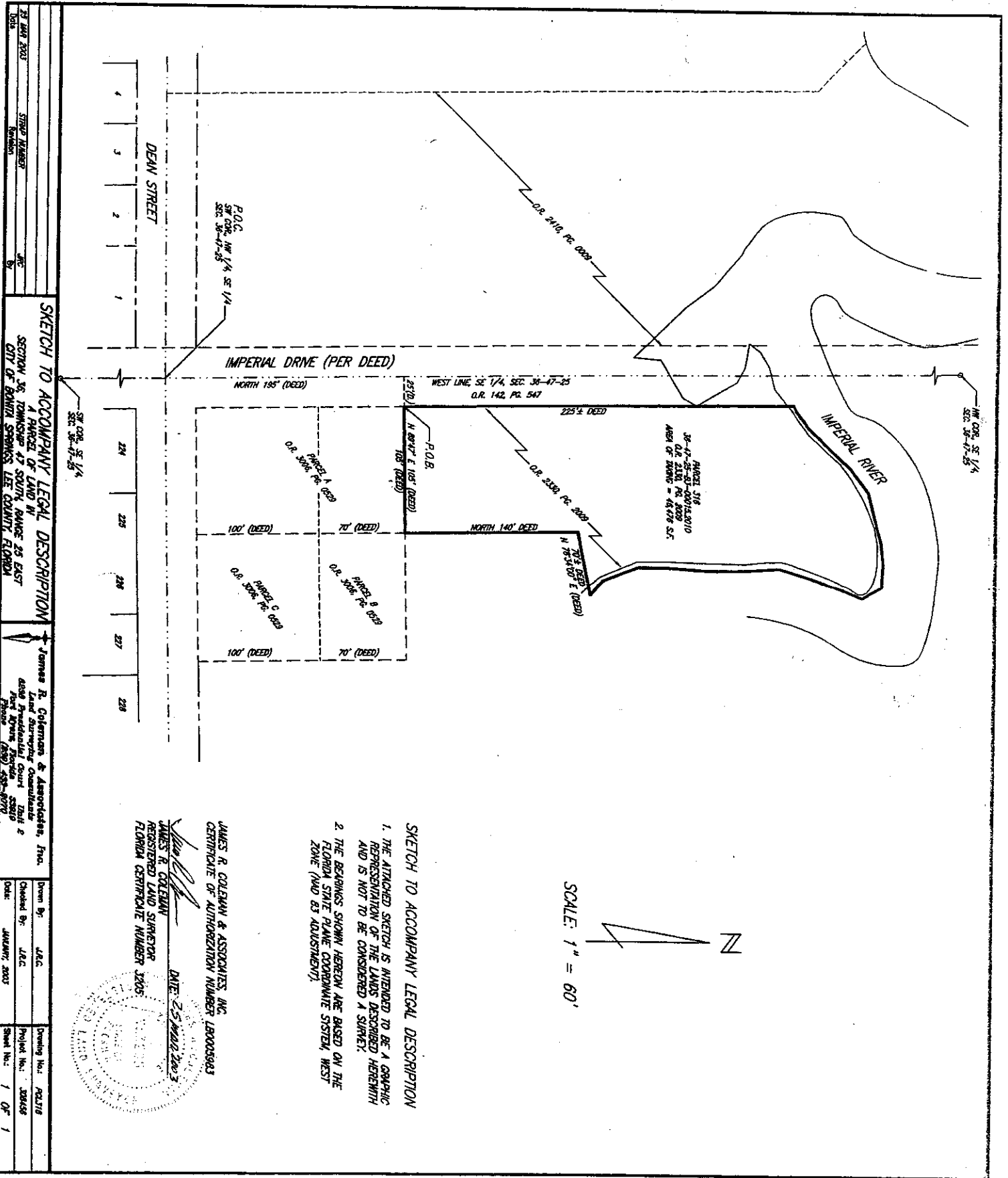


Date: 27 Jan 2003

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

JRCAPCL316





DATE: 25 JULY 2003	STRIP NUMBER: 1	<b>SKETCH TO ACCOMPANY LEGAL DESCRIPTION</b> SECTION 36, TOWNSHIP 47 SOUTH, RANGE 75 EAST CITY OF BAHIA SPRINGS, LEE COUNTY, FLORIDA	James R. Coleman & Associates, Inc. Land Surveying Consultants 4830 Fossilhead Court, Suite 2 Fort Myers, Florida 33907 Phone: (889) 458-8770	Drawn By: JLC	Drawing No.: 92318
DATE: JANUARY 2003	STRIP NUMBER: 1			Checked By: JLC	Project No.: 20846

JAMES R. COLEMAN & ASSOCIATES, INC.  
 CERTIFICATE OF AUTHORIZATION NUMBER: LB0002983  
 DATE: 25 JULY 2003  
 JAMES R. COLEMAN  
 REGISTERED LAND SURVEYOR  
 FLORIDA CERTIFICATE NUMBER: 12005

- SKETCH TO ACCOMPANY LEGAL DESCRIPTION
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 ADJUSTMENT).

# 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

## Exhibit "A"

Page 5 of 14

### LEGAL DESCRIPTION

Parcel 316-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 southwest corner of the northwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence N.00°56'51" W. along the west line of said southeast quarter for 430.95 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) N.85°03'50"E. for 3.25 feet; (2) thence N.06°13'59"E. for 9.41 feet; (3) thence N.49°40'36"W. for 5.88 feet to an intersection with the aforementioned west line of said southeast quarter; thence N.00°56'51"W. along said west line for 56.20 feet to an intersection with the aforementioned mean high water line; thence along said mean high water line for the following two (2) courses, (1) N.69°25'49"E. for 12.80 feet; (2) thence N.63°03'55"E. for 14.40 feet to an intersection with a line parallel with and 25.00 feet east of as measured at right angles to the aforementioned west line of said southeast quarter; thence S00°56'51"E along said parallel line for 486.10 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the aforementioned northwest quarter of the southeast quarter of said Section 36; thence N.88°49'03"E. along said parallel line for 120.51 feet; thence S.00°58'24"E. for 25.00 feet to an intersection with the south line of the aforementioned northwest quarter of the southeast quarter of said Section 36; thence S.88°49'03"W. along said south line for 145.53 feet to the point of beginning.

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



Date: 27-JUN-2003

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

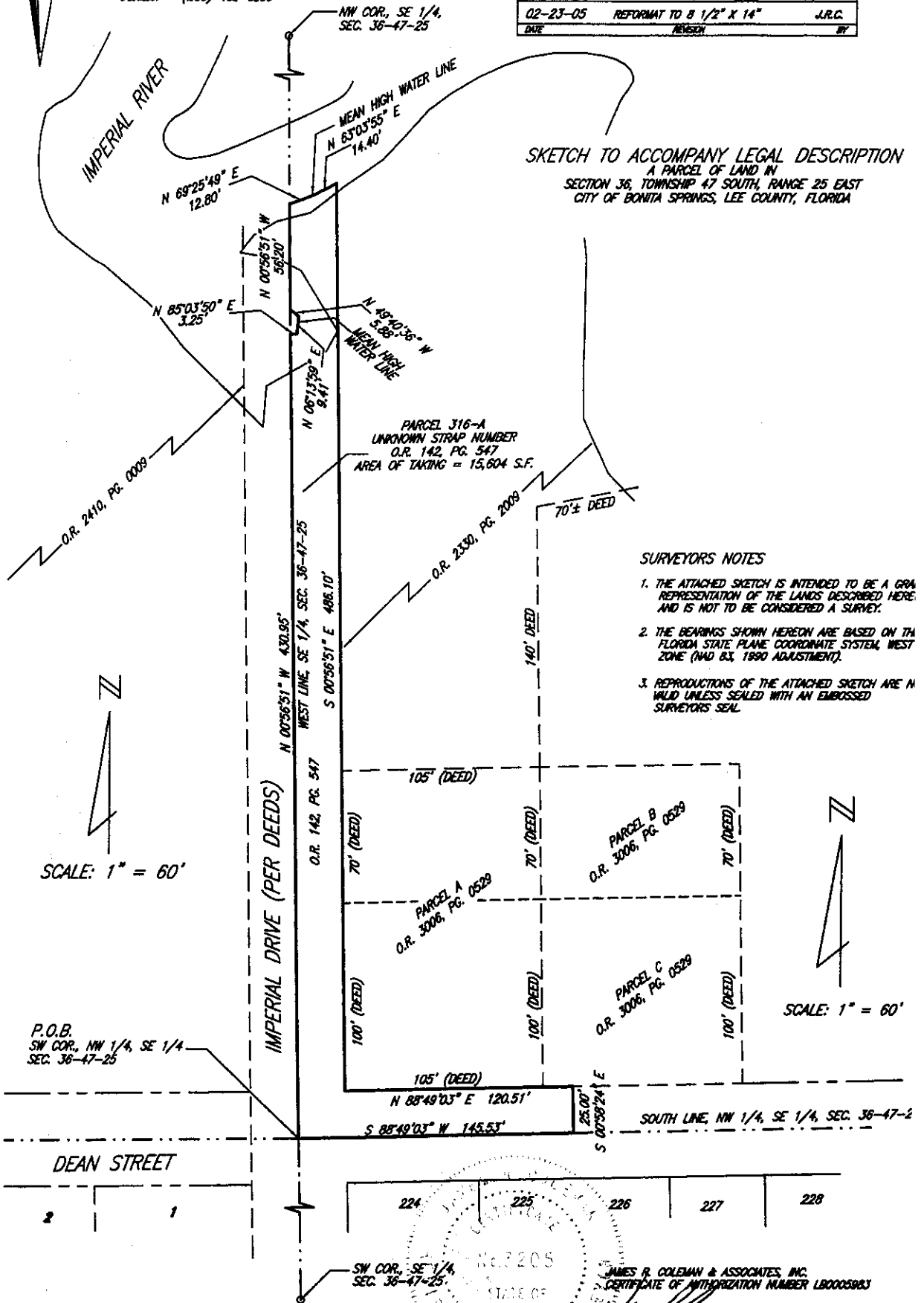
JRCAPCL316-A





James R. Coleman & Associates, Inc.  
Land Surveying Consultants  
1469 Cornell Place  
Fort Myers, Florida 33919  
Phone: (239) 481-0189

DATE	JOB NO.	DRAWING NO.
JANUARY, 2003	308456	PCL316-A
02-23-05	REFORMAT TO 8 1/2" X 14"	J.R.C.
DATE	REVISION	BY



- SURVEYORS NOTES**
1. THE ATTACHED SKETCH IS INTENDED TO BE A GRA REPRESENTATION OF THE LANDS DESCRIBED HERE 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 INVALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

SCALE: 1" = 60'

SCALE: 1" = 60'

224      225      226      227      228

SW COR., SE 1/4, SEC. 36-47-25  
No. 3205  
STATE OF FLORIDA  
JAMES R. COLEMAN & ASSOCIATES, INC.  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATE NUMBER 3205  
DATE: 1/2003

# James R. Coleman & Associates, Inc.

Land Surveying Consultants

1459 Cornell Place  
Fort Myers, Florida 33919

Phone (239) 433-2070

## Exhibit "A"

LEGAL DESCRIPTION

Parcel 318

Page 7 of 14

### PART ONE

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 southeast corner of the northeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.89°32'19"W. along the south line of the northeast quarter of the southwest quarter of said Section 36 for 25.00 feet; thence N.00°56'51"W. for 25.00 feet to the point of beginning of the herein described parcel of land; thence continue N.00°56'51" W. 406.73 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 five (5) courses, (1) N.62°45'09"W. for 13.98 feet; (2) thence N.55°39'23"W. for 18.29 feet; (3) thence N.19°27'50"W. for 7.57 feet; (4) thence N.03°53'52"E. for 14.17 feet; (5) thence S.86°58'08"W. for 16.56 feet to an intersection with a line parallel with and 70.00 feet west of as measured at right angles to the aforementioned east line of said southwest quarter; thence S.00°56'51"E along said parallel line for 25.77 feet; thence S.22°22'23"E. for 95.81 feet to an intersection with a line parallel with and 35.00 feet west of as measured at right angles to the aforementioned east line of said southwest quarter; thence S.00°56'51"E along said parallel line for 329.55 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northeast quarter of the southwest quarter of said Section 36; thence N.89°32'19"E. along said parallel line for 10.00 feet to the point of beginning.

### PART TWO

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 southeast corner of the northeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.89°32'19"W. along the south line of the

LEGAL DESCRIPTION  
Parcel 318

PART TWO (continued)

northeast quarter of the southwest quarter of said Section 36 for 25.00 feet; thence N.00°56'51"W. for 445.76 feet to an intersection with the mean high water line of the Imperial River as located on January 9 and 10, 2003, and the point of beginning of the herein described parcel of land; thence continue N.00°56'51"W. for 11.99 feet to an intersection with the aforementioned mean high water line; thence along said mean high water line for the following two (2) courses, (1) S.29°48'02"W. for 12.75 feet; (2) thence S.81°57'12"E. for 6.60 feet to the point of beginning.

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



Date: 2 FEB 04

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

JRCAPCL318



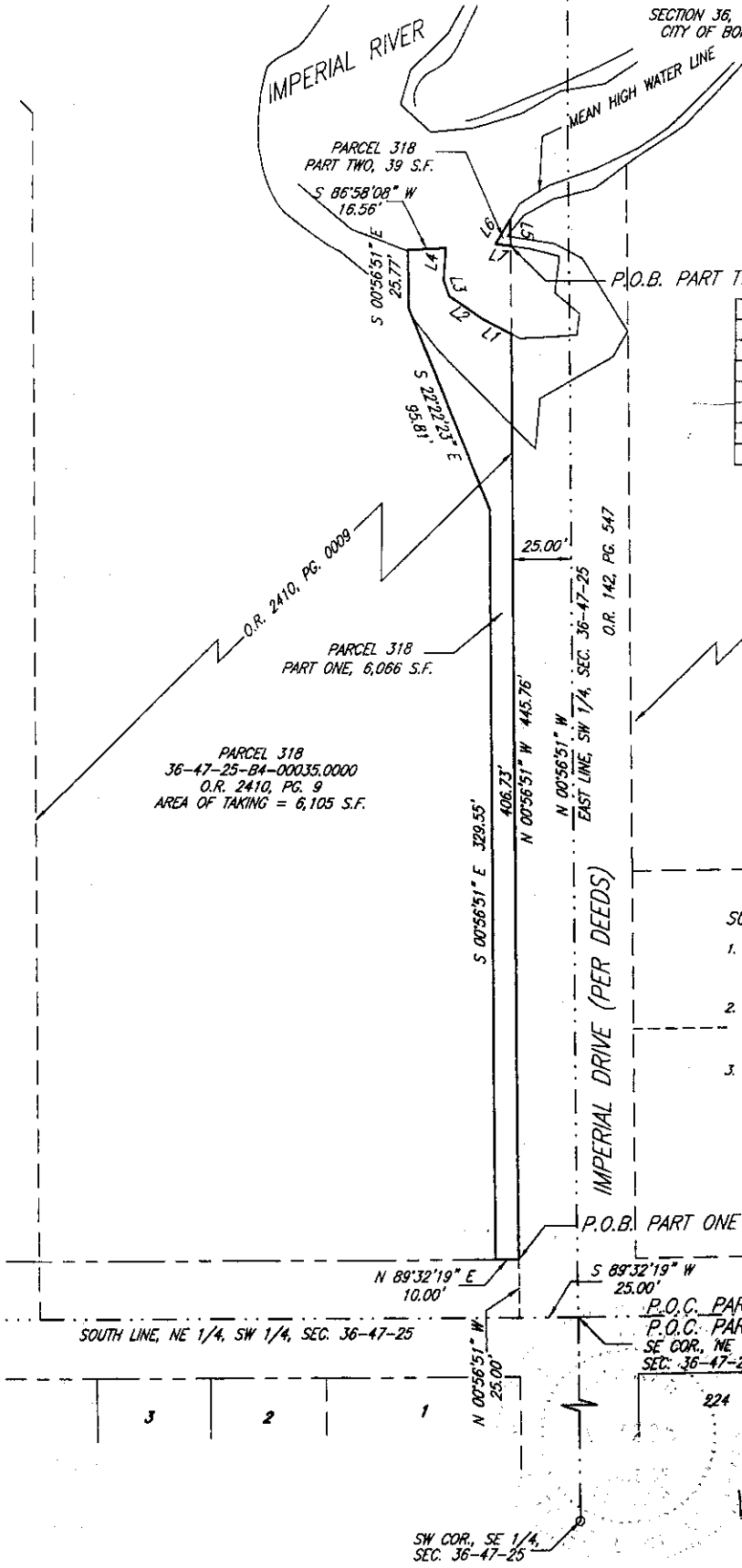
James R. Coleman & Associates, Inc.  
 Land Surveying Consultants  
 1459 Cornell Place  
 Fort Myers, Florida 33919  
 Phone: (239) 481-0189

NW COR., SE 1/4,  
 SEC. 36-47-25

DATE JANUARY, 2004	JOB NO. 308456	DRAWING NO. PCL318
02-23-05	REFORMAT TO 8 1/2" X 14"	J.R.C.
DATE	REVISION	BY

Exhibit "A"  
 Page 9 of 14

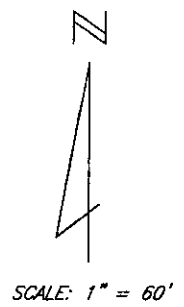
SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
 A PARCEL OF LAND IN  
 SECTION 36, TOWNSHIP 47 SOUTH, RANGE 25 EAST  
 CITY OF BONITA SPRINGS, LEE COUNTY, FLORIDA



P.O.B. PART TWO

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 62°45'09" W	13.98'
L2	N 55°39'23" W	18.29'
L3	N 19°27'50" W	7.57'
L4	N 03°53'52" E	14.17'
L5	N 00°56'51" W	11.99'
L6	S 29°48'02" W	12.75'
L7	S 81°57'12" E	6.60'

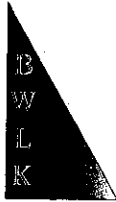


- SURVEYORS NOTES
1. THE ATTACHED SKETCH IS INTENDED TO BE A GRAPHIC REPRESENTATION OF THE LANDS DESCRIBED HERewith AND IS NOT TO BE CONSIDERED A SURVEY.
  2. THE BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD 83, 1990 ADJUSTMENT).
  3. REPRODUCTIONS OF THE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

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

*[Signature]*  
 JAMES R. COLEMAN  
 REGISTERED LAND SURVEYOR  
 FLORIDA CERTIFICATE NUMBER 3205

DATE: 1/10/04



# Bean, Whitaker, Lutz & Kareh, Inc.

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

**Exhibit "A"**

Page 10 of 14

## LEGAL DESCRIPTION

Parcel 318-A Revised

### PART ONE

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 southeast corner of the northeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence N.00°56'51" W. along the east line of said southwest quarter for 430.95 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.85°03'50"W. for 6.05 feet; (2) thence S.86°37'58"W. for 15.14 feet; (3) thence N.62°45'09"W. for 4.35 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 S.00°56'51"E along said parallel line for 406.73 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northeast quarter of said southwest quarter; thence S.89°32'19"W. along said parallel line for 259.00 feet; thence S.00°56'51"E. for 25.00 feet to an intersection with the south line of the aforementioned northeast quarter of the southwest quarter of said Section 36; thence N.89°32'19"E. along said south line for 284.00 feet to the point of beginning.

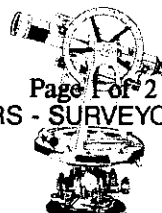
### PART TWO

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 southeast corner of the northeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence N.00°56'51"W. along the east line of said southwest quarter for 430.95 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) N.85°03'50"E. for 3.25 feet; (2) thence N.06°13'59"E. for 9.41 feet; (3) thence N.49°40'36"W. for 5.88 feet to an intersection with the aforementioned east line of said southwest quarter and the point of beginning of the herein described parcel of land; thence

#### 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

LEGAL DESCRIPTION

Parcel 318-A Revised

PART TWO (continued)

N.00°56'51"W. along said east line for 56.20 feet to an intersection with the aforementioned mean high water line; thence along said mean high water line for the following three (3) courses, (1) S.69°25'49"W. for 8.70 feet; (2) thence S.57°12'06"W. for 15.04 feet; (3) thence S.29°48'02"W. for 7.88 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 S.00°56'51"E. along said parallel line for 11.99 feet to an intersection with the aforementioned mean high water line; thence along said mean high water line for the following four (4) courses, (1) S.81°57'12"E. for 8.18 feet; (2) thence S.75°12'38"E. for 13.43 feet; (3) thence S.06°49'05"W. for 16.36 feet; (4) thence S.49°40'36"E. for 8.27 feet to the point of beginning.

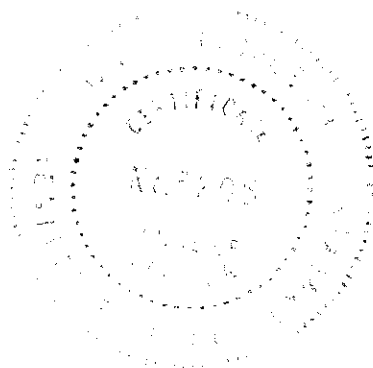
Bean, Whitaker, Lutz & Kareh, Inc.  
Certificate of Authorization Number LB0004919



Date: 7 MAR 05

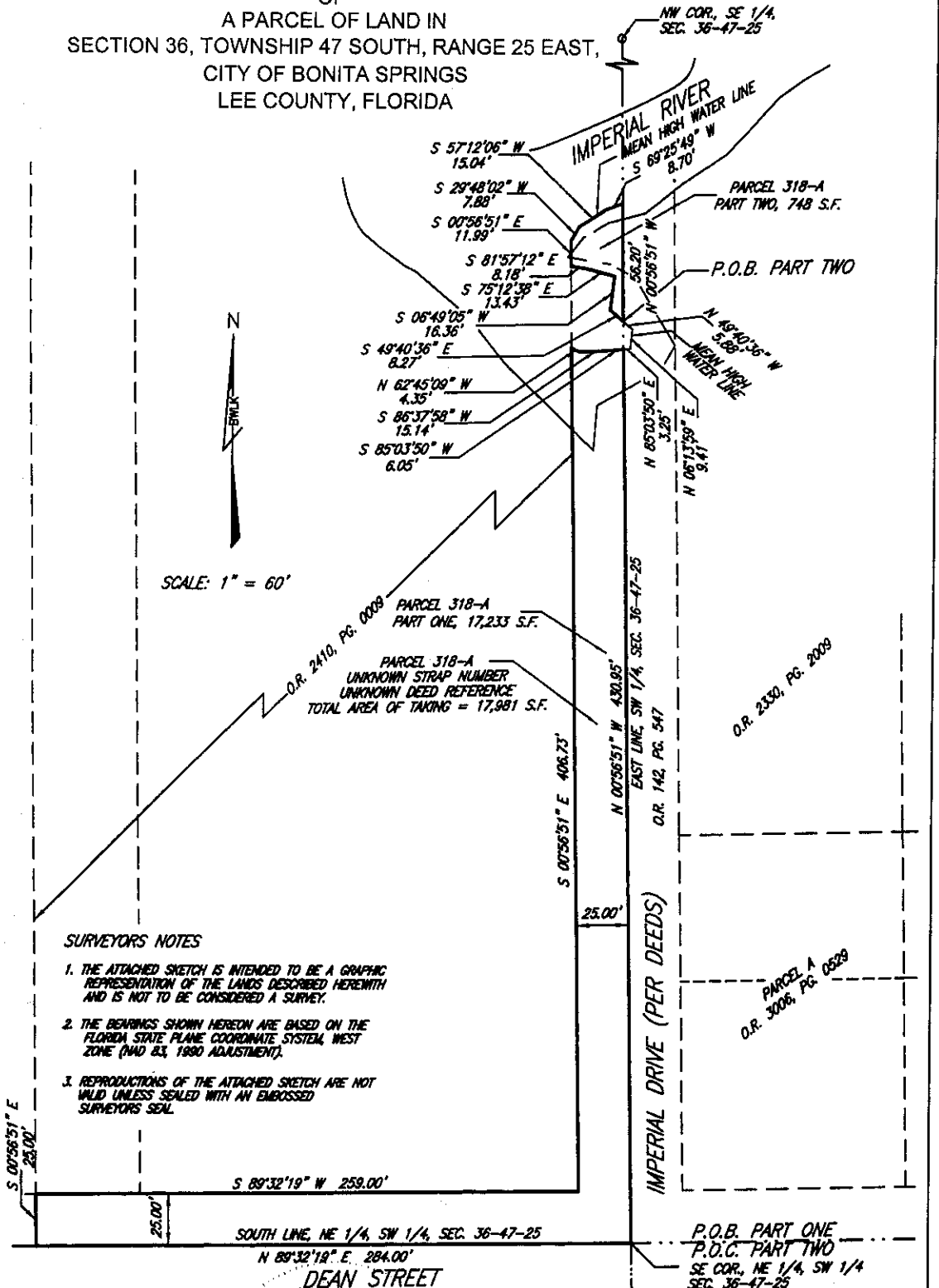
James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

PCL318-A\_Rev



# 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



SCALE: 1" = 60'

### 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, 1980 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 LB0004819.  
 JAMES R. COLEMAN  
 REGISTERED LAND SURVEYOR  
 FLORIDA CERTIFICATE NUMBER 3205  
 DATE: 7/20/05

**Bean, Whitaker, Lutz & Kareh, Inc. (INCORPORATED)**  
 CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
 13041-1 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-0910 (888) 481-1301

PROJECT NO.	DATE	DRAWN BY	SCALE	SHEET	TOTAL SHEETS
03-04-06	3/28/05	J.R.C.	1" = 60'	1 OF 1	36-47-25

PCL318-ABK14

# James R. Coleman & Associates, Inc.

Land Surveying Consultants

1459 Cornell Place  
Fort Myers, Florida 33919

Phone (239) 433-2070

## Exhibit "A"

Page 13 of 14

### LEGAL DESCRIPTION

Parcel 510

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 southeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.89°32'19"W. along the north line of the southeast quarter of the southwest quarter of said Section 36 for 25.00 feet; thence S.00°56'51"E. for 25.00 feet to the point of beginning of the herein described parcel of land; thence continue S.00°56'51" E. 30.00 feet; thence N.34°29'15"W for 36.20 feet to an intersection with a line parallel with and 25.00 feet south of as measured at right angles to the north line of the southeast quarter of the southwest quarter of said Section 36; thence N.89°32'19"E. along said parallel line for 20.00 feet to the point of beginning.

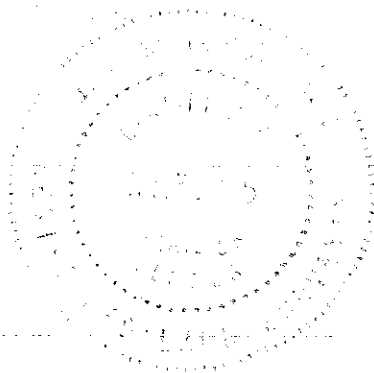
James R. Coleman & Associates, Inc.  
Certificate of Authorization Number LB0005983



Date: 2 FEB 04

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

JRCAPCL510





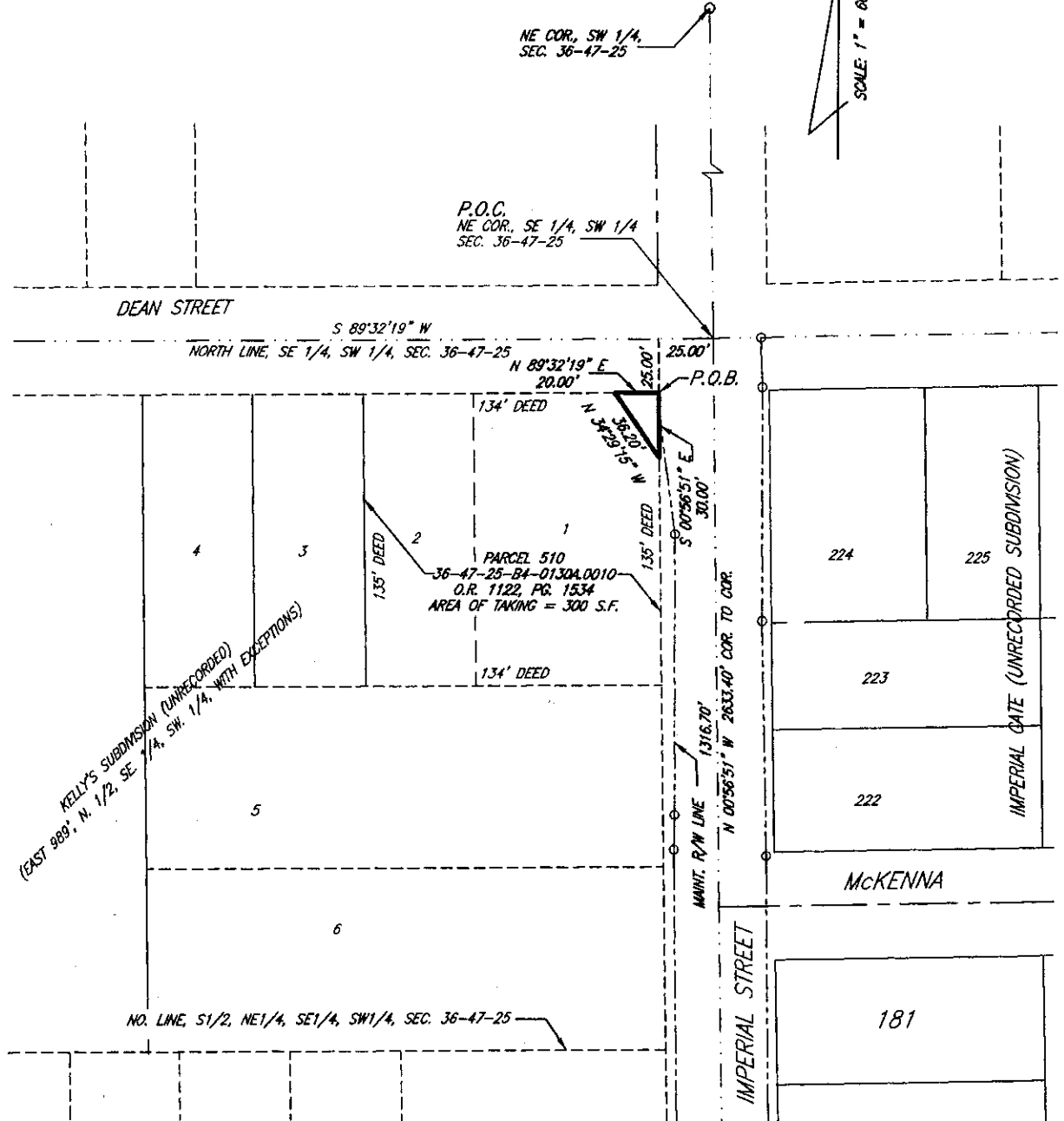


James R. Coleman & Associates, Inc.  
 Land Surveying Consultants  
 1459 Cornell Place  
 Fort Myers, Florida 33819  
 Phone: (239) 433-2070

DATE JANUARY, 2004	JOB NO. 308456	DRAWING NO. PCL510
DATE	REVISION	BY

Exhibit "A"  
 Page 14 of 14

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



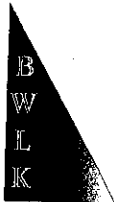
SURVEYORS NOTES

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 ADJUSTMENT).
3. REPRODUCTIONS OF THE ATTACHED SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

SE COR., SW 1/4, SEC. 36-47-25



JAMES R. COLEMAN & ASSOCIATES, INC.  
 CERTIFICATE OF AUTHORIZATION NUMBER LB0005983  
 JAMES R. COLEMAN  
 REGISTERED LAND SURVEYOR  
 FLORIDA CERTIFICATE NUMBER 3205  
 DATE 2/26/04



# Bean, Whitaker, Lutz & Kareh, Inc.

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

**Exhibit "B"**

Page 1 of 20

## LEGAL DESCRIPTION Permanent Slope Easement Parcel 318

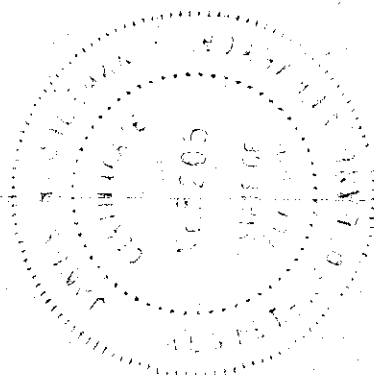
A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the southeast corner of the northeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.89°32'19"W. along the south line of the northeast quarter of the southwest quarter of said Section 36 for 284.00 feet; thence N.00°56'51"W. for 25.00 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northeast quarter of the southwest quarter of said Section 36, and the point of beginning of the herein described parcel of land; thence continue N.00°56'51"W. for 5.00 feet to an intersection with a line parallel with and 30.00 feet north of as measured at right angles to the south line of the northeast quarter of the southwest quarter of said Section 36; thence N.89°32'19"E. along said parallel line for 249.00 feet to an intersection with a line parallel with and 35.00 feet west of as measured at right angles to the east line of the southwest quarter of said Section 36; thence S.00°56'51" E. along said parallel line for 5.00 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northeast quarter of the southwest quarter of said Section 36; thence S.89°32'19"W. along said parallel line for 249.00 feet to the point of beginning.

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

Date: 11/10/05

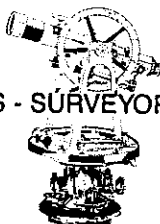
James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205



BWLKEasement318

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

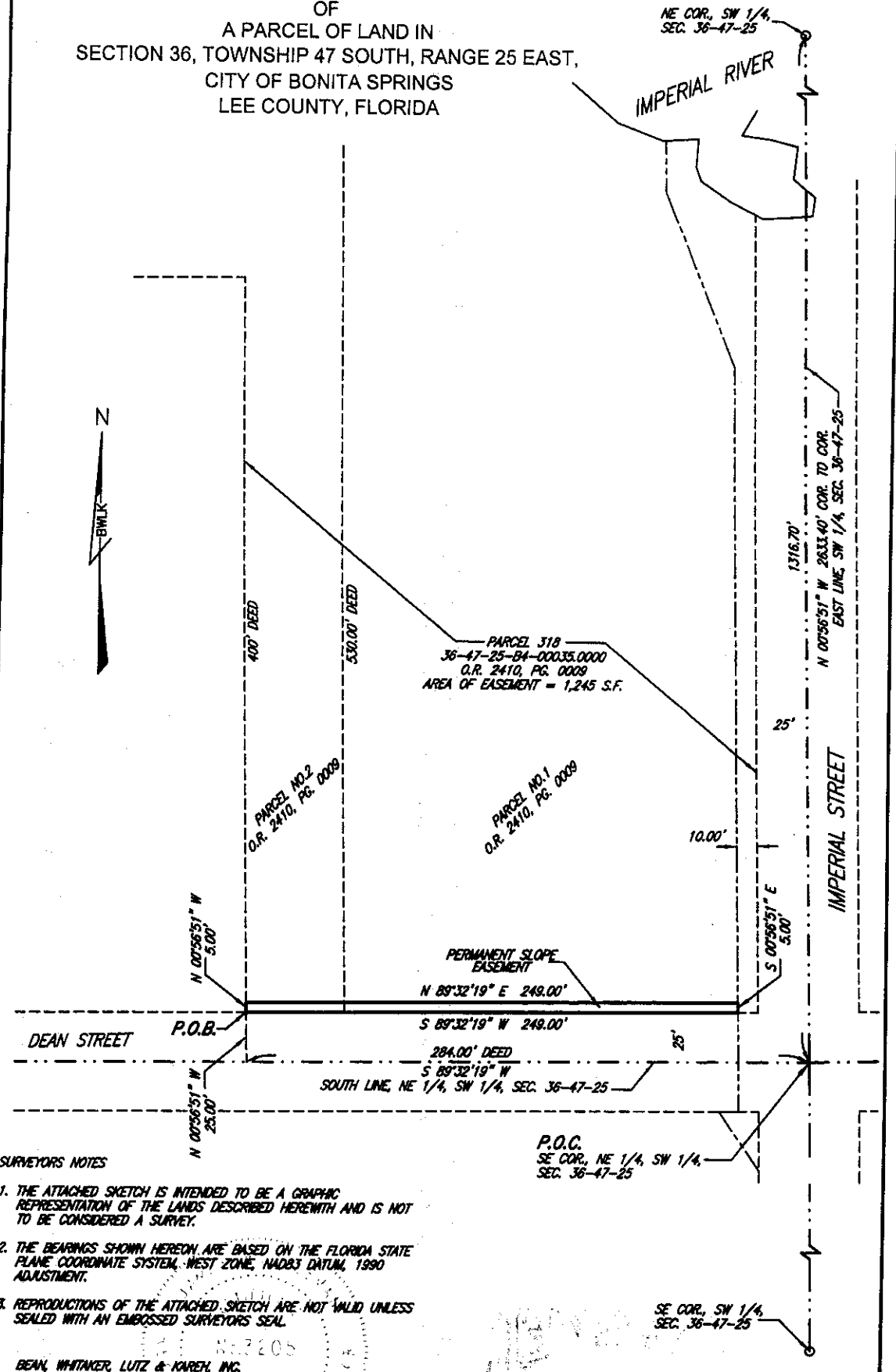
CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



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



**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  
*James R. Coleman*  
DATE 12/11/05  
JAMES R. COLEMAN  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATE NUMBER 3205

**Bean, Whitaker, Lutz & Kareh, Inc.** (28 0818)  
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
13041-1 MOOREGOR BOULEVARD, FORT MYERS, FLORIDA 33919-0610 (238) 461-1331

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-P-R)
01-10-06	35955	J.R.C.	1" = 80'	1 OF 1	36-47-25



# Bean, Whitaker, Lutz & Kareh, Inc.

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

## Exhibit "B"

Page 3 of 20


### LEGAL DESCRIPTION

Permanent Slope Easement  
Parcel 510

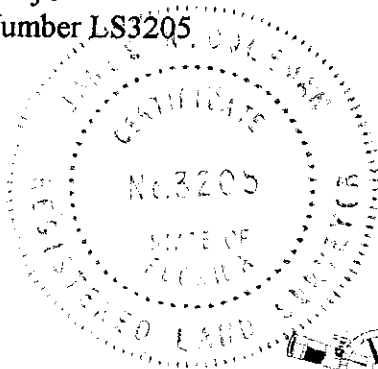
A parcel of land in Section 36, Township 47 South, Range 25 East, Bonita Springs, Lee County, Florida, more particularly described as follows:

Commence at the northeast corner of the southeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.89°32'19"W. along the north line of the southeast quarter of the southwest quarter of said Section 36 for 45.00 feet; thence S.00°56'51"E. for 25.00 feet to an intersection with a line parallel with and 25.00 feet south of as measured at right angles to the north line of the southeast quarter of the southwest quarter of said Section 36, and the point of beginning of the herein described parcel of land; thence S.89°32'19"W. along said parallel line for 114.00 feet to an intersection with a line parallel with and 159.00 feet west of as measured at right angles to the east line of the southeast quarter of the southwest quarter of said Section 36; thence S.00°56'51"E. along said parallel line for 5.00 feet to an intersection with a line parallel with and 30.00 feet south of as measured at right angles to the north line of the southeast quarter of the southwest quarter of said Section 36; thence N.89°32'19"E. along said parallel line for 117.34 feet; thence N.34°29'15"W. for 6.03 feet to the point of beginning.

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

  
Date: 11 JAN 05  
James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

BWLKEasement510



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

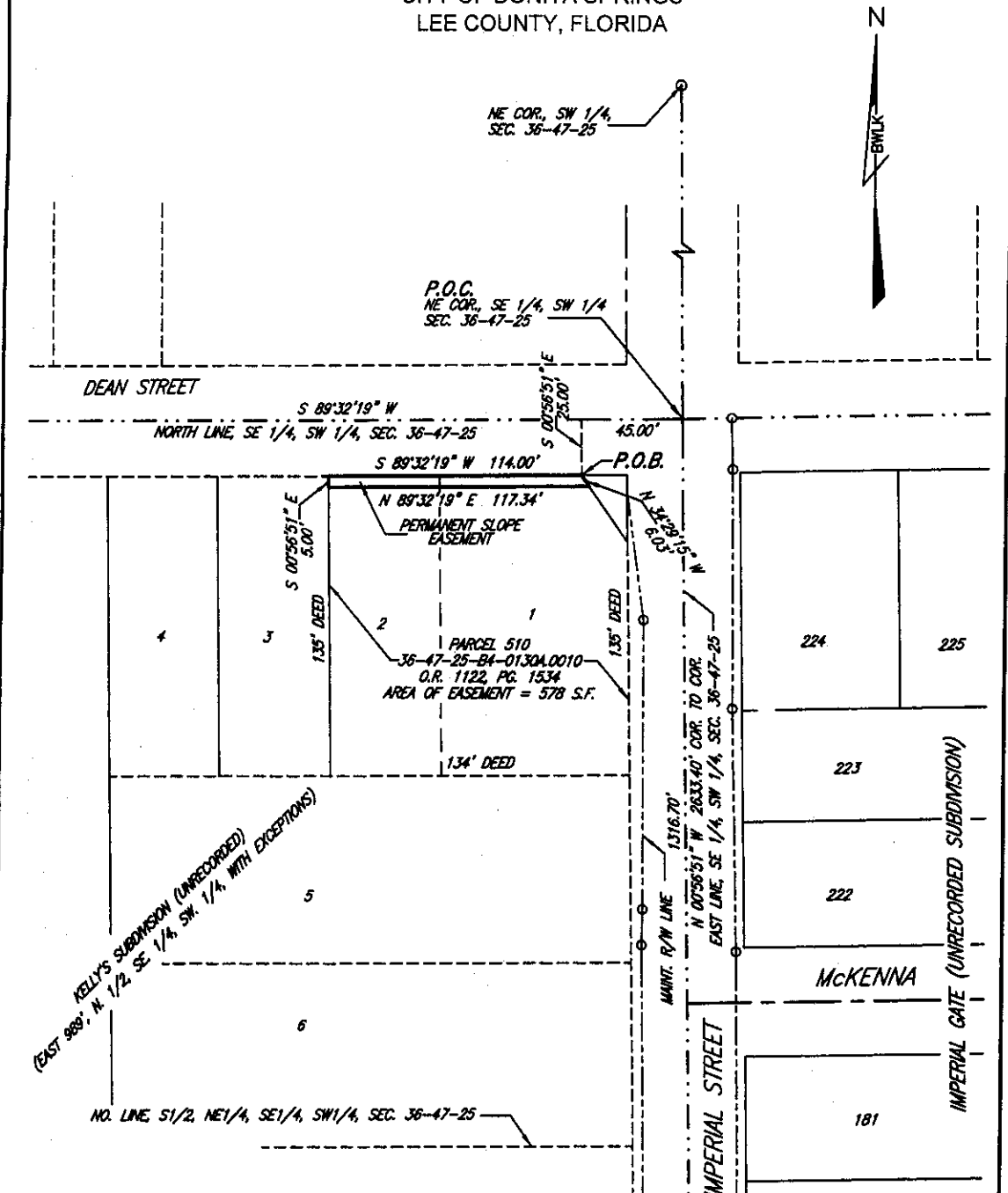


ASSOCIATES:  
TRACY N. BEAN, AICP  
CHARLES D. KNIGHT, PSM  
W. BRITT POMEROY, JR., PSM  
STEPHEN H. SKORUPSKI, PSM  
ELWOOD FINEFIELD, PSM  
JAMES A. HESSLER, PSM  
JAMES R. COLEMAN, PSM  
RUDOLF A. NORMAN, PE

# 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

Exhibit "B"  
Page 4 of 20



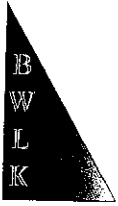
**SURVEYORS NOTES**

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 LB000A919  
*[Signature]*  
DATE: 12 JAN 05  
JAMES R. COLEMAN  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATE NUMBER 3205

**Bean, Whitaker, Lutz & Kareh, Inc. (23 4919)**  
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
13041-1 MCCORDOR BOULEVARD, FORT MYERS, FLORIDA 33919-8910 (238) 461-1331

Esomert510.dwg	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. 00-1-0
01-10-05	35655	J.R.C.	1" = 60'	1 OF 1	36-47-25



# 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

## Exhibit "B"

Page 5 of 20

### LEGAL DESCRIPTION Permanent Slope Easement Parcel 603

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

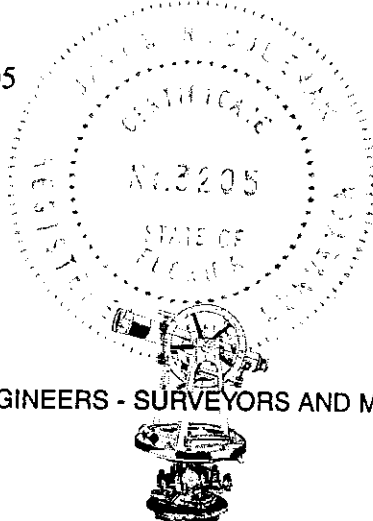
Commence at the northwest corner of the east half of the northeast quarter of the southeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.01°00'02"E. along the west line of the east half of the northeast quarter of the southeast quarter of the southwest quarter of said Section 36 for 25.00 feet to an intersection with a line parallel with and 25.00 feet south of as measured at right angles to the north line of the southeast quarter of the southwest quarter of said Section 36, and the point of beginning of the herein described parcel of land; thence continue S.01°00'02"E. along said west line for 5.00 feet to an intersection with a line parallel with and 30.00 feet south of as measured at right angles to the north line of the southeast quarter of the southwest quarter of said Section 36; thence N.89°32'19"E. along said parallel line for 66.00 feet; thence N.01°00'02"W. for 5.00 feet to an intersection with a line parallel with and 25.00 feet south of as measured at right angles to the north line of the southeast quarter of the southwest quarter of said Section 36; thence S.89°32'19"W. along said parallel line for 66.00 feet to the point of beginning.

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

Date: 11/16/05

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

BWLKEasement603



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

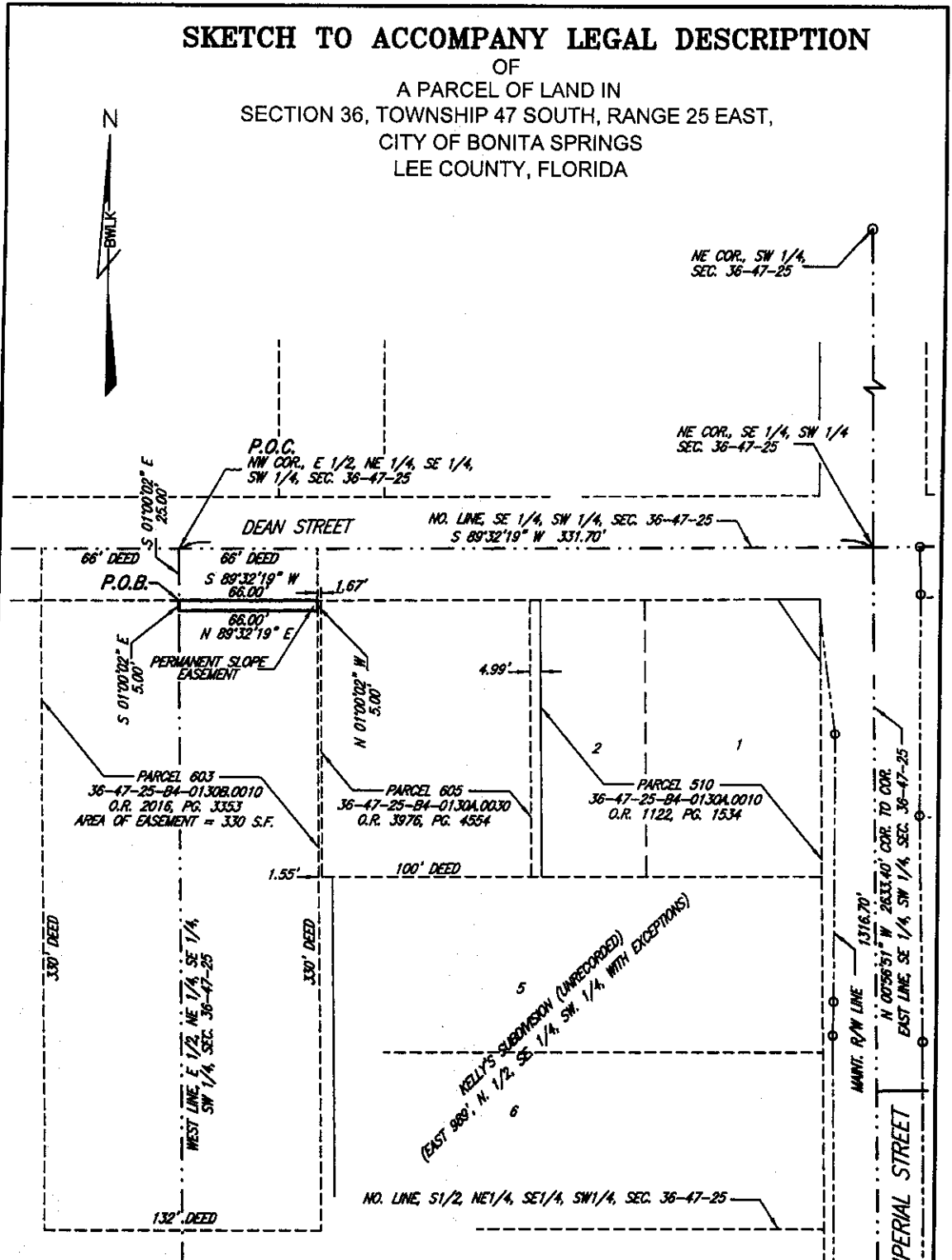
**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**

OF

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

**Exhibit "B"**

Page 6 of 20



**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: 12/21/05

JAMES R. COLEMAN  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATE NUMBER 3205

**Bean, Whitaker, Lutz & Kareh, Inc.** (2B 4818)

CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

13041-1 MCREGOR BOULEVARD, FORT MYERS, FLORIDA 33918-8910 (336) 461-1331

Easement503.dwg

DATE	PLOT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (P-T-R)
01-10-05	35655	J.R.C.	1" = 60'	1 OF 1	36-47-25



# 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

## Exhibit "B"

Page 7 of 20

### LEGAL DESCRIPTION Permanent Slope Easement Parcel 605

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

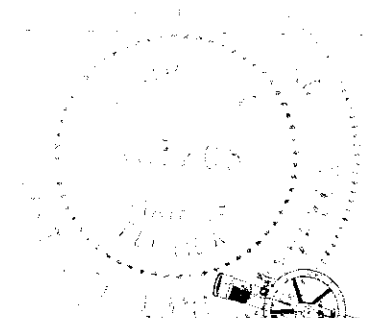
Commence at the northeast corner of the southeast quarter of the southwest quarter of Section 36, Township 47 South, Range 25 East, thence S.89°32'19"W. along the north line of the southeast quarter of the southwest quarter of said Section 36 for 164.00 feet; thence S.00°56'51"E. for 25.00 feet to an intersection with a line parallel with and 25.00 feet south of as measured at right angles to the north line of the southeast quarter of the southwest quarter of said Section 36, and the point of beginning of the herein described parcel of land; thence S.89°32'19"W. along said parallel line for 100.00 feet; thence S.00°56'51" E. for 5.00 feet to an intersection with a line parallel with and 30.00 feet south of as measured at right angles to the north line of the southeast quarter of the southwest quarter of said Section 36; thence N.89°32'19"E. along said parallel line for 100.00 feet; thence N.00°56'51" W. for 5.00 to the point of beginning.

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

Date: 11-JAN-05

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

BWLKEasement605



CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



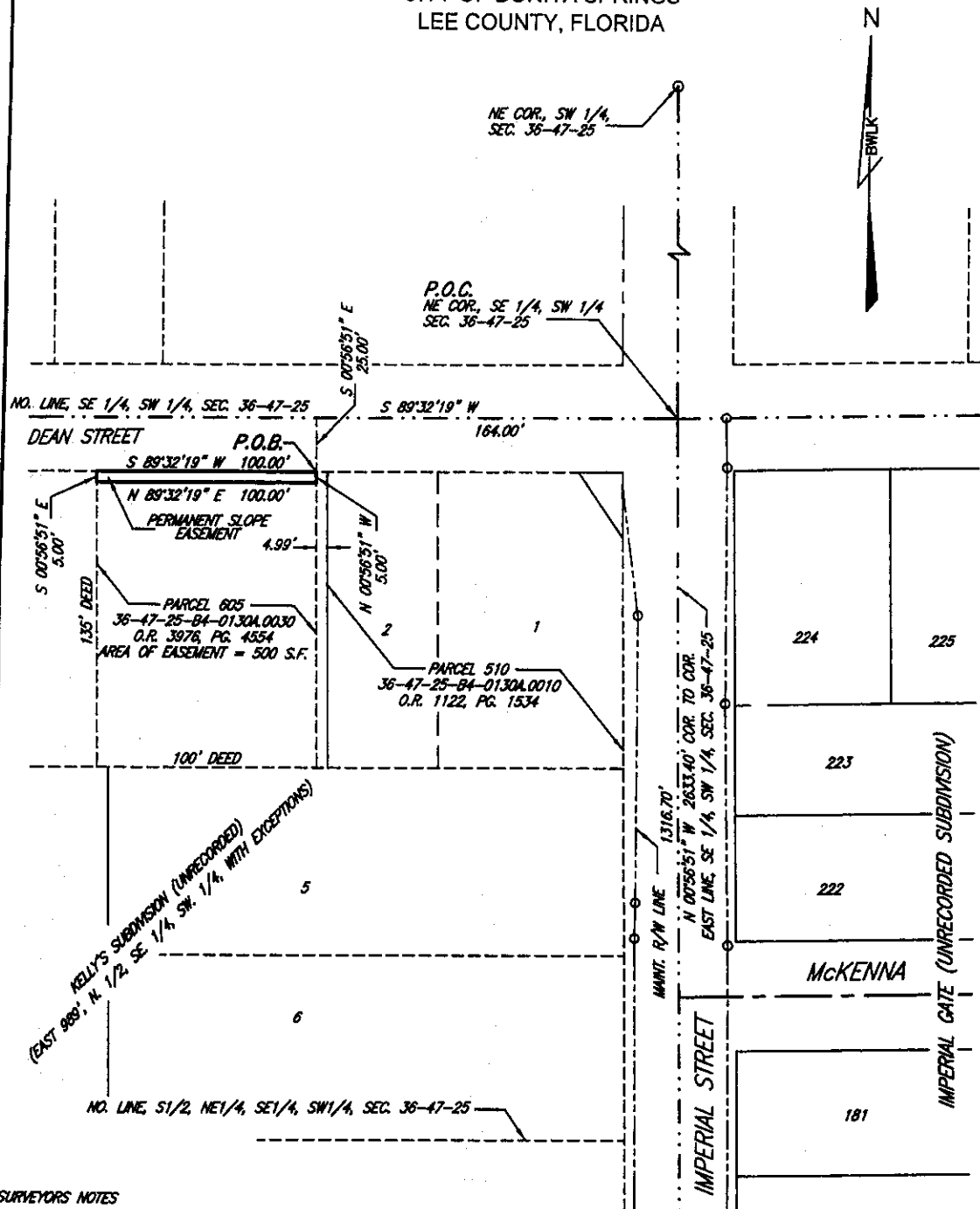
PRINCIPALS:  
WILLIAM E. BEAN, PSM, CHAIRMAN  
SCOTT C. WHITAKER, PSM, PRESIDENT  
JOSEPH L. LUTZ, PSM  
AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

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



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

*James R. Coleman* DATE: 12/21/05  
JAMES R. COLEMAN  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATE NUMBER 3205

Bean, Whitaker, Lutz & Kareh, Inc. (DB 0819)  
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
13041-I MOOREGORD BOULEVARD, FORT MYERS, FLORIDA 33919-2910 (239) 481-1331

Easement805.dwg

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (P-T-D)
01-10-06	35955	J.R.C.	1" = 80'	1 OF 1	36-47-25



# Bean, Whitaker, Lutz & Kareh, Inc.

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

## Exhibit "B"

Page 9 of 20

### LEGAL DESCRIPTION

Permanent Slope Easement

Parcel 606

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 of the northwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence N.88°49'03"E. along the south line of the northwest quarter of the southeast quarter of said Section 36 for 130.00 feet; thence N.00°56'51"W. for 25.00 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36 and the point of beginning of the herein described parcel of land; thence continue N.00°56'51"W. for 5.00 feet to an intersection with a line parallel with and 30.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36; thence N.88°49'03"E. along said parallel line for 105.00 feet; S.00°56'51"E. for 5.00 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36; thence S.88°49'03"W. along said parallel line for 105.00 feet to the point of beginning.

Bean, Whitaker, Lutz & Kareh, Inc.

Certificate of Authorization Number LB0004919

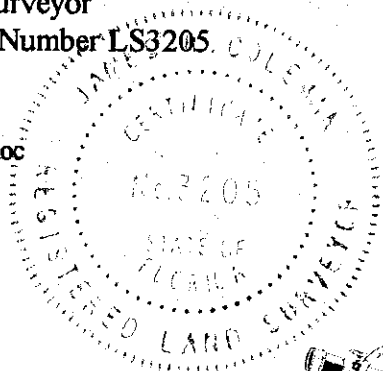
Date: 12 JAN 05

James R. Coleman

Registered Land Surveyor

Florida Certificate Number LS3205

BWLKEasement606.doc



CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

PRINCIPALS:

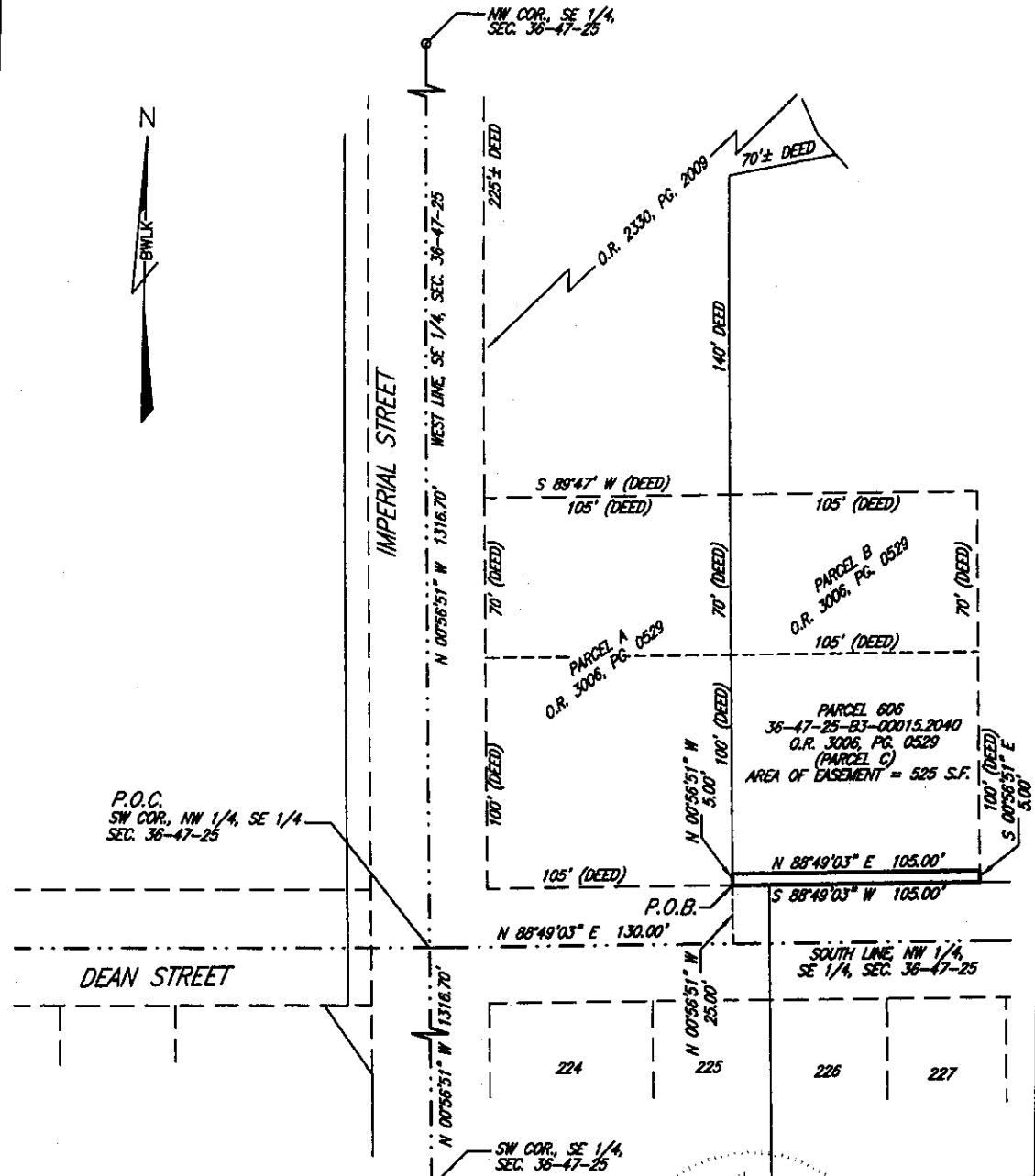
- WILLIAM E. BEAN, PSM, CHAIRMAN
- SCOTT C. WHITAKER, PSM, PRESIDENT
- JOSEPH L. LUTZ, PSM
- AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

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
- BUDDLA 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  
DATE: 12 Jan 05  
JAMES R. COLEMAN  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATE NUMBER 3205

Bean, Whitaker, Lutz & Kareh, Inc. (25 4919)  
CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
13041-1 MOOREBORO BOULEVARD, FORT MYERS, FLORIDA 33916-8910 (239) 461-1331

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-1-2)
01-12-05	35955	J.R.C.	1" = 80'	1 OF 1	36-47-25



# Bean, Whitaker, Lutz & Kareh, Inc.

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

## Exhibit "B"

Page 11 of 20

### LEGAL DESCRIPTION


Permanent Slope Easement

Parcel 607

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

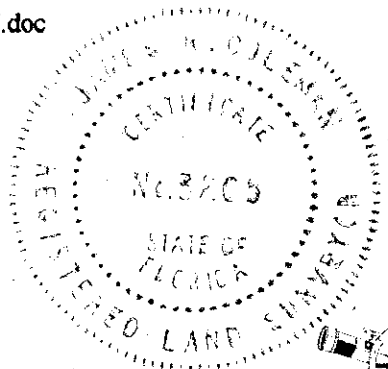
Commence at the northwest corner of the southwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence N.88°49'03"E. along the north line of the southwest quarter of the southeast quarter of said Section 36 for 145.53 feet; thence S.00°58'24"E. for 24.57 feet to the point of beginning of the herein described parcel of land; thence continue S.00°58'24"E. for 5.00 feet; thence N.88°50'19"E. for 75.05 feet; thence N.00°58'13"W. for 5.00 feet; thence S.88°50'19"W. for 75.05 feet to the point of beginning.

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

 Date: 02 MAY 05

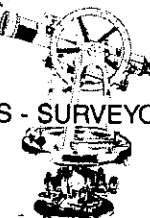
James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

BWLKEasement607.doc



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

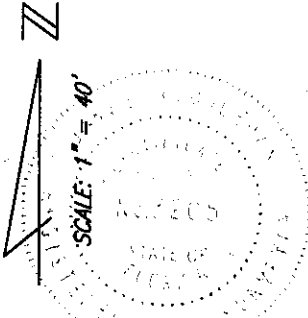
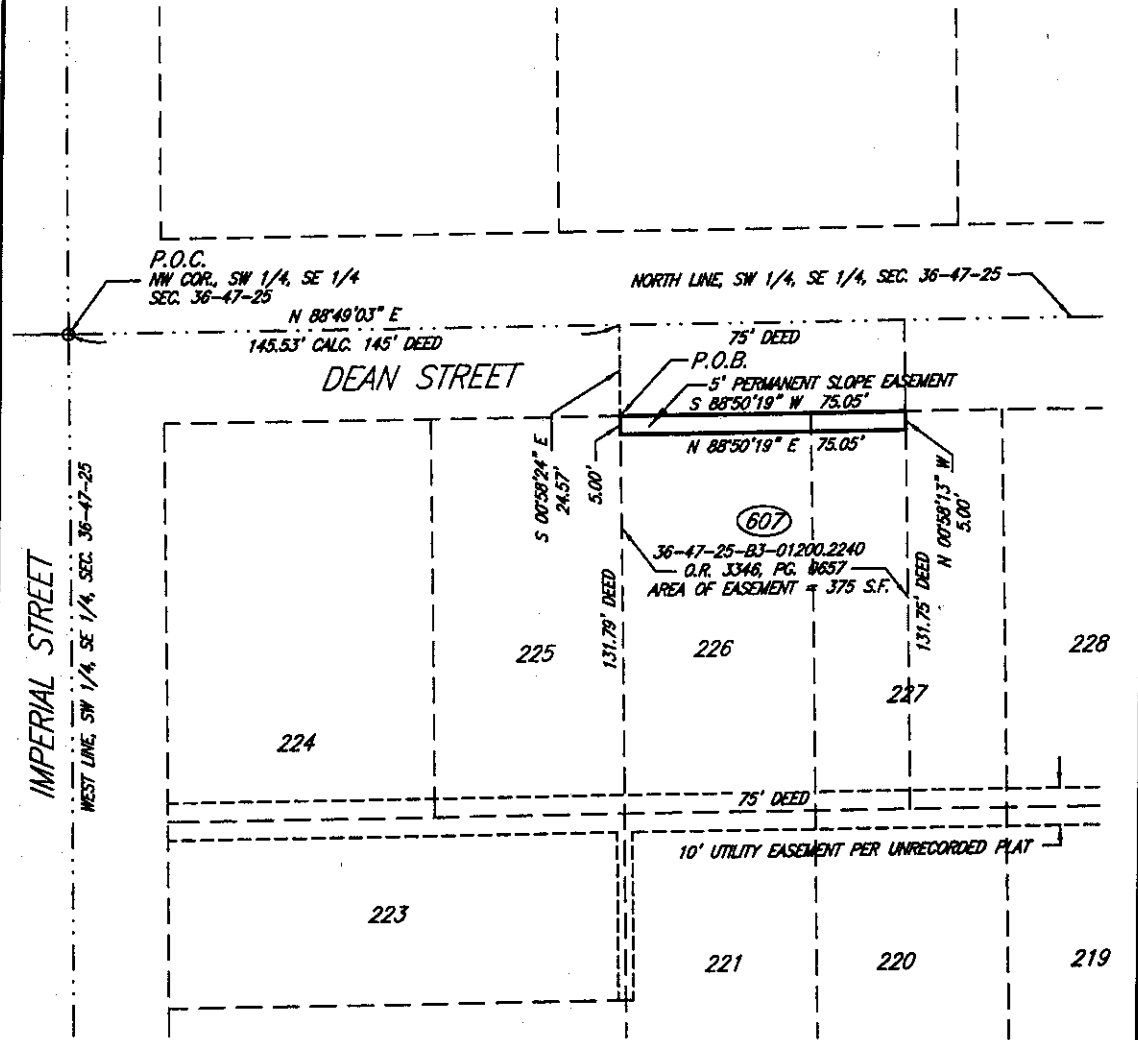


ASSOCIATES:  
TRACY N. BEAN, AICP  
CHARLES D. KNIGHT, PSM  
W. BRITT POMEROY, JR., PSM  
STEPHEN H. SKORUPSKI, PSM  
ELWOOD FINEFIELD, PSM  
JAMES A. HESSLER, PSM  
JAMES R. COLEMAN, PSM  
RUDOLF A. NORMAN, PE

**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

**Exhibit "B"**

Page 12 of 20



**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

*James R. Coleman* DATE: 02/11/05  
 JAMES R. COLEMAN  
 REGISTERED LAND SURVEYOR  
 FLORIDA CERTIFICATE NUMBER 3205

<b>Bean, Whitaker, Lutz &amp; Kareh, Inc.</b> (23 4818) CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS 13041-1 MCGREGOR BOULEVARD, FORT MYERS, FLORIDA 33918-8810 (239) 481-1331					
Easement507.dwg					
DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (S-T-4)
05-02-05	35855	J.R.C.	1" = 40'	1 OF 1	36-47-25



# Bean, Whitaker, Lutz & Kareh, Inc.

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

**Exhibit "B"**  
Page 13 of 20

## LEGAL DESCRIPTION

Permanent Slope Easement  
Parcel 608

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

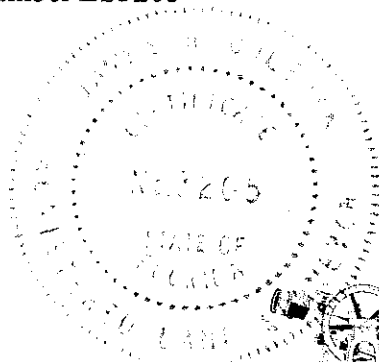
Commence at the southwest corner of the northwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence N.88°49'03"E. along the south line of the northwest quarter of the southeast quarter of said Section 36 for 345.00 feet; thence N.01°10'57"W. for 25.00 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36 and the point of beginning of the herein described parcel of land; thence continue N.01°10'57"W. for 5.00 feet to an intersection with a line parallel with and 30.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36; thence N.88°49'03"E. along said parallel line for 60.00 feet; S.01°10'57"E. for 5.00 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36; thence S.88°49'03"W. along said parallel line for 60.00 feet to the point of beginning.

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

Date: 02MAY05

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

BWLKEasement608.doc



CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS



### PRINCIPALS:

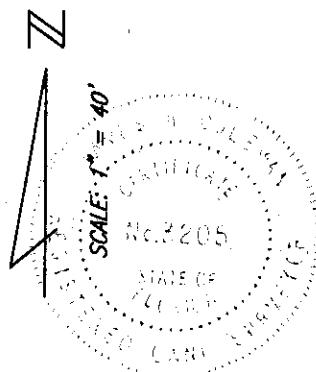
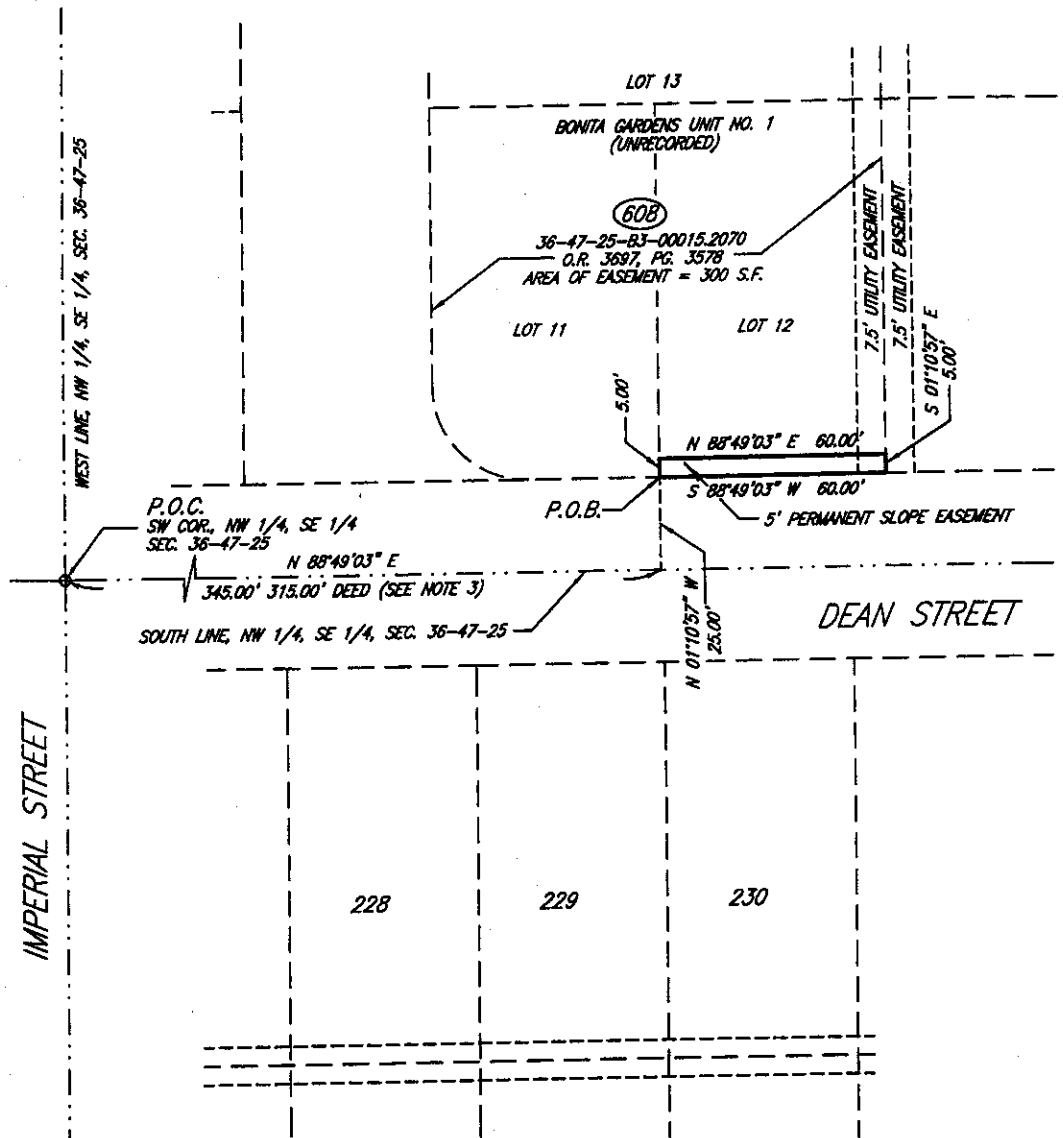
- WILLIAM E. BEAN, PSM, CHAIRMAN
- SCOTT C. WHITAKER, PSM, PRESIDENT
- JOSEPH L. LUTZ, PSM
- AHMAD R. KAREH, PE, MSCE, VICE PRESIDENT

### 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

Exhibit "B"  
 Page 14 of 20



**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. THIS DISTANCE IS SHOWN AS 345' ON THE UNRECORDED PLAT OF BONITA GARDENS UNIT 1. THE DISTANCE OF 315.00 FEET CALLED FOR IN THE DEED IS BELIEVED TO BE A SCRIVENOR'S ERROR.
4. 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: 02/20/2005

**Bean, Whitaker, Lutz & Kareh, Inc. (23 4819)**  
 CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
 13041-1 MOOREGORD BOULEVARD, FORT MYERS, FLORIDA 33919-0910 (238) 481-1331

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (01-7-4)
05-02-05	35955	J.R.C.	1" = 40'	1 OF 1	36-47-25

Ensement608.dwg



Bean, Whitaker, Lutz & Kareh, Inc.

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

Exhibit "B"

Page 15 of 20

LEGAL DESCRIPTION

Permanent Slope Easement  
Parcel 609

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 northwest corner of the southwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence N.88°49'03"E. along the north line of the southwest quarter of the southeast quarter of said Section 36 for 220.58 feet; thence S.00°58'13"E. for 24.59 feet to the point of beginning of the herein described parcel of land; thence continue S.00°58'13"E. for 5.00 feet; thence N.88°50'19"E. for 75.05 feet; thence N.00°57'51"W. for 5.00 feet; thence S.88°50'19"W. for 75.05 feet to the point of beginning.

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

Date: 02/04/05

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

BWLKEasement609.doc



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:

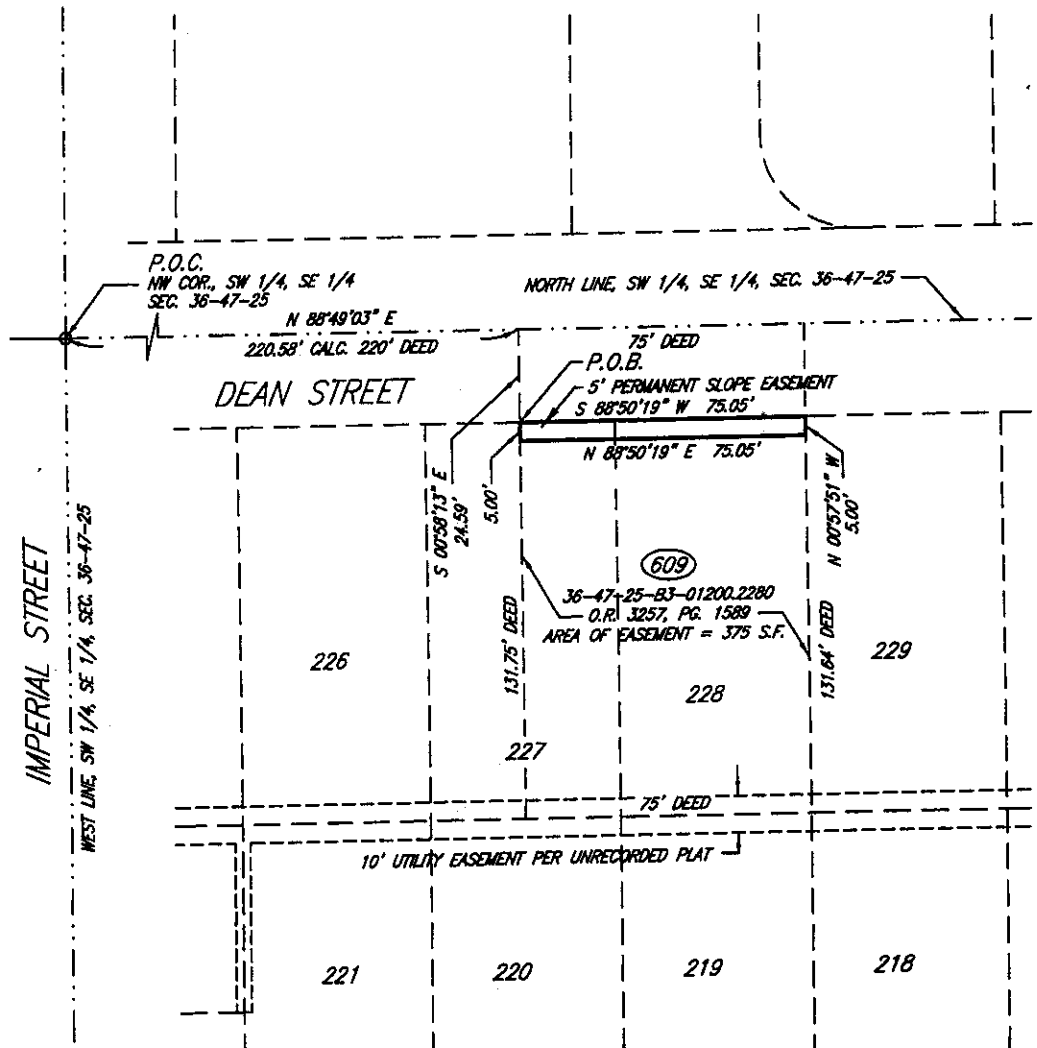
- TRACY N. BEAN, AICP
- CHARLES D. KNIGHT, PSM
- W. BRITT POMEROY, JR., PSM
- STEPHEN H. SKORUPSKI, PSM
- ELWOOD FINEFIELD, PSM
- JAMES A. HESSLER, PSM
- JAMES R. COLEMAN, PSM
- RUDOLF A. NORMAN, PE



**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

**Exhibit "B"**

Page 16 of 20



**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

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

**Bean, Whitaker, Lutz & Kareh, Inc.** (28 4818)  
 CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
 13041-1 MCREGOR BOULEVARD, FORT MYERS, FLORIDA 33918-8910 (238) 481-1331

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (P-T-R)
05-02-05	35955	J.R.C.	1" = 40'	1 OF 1	36-47-25

Easement809.dwg



# 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

**Exhibit "B"**

Page 17 of 20

## LEGAL DESCRIPTION Permanent Slope Easement Parcel 610

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

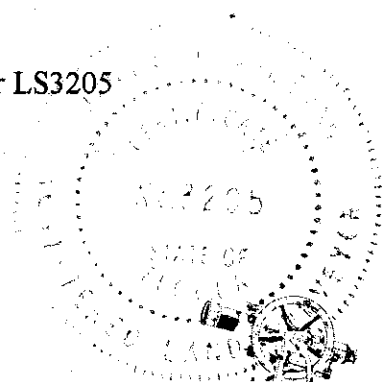
Commence at the southwest corner of the northwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence N.88°49'03"E. along the south line of the northwest quarter of the southeast quarter of said Section 36 for 405.00 feet; thence N.01°10'57"W. for 25.00 feet to an intersection with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36 and the point of beginning of the herein described parcel of land; thence continue N.01°10'57"W. for 5.00 feet to an intersection with a line parallel with and 30.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36; thence N.88°49'03"E. along said parallel line for 90.00 feet to an intersection with the arc of a circular curve concave to the northwest at a point bearing S.38°03'09"E. from the radius point of said curve; thence southwesterly and westerly along the arc of said curve having for its elements a radius of 25.00 feet and a central angle of 36°52'12" for 16.09 feet to the point of tangency with a line parallel with and 25.00 feet north of as measured at right angles to the south line of the northwest quarter of the southeast quarter of said Section 36; thence S.88°49'03"W. along said parallel line for 75.00 feet to the point of beginning

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

Date: 02/04/05

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

BWLKEasement610.doc



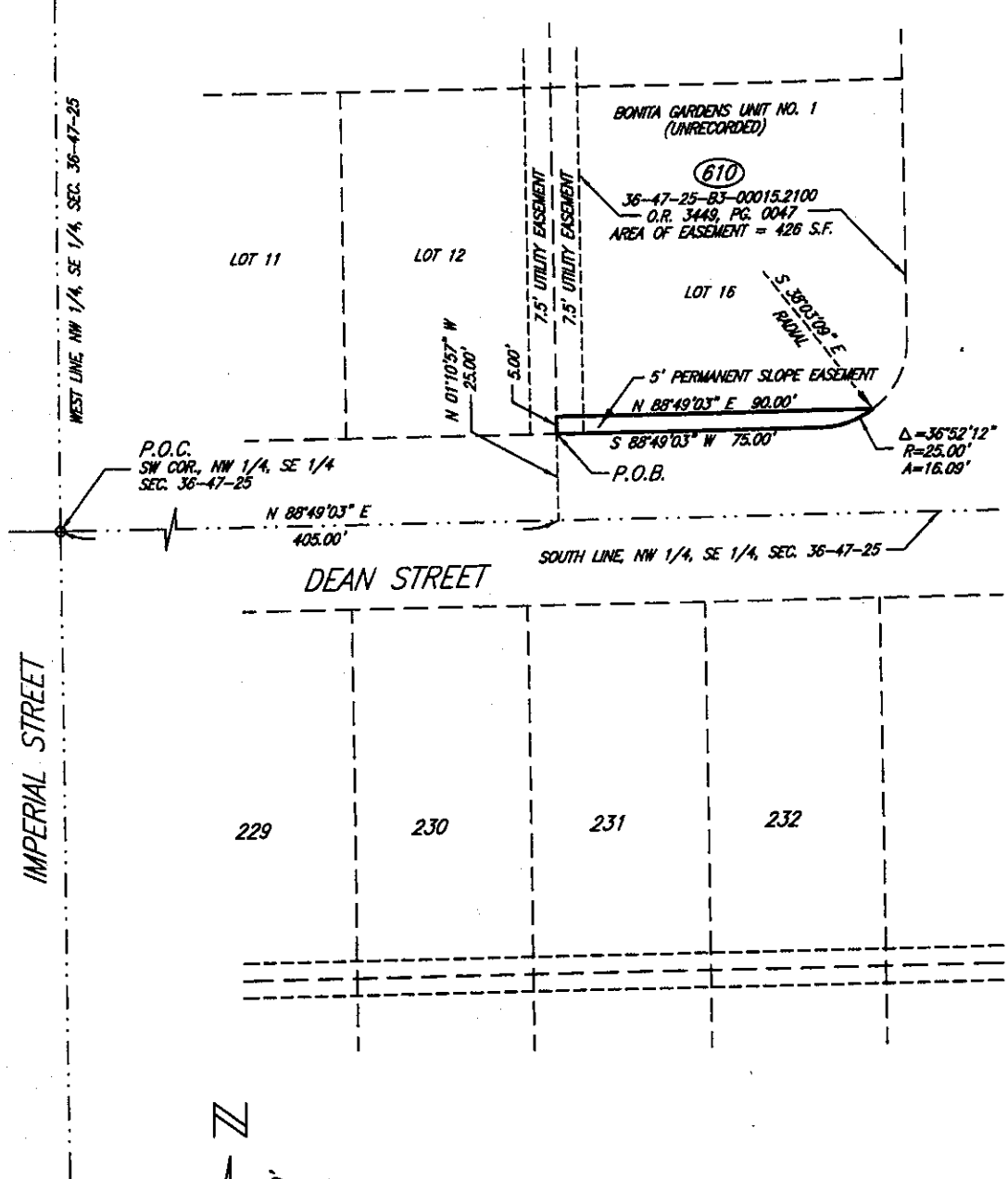
CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

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

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**



**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  
  
 DATE: 02/10/05  
 JAMES R. COLEMAN  
 REGISTERED LAND SURVEYOR  
 FLORIDA CERTIFICATE NUMBER 3205

**Bean, Whitaker, Lutz & Kareh, Inc.** (28 4818)  
 CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
 18041-1 MOOREBORO BOULEVARD, FORT MYERS, FLORIDA 33918-8810 (339) 481-1331

DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET	FILE NO. (P-P-R)
05-02-05	35955	J.R.C.	1" = 40'	1 OF 1	36-47-25

Easement610.dwg



Bean, Whitaker, Lutz & Kareh, Inc.

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

Exhibit "B"


Page 19 of 20

LEGAL DESCRIPTION  
Permanent Slope Easement  
Parcel 611

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 northwest corner of the southwest quarter of the southeast quarter of Section 36, Township 47 South, Range 25 East, thence N.88°49'03"E. along the north line of the southwest quarter of the southeast quarter of said Section 36 for 295.63 feet; thence S.00°57'51"E. for 24.62 feet to the point of beginning of the herein described parcel of land; thence continue S.00°57'51"E. for 5.00 feet; thence N.88°50'19"E. for 75.05 feet; thence N.00°57'51"W. for 5.00 feet; thence S.88°50'19"W. for 75.05 feet to the point of beginning.

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

 Date: 02/10/05

James R. Coleman  
Registered Land Surveyor  
Florida Certificate Number LS3205

BWLKEasement611.doc



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

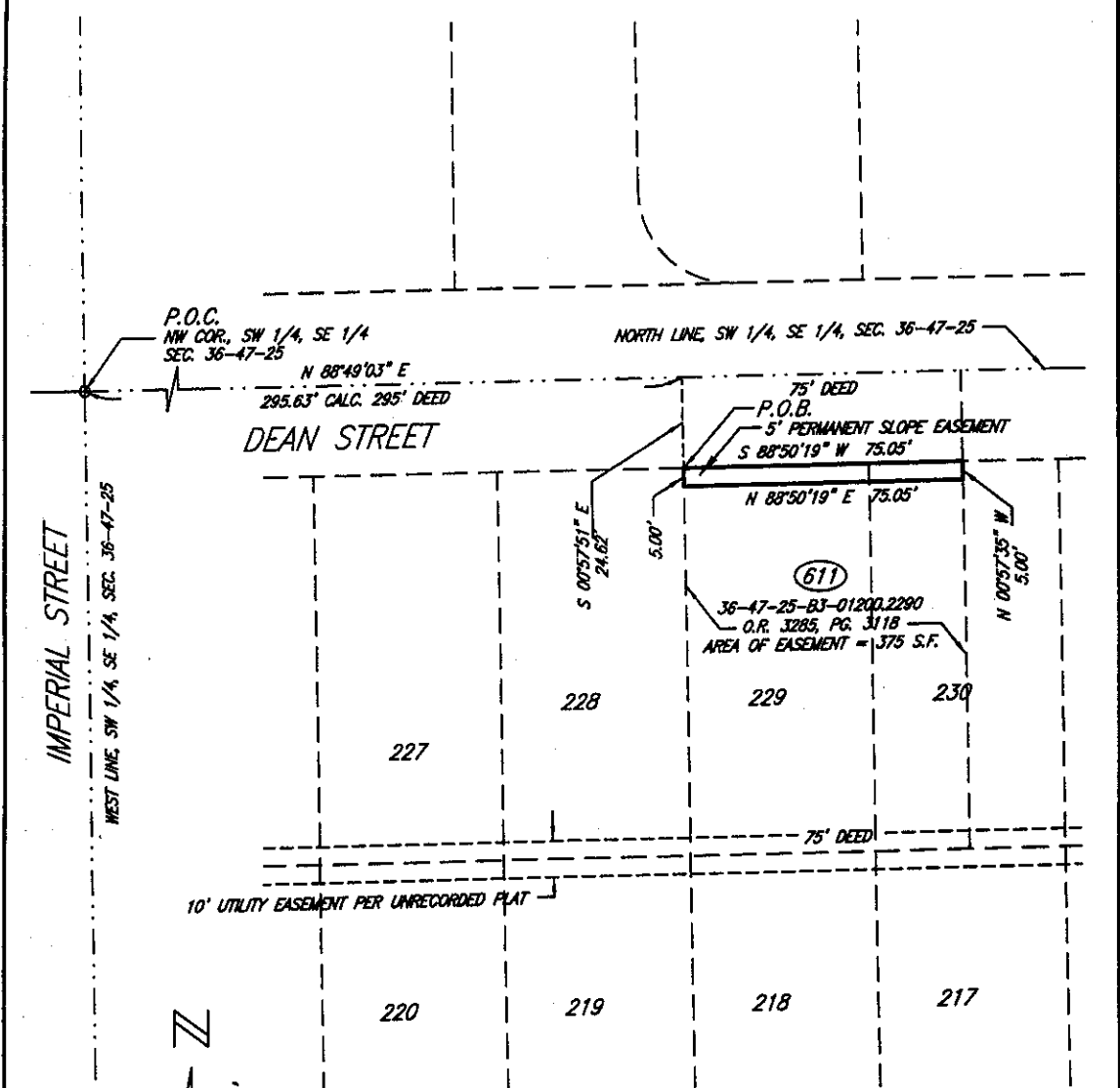
ASSOCIATES:  
TRACY N. BEAN, AICP  
CHARLES D. KNIGHT, PSM  
W. BRITT POMEROY, JR., PSM  
STEPHEN H. SKORUPSKI, PSM  
ELWOOD FINEFIELD, PSM  
JAMES A. HESSLER, PSM  
JAMES R. COLEMAN, PSM  
RUDOLF A. NORMAN, PE

# 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

Exhibit "B"

Page 20 of 20



**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

*James R. Coleman* DATE: 02/10/05  
JAMES R. COLEMAN  
REGISTERED LAND SURVEYOR  
FLORIDA CERTIFICATE NUMBER 3205

<b>Bean, Whitaker, Lutz &amp; Kareh, Inc.</b> (28 4818) CIVIL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS 13041-1 MOOREBOR BOULEVARD, FORT MYERS, FLORIDA 33918-8910 (238) 481-1331				
Easement611.dwg				
DATE	PROJECT NO.	DRAWN BY	SCALE	SHEET
05-02-05	35655	J.R.C.	1" = 40'	1 OF 1
				FILE NO. (9-1-05) 36-47-25

NW COR. SE 1/4  
SEC. 36-47-25  
STA. 109+16.39

FOUND NAIL & DISK  
IN PAVEMENT CUT

IMPERIAL RIVER

N 00°55'51" W 2633.40'

IMPERIAL STREET  
WIDENING PROJECT  
NO. 4060  
Phase III  
(Dean Street  
intersection north  
to Imperial River)

END PHASE III

DEAN STREET

BEGIN  
PHASE III

224	225	226	227	228	229	230	231													
223																				

