

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

Blue Sheet No. 20060162

1. ACTION REQUESTED/PURPOSE: Approve the Resolution of Necessity for the acquisition and condemnation of parcels required for the Corkscrew Road Widening Project (CRSA/MSBU), No. 4723, from Ben Hill Griffin Parkway east to the Bella Terra (Habitat) subdivision.

2. WHAT ACTION ACCOMPLISHES: Allows the County to proceed with condemnation, if necessary, so parcels can be acquired for the Corkscrew Road Widening Project (CRSA/MSBU), No. 4723, from Ben Hill Griffin Parkway east to the Bella Terra (Habitat) subdivision.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: 12 **A12A** **5. Meeting Date:** 02-28-2006

6. Agenda: <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify) <input checked="" type="checkbox"/> Statute <u>73,74,125,127</u>	8. Request Initiated: Commissioner _____ Department <u>County Attorney</u> Division <u>Litigation</u> By: <u>John J. Renner</u> Chief Assistant County Attorney
	<input type="checkbox"/> Ordinance	
	<input type="checkbox"/> Admin. Code	
	<input checked="" type="checkbox"/> Other <u>BS 20030686; Res. 94-07-11, 94-07-12, 94-09-04, 94-09-05</u>	

9. Background:

The Corkscrew Road Widening Project (CRSA/MSBU), No. 4723 provides for the construction of a six-lane roadway, transitioning to a four-lane roadway segment, from Ben Hill Griffin Parkway east to the Bella Terra (Habitat) subdivision, 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 of Necessity, Location Map

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other <i>Co. Funds</i>	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Per.	
			<i>[Signature]</i>	<i>[Signature]</i>	<i>RK 2/14</i>	<i>5/11/06</i>	<i>2/14/06</i>	<i>2/14/06</i>	<i>[Signature]</i>

11. Commission Action:
 Approved
 Deferred
 Denied
 Other

**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 Corkscrew Road Widening Project (CRSA/MSBU), No. 4723, by acquiring the necessary right-of-way for construction of an arterial roadway from Ben Hill Griffin Parkway in Estero, east to the Bella Terra (Habitat) subdivision.

SECTION ONE: USE, NECESSITY AND DESCRIPTION OF PROPERTY

The Board of County Commissioners finds that the fee simple rights in the property described in attached Exhibit "A", slope easement rights in the property described in attached Exhibit "B", temporary construction easement rights in the property described in attached Exhibit "C", are all necessary for the Corkscrew Road Widening Project (CRSA/MSBU), No. 4723 and are being acquired for the following specific public use or purpose:

To improve traffic flow and transportation safety by providing right-of-way for an increased traffic flow for public as well as private vehicles, and improvement of evacuation routes. This project was initiated by the owners of land within the Corkscrew Road Service Area (CRSA), as a Municipal Services Benefit Unit (MSBU) project, to provide for an additional east/west traffic flow from Ben Hill Griffin Parkway east to the Bella Terra (Habitat) subdivision in Estero. Corkscrew Road is an arterial roadway to be widened with additional travel lanes, sidewalk, bike path, stormwater drainage, and utilities. Exhibit "A" consists of Parcels 102A, 102B, and 209; Exhibit "B" consists of Parcels 102A-SE, 102B-SE, and 209-SE; Exhibit "C" consists of Parcels 102A-TCE, and 209-TCE.

Resolution of Necessity

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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, the slope easement rights, and the temporary construction easement rights in the properties described in Exhibits "A", "B", and "C", respectively, for the above described public use or purpose.

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

Bob Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Tammara Hall	_____
John E. Albion	_____

DULY PASSED AND ADOPTED this ___ day of _____, 20__.

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

Tammara Hall, Chairwoman

APPROVED AS TO FORM:

Office of County Attorney

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19 AND THE SOUTHWEST QUARTER OF SECTION 20, BOTH TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°21'53"W., ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, FOR A DISTANCE OF 645.86 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE S.89°21'53"W., ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, FOR A DISTANCE OF 64.79 FEET TO A POINT 30.00 FEET NORTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD; THENCE RUN N.61°46'58"E., PARALLEL WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, FOR A DISTANCE OF 933.33 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHERLY; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 2,380.00 FEET, THROUGH A CENTRAL ANGLE OF 09°30'18", SUBTENDED BY A CHORD OF 394.38 FEET AT A BEARING OF N.66°32'07"E., FOR A DISTANCE OF 394.83 TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD AND THE BEGINNING OF A CIRCULAR CURVE CONCAVE SOUTHERLY, WHOSE RADIUS POINT BEARS S.23°43'25"E. A DISTANCE OF 870.17 FEET THEREFROM; THENCE RUN ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD AND ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 870.17 FEET THROUGH A CENTRAL ANGLE OF 04°29'38", SUBTENDED BY A CHORD OF 68.23 FEET AT A BEARING OF S.64°01'47"W., FOR A DISTANCE OF 68.25 FEET TO THE END OF SAID CURVE; THENCE RUN S.61°46'58"W., ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, FOR A DISTANCE OF 1200.74 FEET TO THE POINT OF BEGINNING; CONTAINING 0.797 ACRE MORE OR LESS.

BEARINGS REFER TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING S.89°21'53"W.

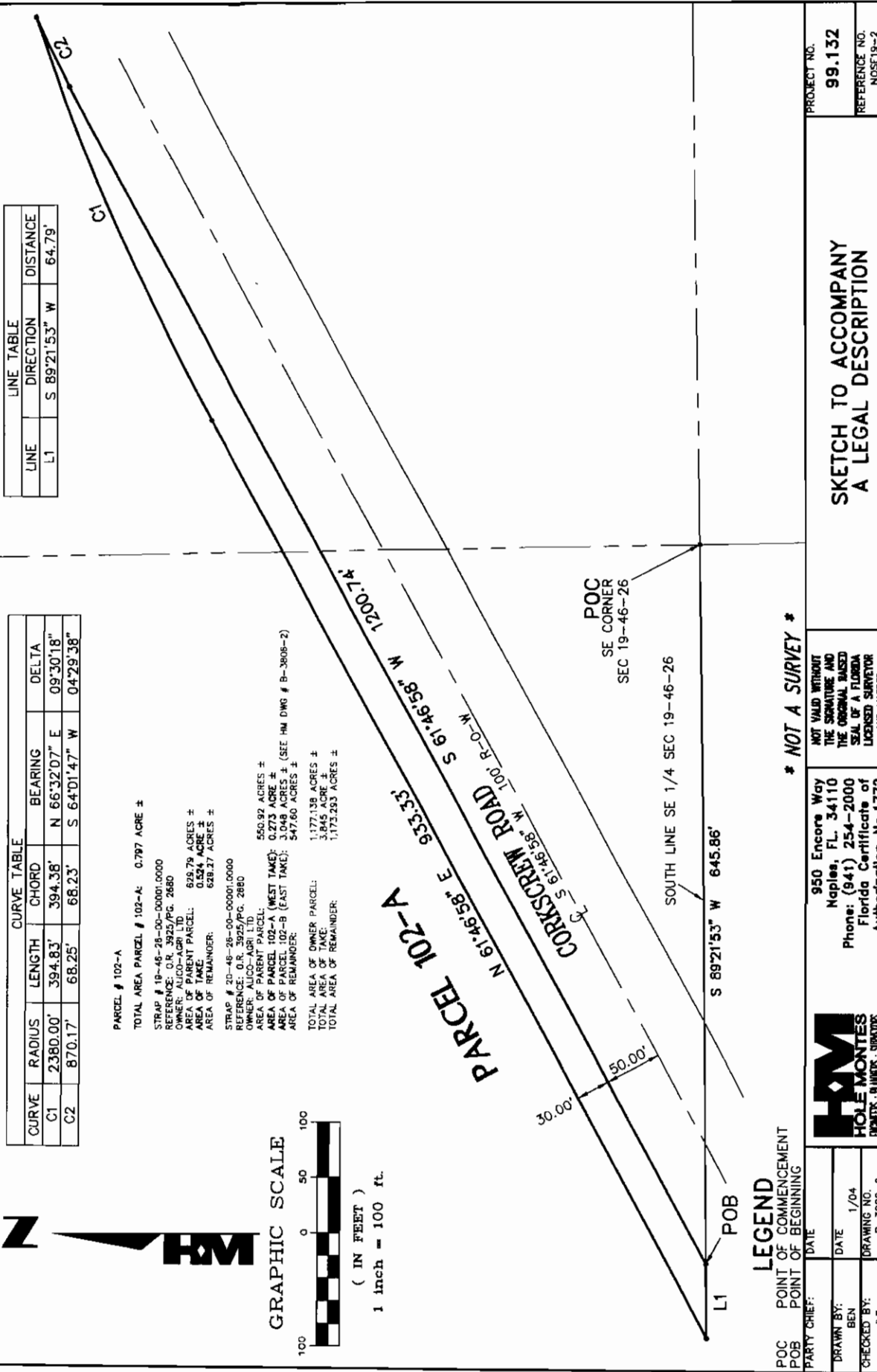
HOLE MONTES, INC.
CERTIFICATION OF AUTHORIZATION LB #1772

BY:  P.S.M. #6130
JERRY L. RIFFELMACHER STATE OF FLORIDA



Exhibit "A"

Page 1 of 6



LINE	DIRECTION	DISTANCE
L1	S 89°21'53" W	64.79'

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	2380.00'	394.83'	394.83'	N 66°32'07" E	09°30'18"
C2	870.17'	68.25'	68.23'	S 64°01'47" W	04°29'38"

PARCEL # 102-A

TOTAL AREA PARCEL # 102-A: 0.797 ACRE ±

STRAP # 19-46-28-00-00001.0000

REFERENCE: O.R. 3925/PG. 2680

OWNER: HOLE MONTES L.L.C.

AREA OF PARCEL: 0.524 ACRE ±

AREA OF TAKE: 0.524 ACRE ±

AREA OF REMAINDER: 0.273 ACRE ±

STRAP # 20-46-28-00-00001.0000

REFERENCE: O.R. 3925/PG. 2880

OWNER: HOLE MONTES L.L.C.

AREA OF PARCEL: 1.177 ACRE ±

AREA OF TAKE: 1.177 ACRE ±

AREA OF REMAINDER: 0.000 ACRE ±

GRAPHIC SCALE

(IN FEET)

1 inch = 100 ft.

LEGEND

POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT

*** NOT A SURVEY ***

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

950 Encore Way
Naples, FL 34110
Phone: (941) 254-2000
Florida Certificate of Licensed Surveyor
Authorization No. 1772

PARTY CHIEF:	DATE
DRAWN BY:	DATE
CHECKED BY:	DRAWING NO.

PROJECT NO. 99.132

REFERENCE NO. NOSE19-2

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

UN:\999\1999132\SKETCH5\MOSE19-2.dwg Tab Model Jan 14, 2004 - 4:05pm Plotted by BenHowell

Exhibit "A"

Page 2 of 6



950 Encore Way • Naples, Florida 34110 • Phone: 239.254.2000 • Fax: 239.254.2075

HM PROJECT #1999132
1/14/2004
PARCEL 102-B
REF. DWG. #B-3806-2

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.01°10'18"W., ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20, FOR A DISTANCE OF 875.56 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY AND TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN S.86°32'39"W., ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 4497.69 FEET TO THE BEGINNING OF A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN SOUTHWESTERLY, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD AND ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 870.17 FEET, THROUGH A CENTRAL ANGLE 04°29'38", SUBTENDED BY A CHORD OF 68.23 FEET AT A BEARING OF S.84°17'50"W, FOR A DISTANCE OF 68.25 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHERLY, WHOSE RADIUS POINT BEARS S.12°57'39"E. A DISTANCE OF 2380.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2380.00 FEET, THROUGH A CENTRAL ANGLE OF 09°30'18", SUBTENDED BY A CHORD OF 394.38 FEET AT A BEARING OF N.81°47'30"E., FOR A DISTANCE OF 394.83 TO A POINT LYING 30.00 FEET NORTHERLY AS MEASURED AT RIGHT ANGLES TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD; THENCE RUN N.86°32'39"E., PARALLEL TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 4174.04 TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE RUN S.01°10'18"E., ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20, FOR A DISTANCE OF 30.02 FEET TO THE POINT OF BEGINNING, CONTAINING 3.048 ACRES, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING N.01°10'18"W.

HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION LB #1772

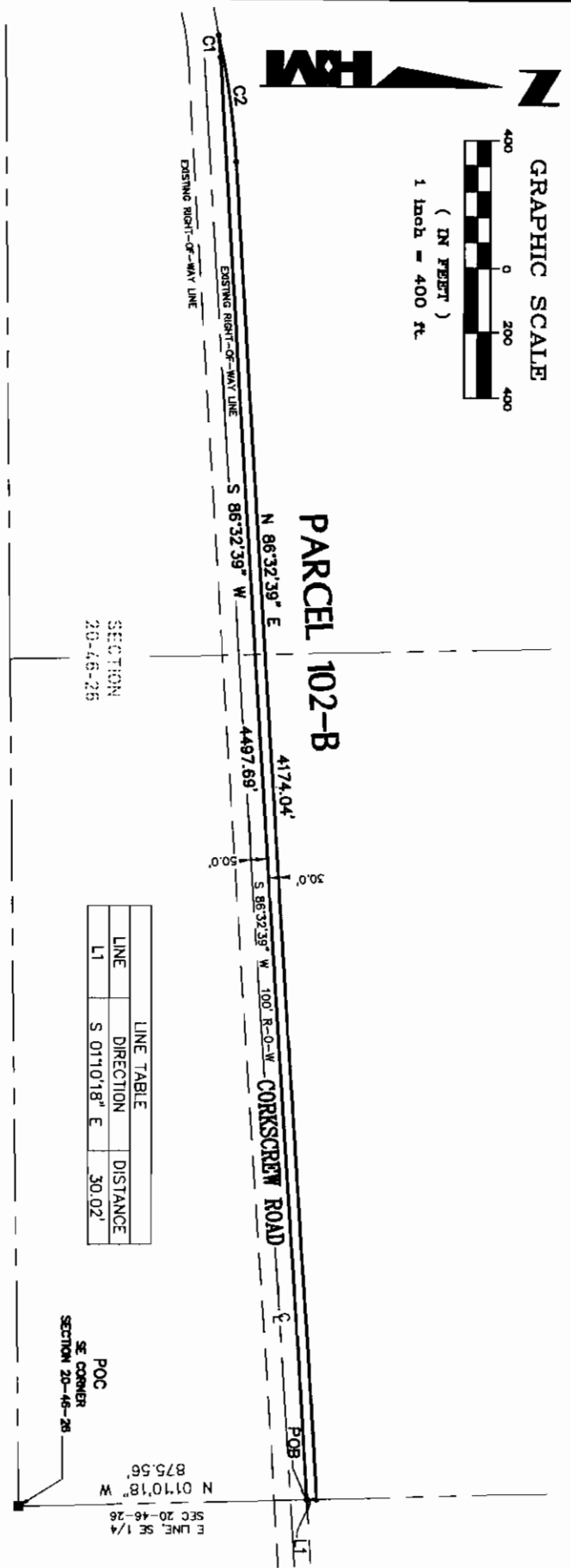
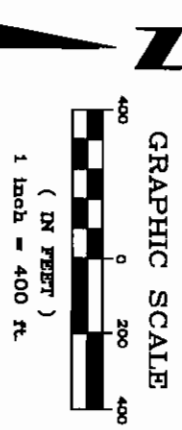


Jerry L. Riffelmacher
TERRY L. RIFFELMACHER

P.S.M. #6130
STATE OF FLORIDA

Exhibit "A"

Page 2 of 6



CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	870.17'	68.25'	68.23'	S 84°17'50" W	04°29'38"
C2	2380.00'	394.83'	394.38'	N 81°47'30" E	09°30'18"

SECTION
20-46-26

LINE	DIRECTION	DISTANCE
L1	S 01°10'18" E	30.02'

POC
SE CORNER
SECTION 20-46-26

E LINE, SE 1/4
SEC 20-46-26
N 01°10'18" W
875.56'

LEGEND

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING

* NOT A SURVEY *

PARCEL # 102-B
TOTAL AREA PARCEL # 102-B: 3.048 ACRES ±
STRAP # 19-46-26-00-00001.0000
REFERENCE: O.R. 3825/P.G. 2680
OWNER: ALDO-AGRI LTD. 639.79 ACRES ±
AREA OF TAKE: 0.524 ACRES ±
AREA OF REMAINDER: 829.27 ACRES ±
STRAP # 20-46-26-00-00001.0000
REFERENCE: O.R. 3825/P.G. 2680
OWNER: ALDO-AGRI LTD.
AREA OF PARENT PARCEL (BEST TAKE): 550.92 ACRES ±
AREA OF PARENT PARCEL (EAST TAKE): 3.048 ACRES ±
AREA OF PARCEL 102-B (EAST TAKE): 547.60 ACRES ±
TOTAL AREA OF OWNER PARCEL: 1,177.138 ACRES ±
TOTAL AREA OF TAKE: 3.048 ACRES ±
TOTAL AREA OF REMAINDER: 1,175.293 ACRES ±

PARTY CHIEF:	DATE:	<p>HWM HOLE MONTES ENGINEERS PLANNERS SURVEYORS</p>	<p>950 Encore Way Naples, FL 34110 Phone: (941) 254-2000 Florida Certificate of Authorization No. 1772</p>
DRAWN BY:	DATE:		
CHECKED BY:	DATE:		
J.R.	1/04		
<p>PROJECT NO: 1999132</p>		<p>NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</p>	
<p>SKETCH AND LEGAL DESCRIPTION</p>		<p>PROJECT NO: 1999132</p>	

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTIONS 19 AND 30, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.01°09'59"W., ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, FOR A DISTANCE OF 189.81 FEET TO A POINT 30.00 FEET SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.01°09'59"W., ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, FOR A DISTANCE OF 33.69 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD; THENCE RUN S.61°46'58"W., ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, FOR A DISTANCE OF 1480.40 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.01°12'28"E., ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 30, FOR A DISTANCE OF 33.67 FEET TO A POINT 30.00 FEET SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD; THENCE RUN N.61°46'58"E., PARALLEL WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, FOR A DISTANCE OF 1480.38 FEET TO THE POINT OF BEGINNING; CONTAINING 1.020 ACRE, MORE OR LESS.

BEARINGS REFER TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING N.01°09'59"W.

HOLE MONTES, INC.

CERTIFICATION OF AUTHORIZATION LB #1772

BY  P.S.M. #6130
JERRY L. RUFFELMACHER STATE OF FLORIDA



Exhibit "A"

Page 5 of 6

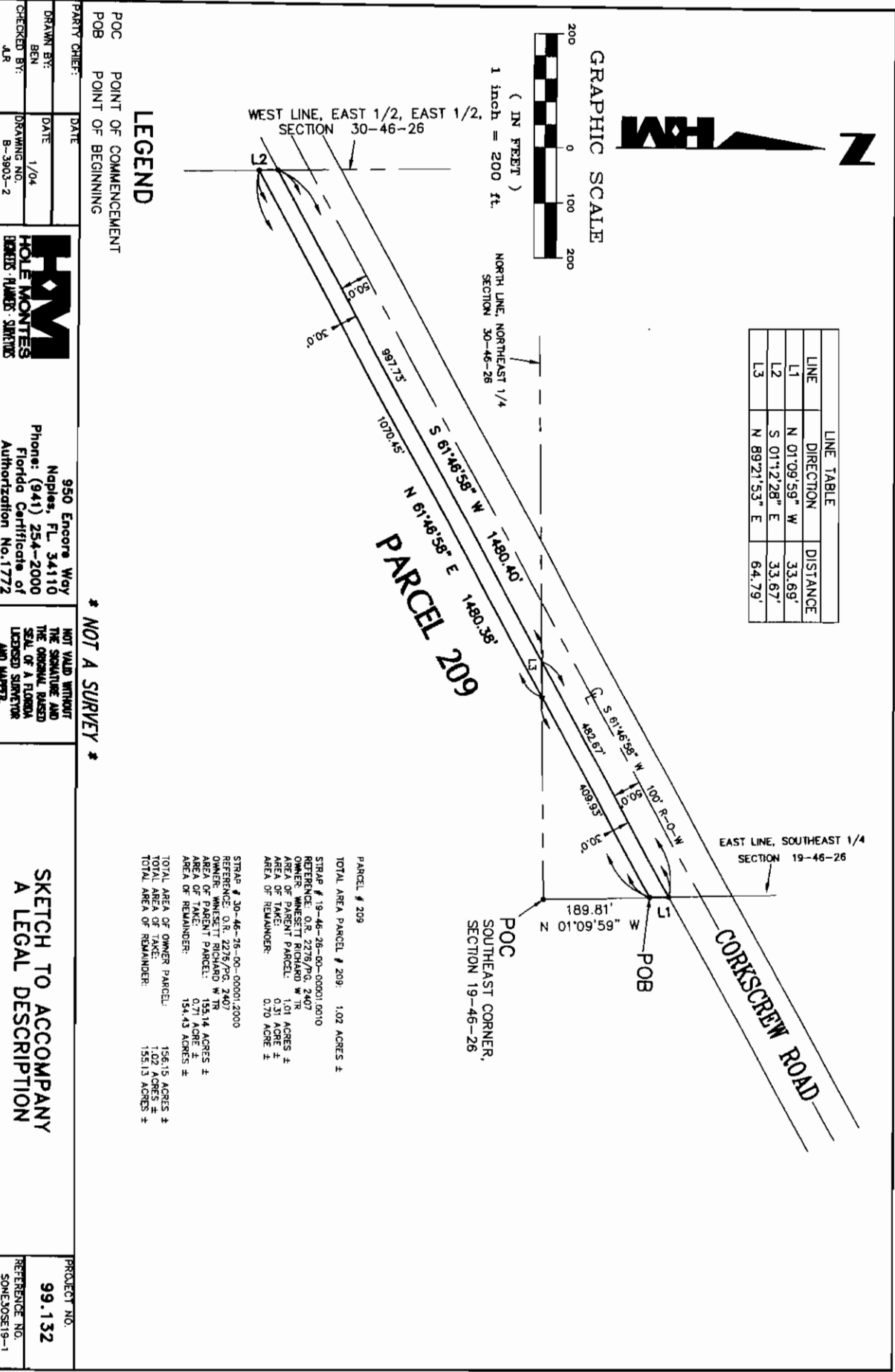


Exhibit "A"

Page 6 of 6

PARTY CHIEF: _____ DATE: _____
 DRAWN BY: BEN DATE: 1/04
 CHECKED BY: AR DRAWING NO. B-3903-2
 HOLE MONTES BENEFITS TRUSTS
 950 Encore Way Naples, FL 34110 Phone: (941) 254-2000 Florida Certificate of Authorization No.1772
 NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
 PROJECT NO. 99.132
 REFERENCE NO. SDNE30SE19-1



950 Encore Way • Naples, Florida 34110 • Phone: 239.254.2000 • Fax: 239.254.2075

HM PROJECT #1999132
1/14/2004
PARCEL 102A-SE
REF. DWG. #B-4377

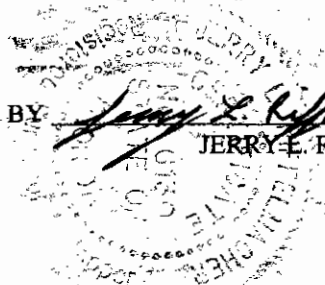
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.01°09'59"W., ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, FOR A DISTANCE OF 335.78 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY; THENCE RUN N.61°46'58"E., ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 475.58 FEET TO A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 870.17 FEET THROUGH A CENTRAL ANGLE OF 04°29'38", SUBTENDED BY A CHORD OF 68.23 FEET AT A BEARING OF N.64°01'47"E., FOR A DISTANCE OF 68.25 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING THE BEGINNING OF A CONCENTRIC CIRCULAR CURVE, CONCAVE SOUTHERLY; THENCE RUN NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 870.17 FEET THROUGH A CENTRAL ANGLE OF 06°13'11", SUBTENDED BY A CHORD OF 94.41 FEET AT A BEARING OF N.69°23'11"E., FOR A DISTANCE OF 94.46 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS S.16°26'41"E., A DISTANCE OF 2,385.00 FEET THEREFROM; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2,385.00 FEET THROUGH A CENTRAL ANGLE OF 07°39'07", SUBTENDED BY A CHORD OF 318.29 FEET AT A BEARING OF S.69°43'45"W., FOR A DISTANCE OF 318.52 FEET TO THE END OF SAID CURVE; THENCE RUN S.24°05'48"E., FOR A DISTANCE OF 5.00 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS S.24°05'48"E., A DISTANCE OF 2,380.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2,380.00 FEET THROUGH A CENTRAL ANGLE OF 05°23'04", SUBTENDED BY A CHORD OF 223.58 FEET AT A BEARING OF N.68°35'44"E., FOR A DISTANCE OF 223.67 FEET TO THE POINT OF BEGINNING; CONTAINING 1,304.12 SQUARE FEET, MORE OR LESS.

BEARINGS REFER TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY, AS BEING N.61°46'58"E.

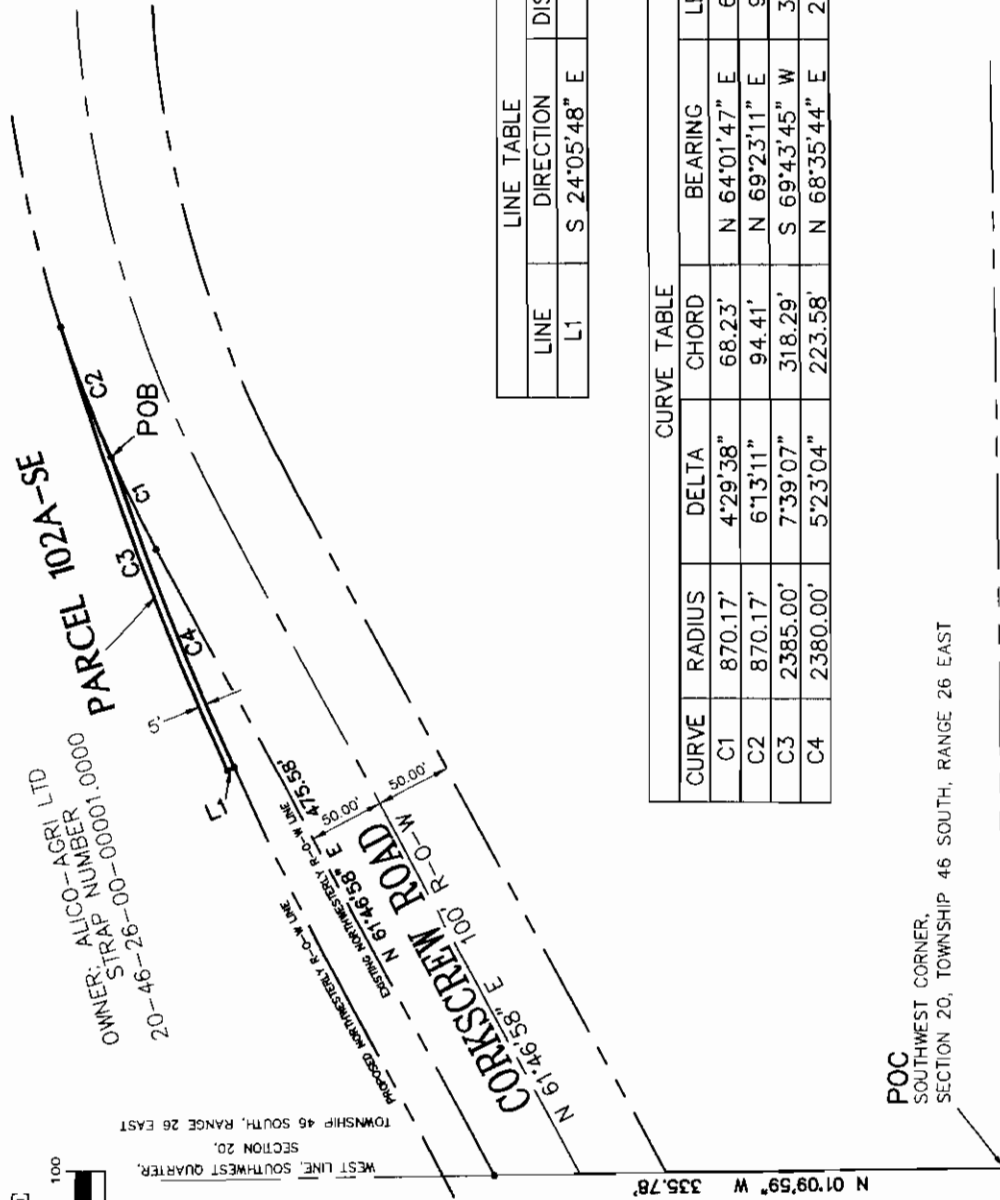
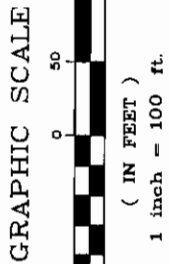
HOLE MONTES, INC.
CERTIFICATION OF AUTHORIZATION LB #1772



BY: Jerry E. Riffelmacher P.S.M. #6130
JERRY E. RIFFELMACHER STATE OF FLORIDA

Exhibit "B"

Page 1 of 6



LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S 24°05'48" E	5.00'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD	BEARING	LENGTH
C1	870.17'	4°29'38"	68.23'	N 64°01'47" E	68.25'
C2	870.17'	6°13'11"	94.41'	N 69°23'11" E	94.46'
C3	2385.00'	7°39'07"	318.29'	S 69°43'45" W	318.52'
C4	2380.00'	5°23'04"	223.58'	N 68°35'44" E	223.67'

POC
SOUTHWEST CORNER,
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST

LEGEND

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING

PARTY CHIEF:	DATE
DRAWN BY: BEN	DATE 1/04
CHECKED BY: J.L.R.	DRAWING NO. B-4377



950 Encore Way
Naples, FL 34110
Phone: (941) 254-2000
Florida Certificate of
Licensed Surveyor
Authorization No.1772

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

**SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION**

*** NOT A SURVEY ***

PROJECT NO.
99.132
REFERENCE NO.
DET2



950 Encore Way • Naples, Florida 34110 • Phone: 239.254.2000 • Fax: 239.254.2075

HM PROJECT #1999132
1/14/2004
PARCEL 102B-SE
REF. DWG. #B-4378

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN N.01°09'59"W., ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, FOR A DISTANCE OF 335.78 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY; THENCE RUN N.61°46'58"E., ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 475.58 FEET TO A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD AND ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 870.17 FEET THROUGH A CENTRAL ANGLE OF 14°02'52", SUBTENDED BY A CHORD OF 212.82 FEET AT A BEARING OF N.68°48'24"E., FOR A DISTANCE OF 213.35 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING THE BEGINNING OF A CONCENTRIC CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD AND ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 870.17 FEET, THROUGH A CENTRAL ANGLE OF 06°13'11", SUBTENDED BY A CHORD OF 94.41 FEET AT A BEARING OF N.78°56'26"E., FOR A DISTANCE OF 94.46 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS S.12°57'39"E. A DISTANCE OF 2380.00 FEET THEREFROM; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2380.00 FEET THROUGH A CENTRAL ANGLE OF 09°30'18", SUBTENDED BY A CHORD OF 394.38 FEET AT A BEARING OF N.81°47'30"E., FOR A DISTANCE OF 394.83 FEET TO THE END OF SAID CURVE; THENCE RUN N.86°32'39"E., FOR A DISTANCE OF 19.00 FEET; THENCE RUN N.03°42'13"W., FOR A DISTANCE OF 5.00 FEET; THENCE RUN S.86°32'39"W., FOR A DISTANCE OF 18.98 FEET TO A POINT ON A TANGENTIAL CIRCULAR CURVE, CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2385.00 FEET, THROUGH A CENTRAL ANGLE OF 11°46'21", SUBTENDED BY A CHORD OF 489.19 FEET AT A BEARING OF S.80°39'28"W., FOR A DISTANCE OF 490.05 FEET TO THE POINT OF BEGINNING; CONTAINING 2,255.78 SQUARE FEET, MORE OR LESS.

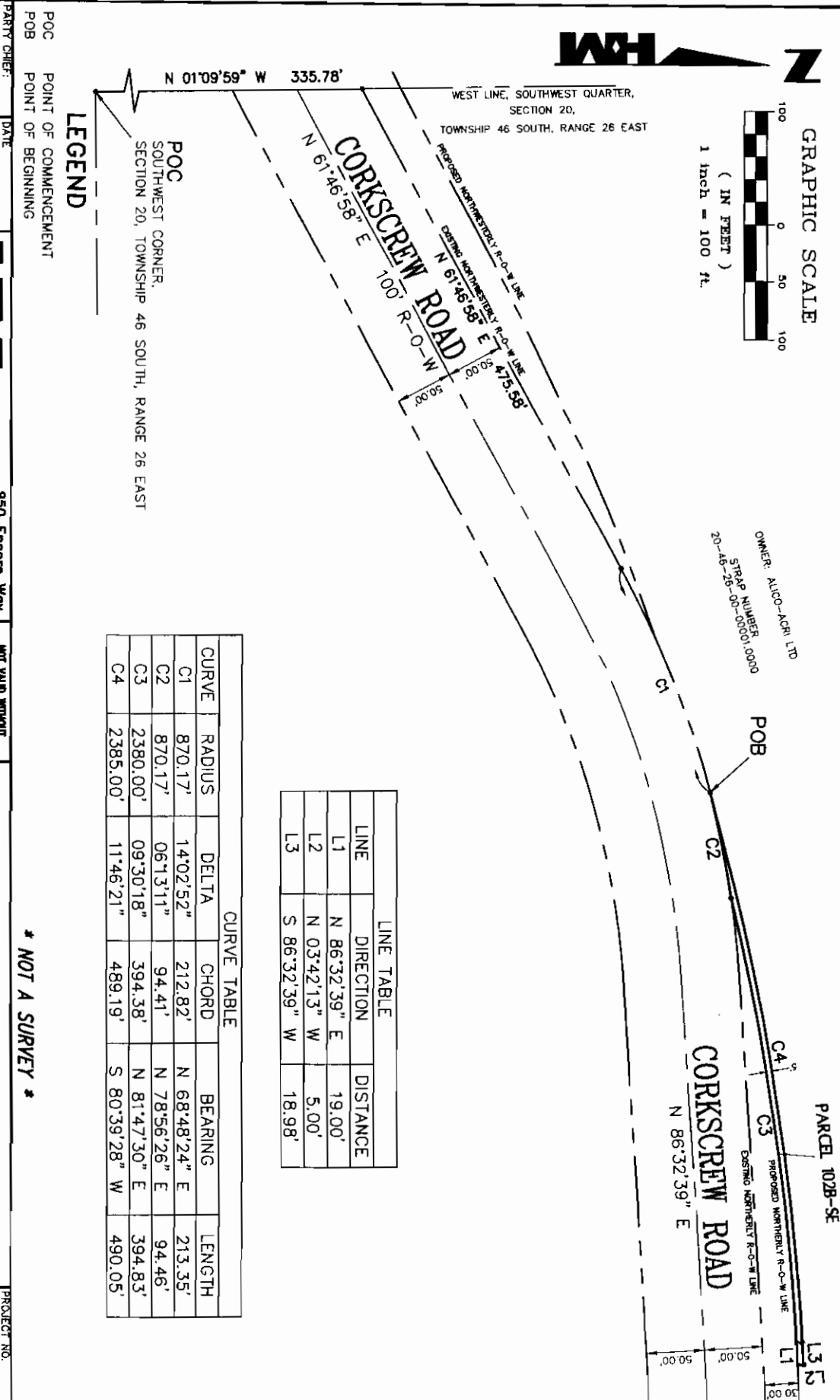
BEARINGS REFER TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY, AS BEING N.61°46'58"E.

HOLE MONTES, INC.
CERTIFICATION OF AUTHORIZATION LB #1772

BY:  P.S.M. #6130
JERRY L. RIFFELMACHER STATE OF FLORIDA

Exhibit "B"

Page 3 of 6



LINE	DIRECTION	DISTANCE
L1	N 86°32'39" E	19.00'
L2	N 03°42'13" W	5.00'
L3	S 86°32'39" W	18.98'

CURVE	RADIUS	DELTA	CHORD	BEARING	LENGTH
C1	870.17'	14°02'52"	212.82'	N 68°48'24" E	213.35'
C2	870.17'	06°13'11"	94.41'	N 78°56'26" E	94.46'
C3	2380.00'	09°30'18"	394.38'	N 81°47'30" E	394.83'
C4	2385.00'	11°46'21"	489.19'	S 80°39'28" W	490.05'

* NOT A SURVEY *

Exhibit "B"

Page 4 of 6

DRAWN BY: BEN CHECKED BY: J.R.	DATE: 1/04 DRAWING NO. B-4378	HWM HOLE MONTESSE IDENTIS - PLANNERS - SURVEYORS 950 Engage Way Naples, FL 34110 Phone: (941) 254-2000 Florida Certificate of Authorization No. 1772	NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	PROJECT NO. 99.132 REFERENCE NO. DE13
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SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION

LEGAL DESCRIPTION

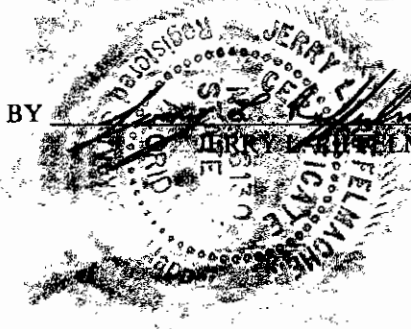
A PARCEL OF LAND LOCATED IN SECTION 30, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

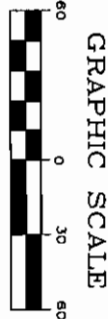
COMMENCE AT THE NORTHEAST CORNER OF TRACT B, WILDCAT RUN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36 AT PAGES 30 THROUGH 43 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE SAME BEING A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY; THENCE RUN S.01°12'28"E., ALONG THE BOUNDARY OF SAID TRACT B, FOR A DISTANCE OF 33.67 FEET TO A POINT LYING 30.00 FEET SOUTHEASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, THE SAME BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.61°46'58"E., PARALLEL WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 162.97 FEET; THENCE RUN S.28°13'02"E., FOR A DISTANCE OF 5.00 FEET; THENCE RUN S.61°46'58"W., PARALLEL WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 165.52 FEET TO A POINT ON THE BOUNDARY OF SAID TRACT B; THENCE RUN N.01°12'28"W., ALONG THE BOUNDARY OF SAID TRACT B FOR A DISTANCE OF 5.61 FEET TO THE POINT OF BEGINNING; CONTAINING 821.24 SQUARE FEET, MORE OR LESS.

BEARINGS REFER TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY, AS BEING N.61°46'58"E.

HOLE MONTES, INC.
CERTIFICATION OF AUTHORIZATION LB #1772

BY  P.S.M. #6130
JERRY ELMACHER STATE OF FLORIDA





LEGEND

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING

PARTY CHIEF:	DATE
DRAWN BY:	DATE
CHECKED BY:	DRAWING NO.
MR	9-4374



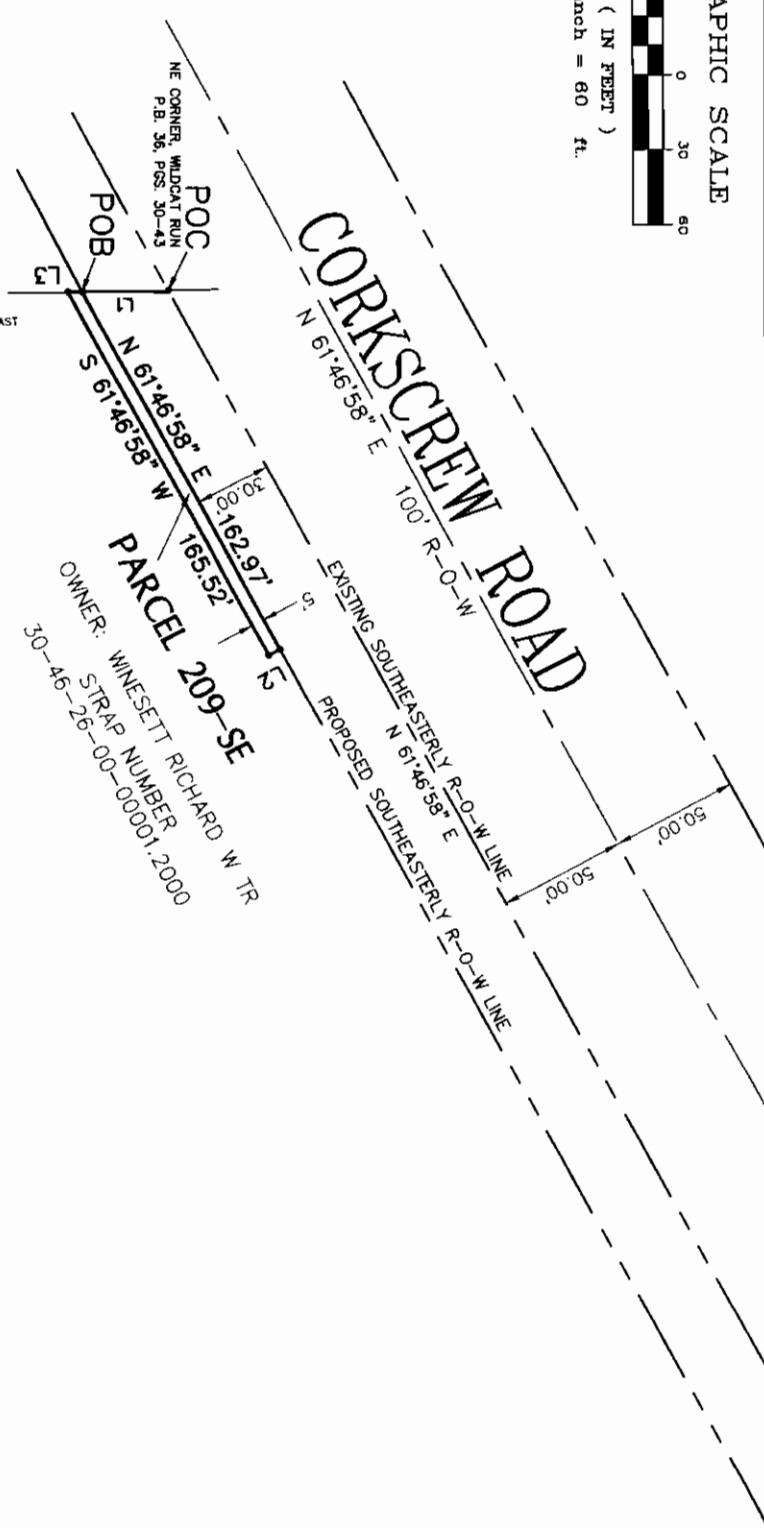
950 Encore Way
Naples, FL 34110
Phone: (941) 254-2000
Florida Certificate of
Authorization No. 1772

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

SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION

PROJECT NO.
99.132
REFERENCE NO.
DE11

WEST LINE, EAST ONE HALF, EAST ONE HALF,
SECTION 30, TOWNSHIP 46 SOUTH, RANGE 26 EAST



LINE	DIRECTION	DISTANCE
L1	S 01°12'28" E	33.67'
L2	S 28°13'02" E	5.00'
L3	N 01°12'28" W	5.61'

* NOT A SURVEY *

Exhibit "B"

Page 6 of 6



HM PROJECT #1999132
1/14/2004
PARCEL 102A-TCE
REF. DWG. #B-4375

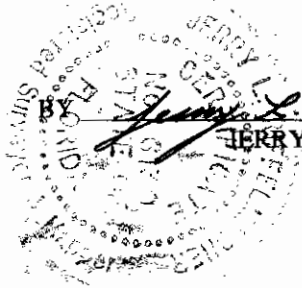
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°21'53"W., ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19 FOR A DISTANCE OF 710.65 FEET, TO A POINT LYING 30.00 FEET NORTHWESTERLY OF AS MEASURED AT RIGHT ANGLES TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY; THENCE RUN N.61°46'58"E., PARALLEL WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 164.42 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.28°13'02"W., FOR A DISTANCE OF 42.79 FEET; THENCE RUN N.61°46'58"E., PARALLEL WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 58.56 FEET; THENCE RUN S.28°13'02"E., FOR A DISTANCE OF 42.79 FEET; THENCE RUN S.61°46'58"W., PARALLEL WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 58.56 FEET TO THE POINT OF BEGINNING; CONTAINING 2,505.97 SQUARE FEET, MORE OR LESS.

BEARINGS REFER TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY, AS BEING N.61°46'58"E.

HOLE MONTES, INC.
CERTIFICATION OF AUTHORIZATION LB #1772

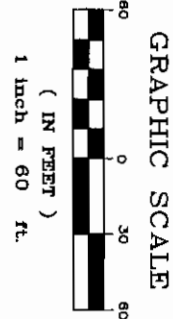


Jerry L. Riffelmacher
JERRY L. RIFFELMACHER

P.S.M. #6130
STATE OF FLORIDA

Exhibit "C"

Page 1 of 4



LEGEND

POC POINT OF COMMENCEMENT
 POB POINT OF BEGINNING

PARTY CHIEF:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DRAWING NO.:
ALP	9-4375

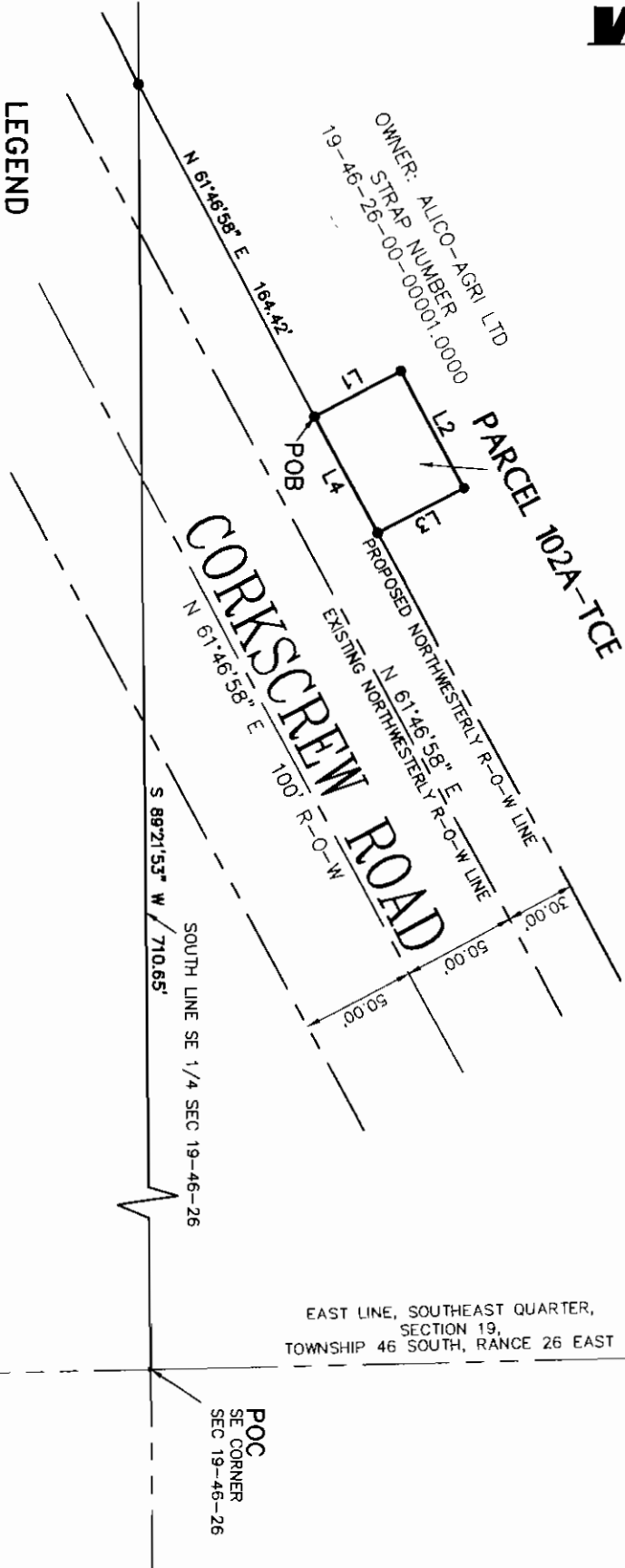


950 Enclave Way
 Naples, FL 34110
 Phone: (841) 254-2000
 Florida Certificate of
 Authorization No. 1772

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 AND MAPPER.

SKETCH TO ACCOMPANY
 A LEGAL DESCRIPTION

PROJECT NO.
99.132
 REFERENCE NO.
 COND6



LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N 28°13'02" W	42.79'
L2	N 61°46'58" E	58.56'
L3	S 28°13'02" E	42.79'
L4	S 61°46'58" W	58.56'

EAST LINE, SOUTHEAST QUARTER,
 SECTION 19,
 TOWNSHIP 46 SOUTH, RANCE 26 EAST

POC
 SE CORNER
 SEC 19-46-26

* NOT A SURVEY *

Exhibit "C"

Page 2 of 4

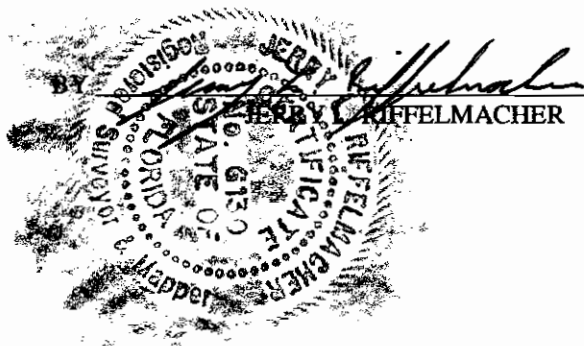
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 30, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 30, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°21'53"W. ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30 FOR A DISTANCE OF 365.09 FEET, TO A POINT LYING 30.00 FEET SOUTHEASTERLY OF AS MEASURED AT RIGHT ANGLES TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY; THENCE RUN S.61°46'58"W., PARALLEL TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 95.86 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN S.28°13'02"E., FOR A DISTANCE OF 26.20 FEET; THENCE RUN S.61°46'58"W., PARALLEL TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD FOR A DISTANCE OF 38.52 FEET; THENCE RUN N.28°13'02"W., FOR A DISTANCE OF 26.20 FEET; THENCE RUN N.61°46'58"E., PARALLEL TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID CORKSCREW ROAD, FOR A DISTANCE OF 38.52 FEET TO THE POINT OF BEGINNING; CONTAINING 1,009.20 SQUARE FEET, MORE OR LESS.

BEARINGS REFER TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A 100.00 FOOT RIGHT-OF-WAY, AS BEING N.61°46'58"E.

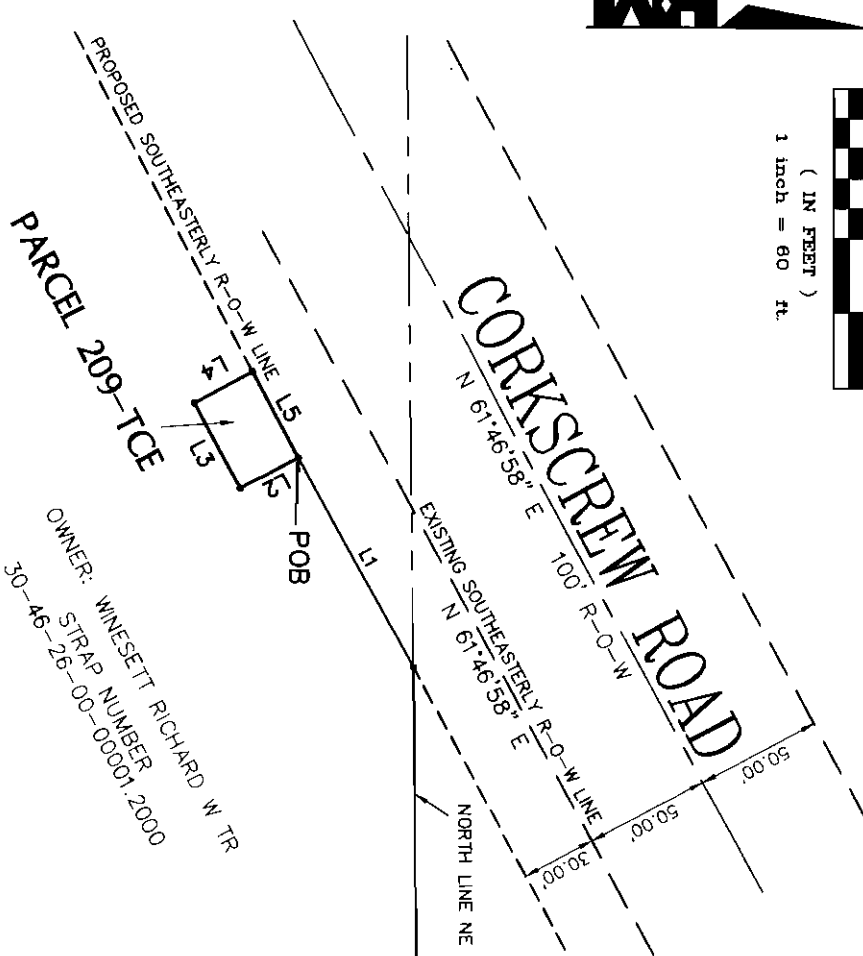
HOLE MONTES, INC.
CERTIFICATION OF AUTHORIZATION LB #1772



P.S.M. #6130
STATE OF FLORIDA

Exhibit "C"

Page 3 of 4



LEGEND

POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING

LINE	DIRECTION	DISTANCE
L1	S 61°46'58" W	95.86'
L2	S 28°13'02" E	26.20'
L3	S 61°46'58" W	38.52'
L4	N 28°13'02" W	26.20'
L5	N 61°46'58" E	38.52'

* NOT A SURVEY *

PARTY CHIEF:	DATE
DRAWN BY:	DATE
CHECKED BY:	DRAWING NO.
JLR	1/04
	B-4376



950 Encore Way
Naples, FL 34110
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AND MAPPER.

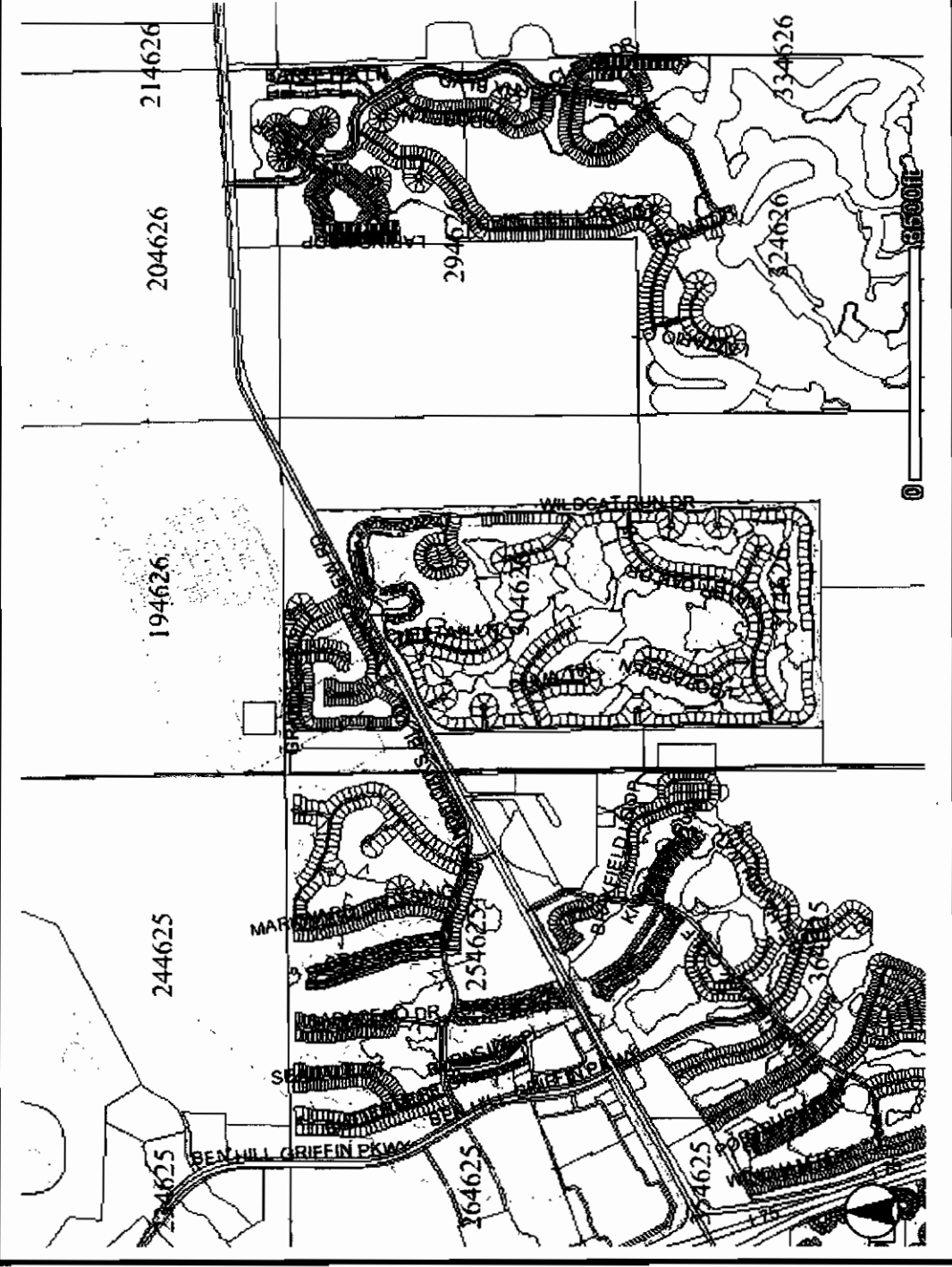
SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION

PROJECT NO.
99.132
REFERENCE NO.
CON07

Exhibit "C"

Page 4 of 4

Corkscrew Road CRSA/MSBU, No. 4723



Legend

- Parcels
- Parcel Hooks
- Hydro Features
- Road Center Line
- Township Range Lines
- Township Range Labels
- Section Lines
- City Limits
- Bonita Springs
- Cape Coral
- Fort Myers
- Sanibel
- Town of Fort Myers Beach