

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

**Blue Sheet No.  
20070625**

**1. ACTION REQUESTED/PURPOSE:** Approve the amended Resolution of Necessity which revised the legal description and interest rights for parcels 306 and 306SE and added the legal description and interest rights for parcels 408 and 411 for the acquisition and condemnation required for the Bonita Beach Road Widening – Phase II Project No 5720.

**2. FUNDING SOURCE:** No funds required.

**3. WHAT ACTION ACCOMPLISHES:** Allows the County to proceed with condemnation, if necessary, so these parcels can be acquired for the Bonita Beach Road Widening Project – Phase II from Lime Street west to Old 41 Road.

**4. MANAGEMENT RECOMMENDATION:** Approve

<b>5. Departmental Category:</b> 06		<b>A12B</b>	<b>6. Meeting Date:</b> 05-01-2007	
<b>7. Agenda:</b>		<b>8. Requirement/Purpose: (specify)</b>		<b>9. Request Initiated:</b>
<input type="checkbox"/> Consent		<input type="checkbox"/> Statute 73,74,125,127		<b>Commissioner</b>
<input checked="" type="checkbox"/> Administrative		<input type="checkbox"/> Ordinance		<b>Department</b> Count Attorney
<input type="checkbox"/> Appeals		<input type="checkbox"/> Admin. Code		<b>Division</b> Litigation
<input type="checkbox"/> Public		<input type="checkbox"/> Other Blue Sheet 20061400		<b>By:</b> John J. Renner
<input type="checkbox"/> Walk-On		Resolution of Necessity 06-10-43		Chief Assistant County Attorney

**10. Background:** The Bonita Beach Road Widening Project – Phase II will improve traffic flow and transportation safety for public as well as private vehicles, and improvement of evacuation routes by widening to a six-lane roadway providing sidewalk, bike path, storm water drainage and utilities from Lime Street west to Old 41 Road.

The Bonita Beach Road Widening Project – Phase II parcels were requested of the BOCC via Resolution of Necessity 06-10-43 and approved on Blue Sheet 20061400 (A12C) on October 31, 2006. We require the revision of four parcels 306, 306SE, 408 (West Brook Drive) and 411 (East Brook Drive).

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

**Attachments:** Amended Resolution of Necessity

**11. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
					RK4/17	WOB 4/18/07	4/17/07		

**12. Commission Action:**

- Approved
- Deferred
- Denied
- Other

CO. ATTY.  
FORWARDED  
TO CO. ADMIN.  
4-17-06  
9:18 AM

RECEIVED BY COUNTY ADMIN:
4-17-07
10 AM
COUNTY ADMIN FORWARDED TO:
4/19
9 AM

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

**WHEREAS**, The Board of County Commissioners of Lee County, Florida, has adopted the Resolution of Necessity 07-02-29 authorizing the exercise of the power of eminent domain to acquire the necessary property interests to construct the Bonita Beach Road Widening Project No. 5720, and it is necessary to acquire the subject property for this purpose, and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY**

**COMMISSIONERS OF LEE COUNTY FLORIDA, that:**

Lee County Resolution of Necessity 07-02-29 is amended to reflect changes to the legal description and interest rights to be condemned for parcel 306 and 306SE and to add the legal description for parcels 408 and 411 to reflect as follows:

Fee Simple Interest – Parcel 306, 408 and 411

Slope Easement Interest – Parcel 306SE

**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 the slope easement interest described in the attached Exhibit B are necessary for the Bonita Beach Road Widening Project – Phase II and is being acquired for the following specific public use or purpose:

To improve traffic flow and transportation safety for public as well as private vehicles and improvement of evacuation routes by widening to a six-lane roadway provides sidewalk, bike path, storm water drainage and utilities from Lime Street west to Old 41 Road.

Exhibit A consists of Parcel 306, 408 and 411 and Exhibit B consists of Parcel 306SE.

**SECTION TWO: AUTHORITY AND ESTATE**

By virtue of the authority granted to the Board of County Commissioners of Lee County by Chapters 73, 74, 125 and 127, Florida Statutes, and all other statutory or common law which grant to the Board of County Commissioners the power to institute and proceed with acquiring property under the exercise of the power of eminent domain, the Board of County Commissioners hereby authorizes and directs the County Attorney's Office to commence and prosecute any and all proceedings necessary to acquire in fee simple the property described in Exhibit A and the slope easement interest described in Exhibit 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 P. Janes	_____
Brian Bigelow	_____
Ray Judah	_____
Tammara A. Hall	_____
Franklin Mann	_____

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Office of County Attorney

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 306  
SECTION 35, TOWNSHIP 47 SOUTH, RANGE 25 EAST**

**Exhibit "A"**

**PARCEL 306**

A PARCEL OF LAND LYING IN SECTION 35, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA ALSO BEING A PORTION OF LOT 23 BONITA FARMS, PLAT BOOK 3, PAGE 27, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2532, PAGE 1937 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 35, BEING A FOUND ALUMINUM DISK STAMPED "MCKEE LB 5093", BEING P.I. STATION 392+09.91 BONITA BEACH ROAD - C.R. 865; THENCE S89°33'16"W, ALONG SAID BASE LINE A DISTANCE OF 520.02 FEET TO STATION 386+89.89; THENCE LEAVING SAID BASE LINE N01°22'16"W A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT OF WAY LINE AND THE POINT OF BEGINNING: THENCE S89°33'16"W, ALONG SAID NORTH RIGHT OF WAY LINE OF BONITA BEACH ROAD A DISTANCE OF 139.98 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE N01°22'16"W A DISTANCE OF 14.20 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 6054.67 FEET, A DELTA OF 01°08'37", A CHORD OF 120.85 FEET AND A CHORD BEARING OF N87°10'48"E, THENCE ALONG SAID CURVE AN ARC DISTANCE OF 120.85 FEET; THENCE N42°52'17"E A DISTANCE OF 27.44 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF HAROLD STREET; THENCE ALONG SAID RIGHT OF WAY LINE S01°22'16"E A DISTANCE OF 39.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 2601 SQUARE FEET, MORE OR LESS.

AREA OF REMAINDER: 14197 SQUARE FEET, MORE OR LESS.  
AREA OF PARENT TRACT: 16798 SQUARE FEET, MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF BONITA BEACH ROAD, HAVING A BEARING OF N89°33'16"E FROM P.I. STATION 365+63.83 BEING AN ALUMINUM DISK STAMPED "MCKEE LB 5093" TO P.I. STATION 392+09.91 BEING AN ALUMINUM DISK STAMPED "MCKEE LB 5093"

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

*[Signature]* 4/16/07  
BOB L. POTTER, P.S.M. DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

**THIS IS NOT A SURVEY SHEET 1 OF 2**

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

**AIM Engineering & Surveying, Inc.**



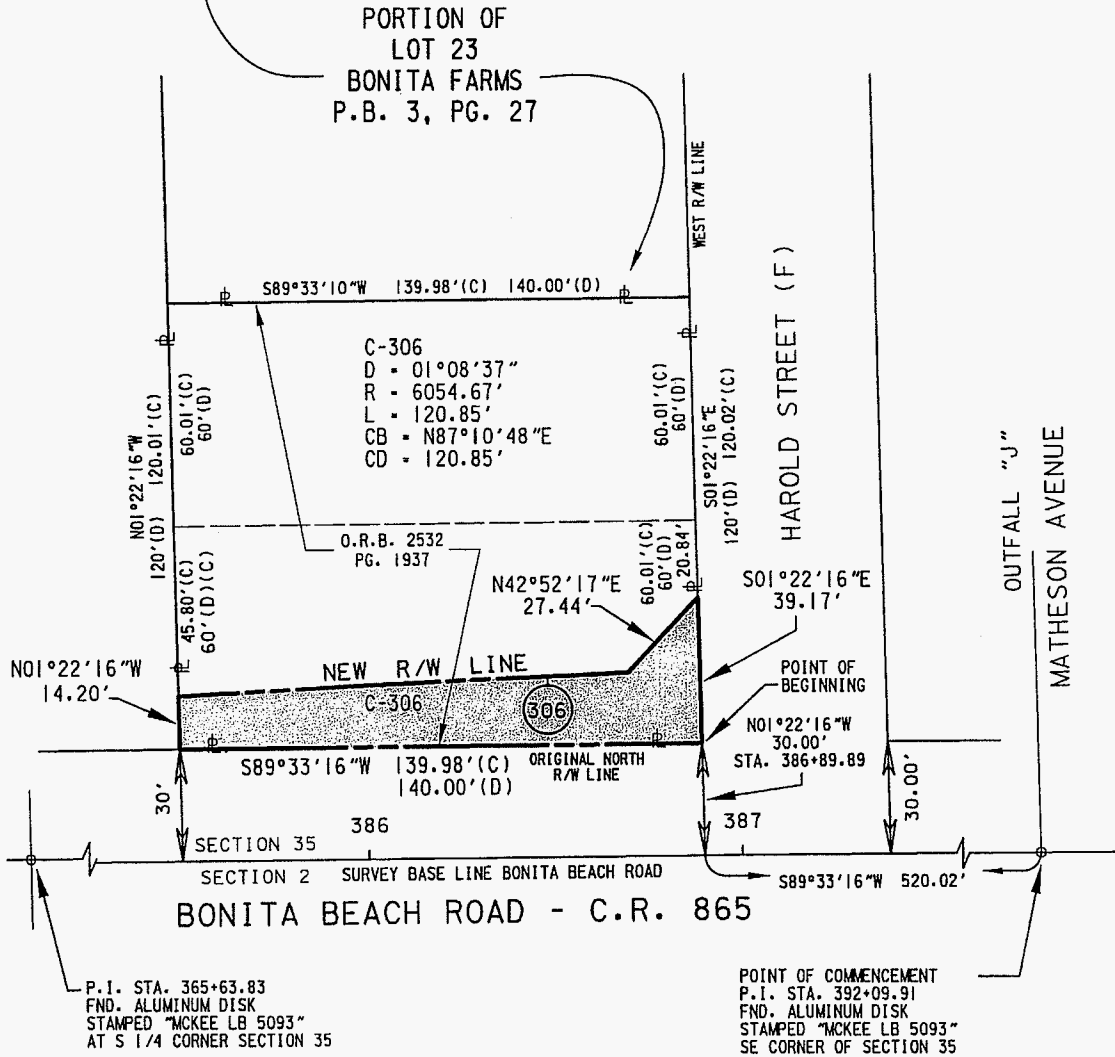
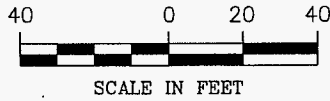
5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

Licensed Business Number 3114

PROJECT NUMBER: 04-8574	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 306 BONITA BEACH ROAD
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 03-27-07	SEC-TWP-RGE: 35-47S-25E
FILE: NEW PARCEL 306	COUNTY: LEE COUNTY

LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
 PARCEL 306  
 SECTION 35, TOWNSHIP 47 SOUTH, RANGE 25 EAST

Exhibit "A"



LEGEND

- CB = CHORD BEARING
- CD = CHORD DISTANCE
- D = DELTA
- FND. = FOUND
- L = ARC LENGTH
- PG. = PAGE
- R = RADIUS
- (D) = DEED DATA
- (F) = FIELD
- P.I. = POINT OF INTERSECTION

LEGEND

- P.B. = PLAT BOOK
- R/W = RIGHT-OF-WAY
- STA. = STATION
- (C) = CALCULATED
- [Pattern] = LEGAL AND SKETCH AREA
- [Line] = PROPERTY LINE
- O.R.B. = OFFICIAL RECORDS BOOK
- C.R. = COUNTY ROAD

AIM Engineering & Surveying, Inc.



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icensed Business Number 3114

THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER: 04-8574	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 306 BONITA BEACH ROAD
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 03-27-07	SEC-TWP-RGE 35-47S-25E
FILE: NEW PARCEL 306	COUNTY: LEE COUNTY

**LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
PARCEL 408  
SECTION 1, TOWNSHIP 48 SOUTH, RANGE 25 EAST**

**Exhibit "A"**

**PARCEL 408**

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, ALSO BEING A PORTION OF WEST BROOK DRIVE, A 60 FOOT RIGHT OF WAY AS SHOWN ON THE UNRECORDED PLAT OF BROOKSIDE ESTATES, UNRECORDED PLAT BOOK 1, PAGE 35 AND DEED BOOK 307, PAGE 323, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 1, BEING A FOUND ALUMINUM DISK STAMPED "MCKEE LB 5093", ALSO BEING P.I. STATION 392+09.91 BONITA BEACH ROAD - C.R. 865; THENCE N89°25'48"E, ALONG SAID BASE LINE, A DISTANCE OF 280.28 FEET TO STATION 394+30.19, BONITA BEACH ROAD - C.R. 865; THENCE LEAVING SAID BASE LINE S00°41'08"E, A DISTANCE OF 70.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF BONITA BEACH ROAD; THENCE CONTINUE S00°41'08"E ALONG THE WEST RIGHT OF WAY LINE OF WEST BROOK DRIVE, A DISTANCE OF 6.42 FEET TO THE MAINTAINED RIGHT OF WAY LINE OF BONITA BEACH ROAD - C.R. 865, DETERMINED BY LEE COUNTY DEPARTMENT OF TRANSPORTATION OPERATIONS ON MARCH 29th, 2007 AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED; THENCE S83°40'55"E ALONG SAID MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 54.82 FEET; THENCE ALONG SAID RIGHT OF WAY LINE N52°48'55"E, A DISTANCE OF 4.48 FEET; THENCE N88°55'54"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1.99 FEET TO THE EAST RIGHT OF WAY LINE OF WEST BROOK DRIVE; THENCE S00°41'08"E ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 47.98 FEET; THENCE LEAVING SAID EAST RIGHT OF WAY LINE N89°31'08"W, A DISTANCE OF 60.01 FEET TO THE WEST RIGHT OF WAY LINE OF WEST BROOK DRIVE; THENCE N00°41'08"W ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 50.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 2873 SQUARE FEET, MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF BONITA BEACH ROAD, HAVING A BEARING OF N89°25'48"E FROM P.I. STATION 392+09.91 BEING A FOUND ALUMINUM DISK STAMPED "MCKEE LB 5093" TO P.I. STATION 418+53.68 BEING A FOUND ALUMINUM DISK STAMPED "PLS 3955 1/4 COR."

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

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

*Bob L. Potter* 4/2/07  
BOB L. POTTER, P.S.M. DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

**AIM Engineering & Surveying, Inc.**



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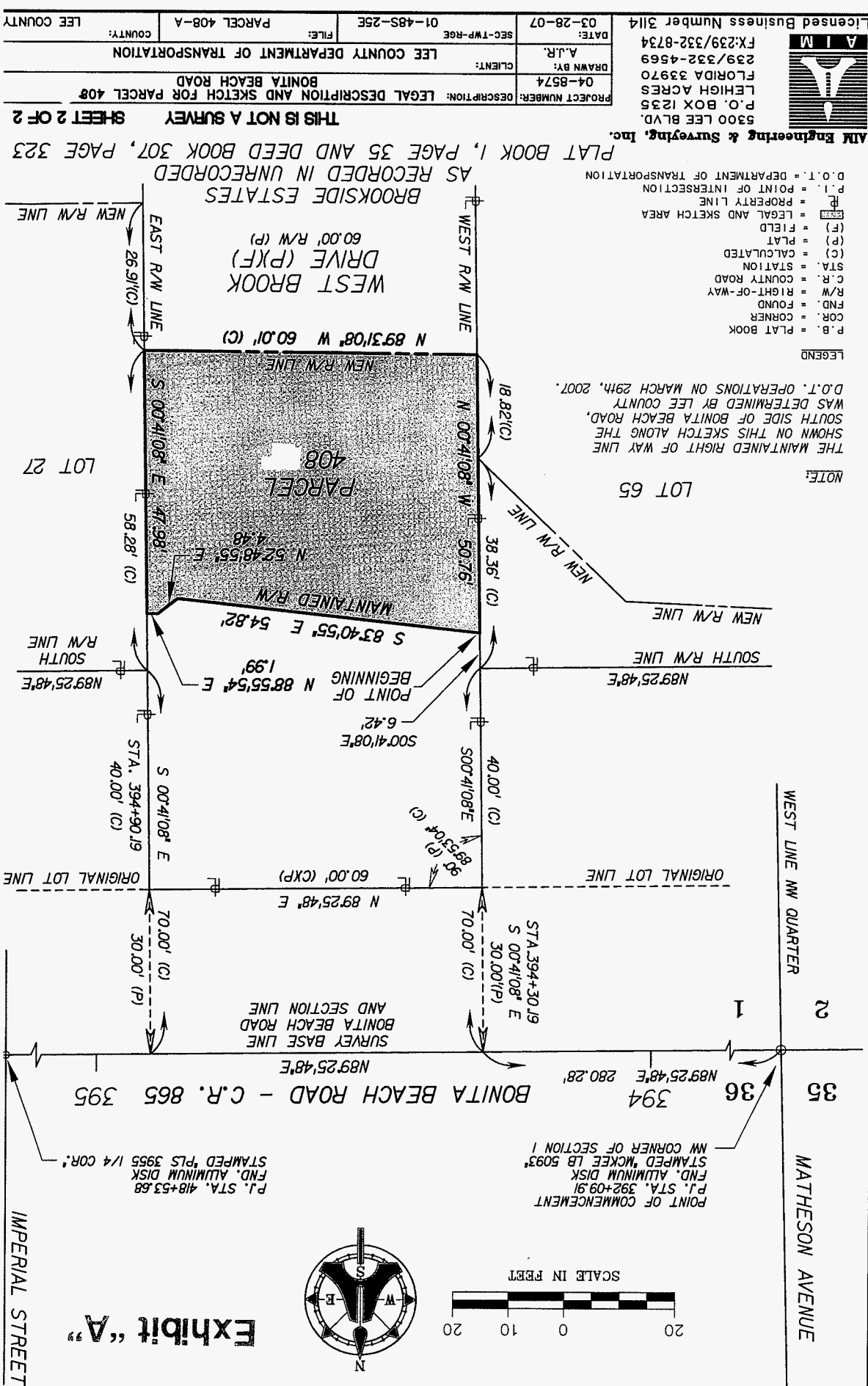
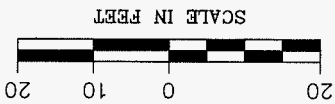
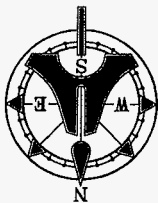
Licensed Business Number 3114

**THIS IS NOT A SURVEY SHEET 1 OF 2**

PROJECT NUMBER: 04-8574	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 408 BONITA BEACH ROAD		
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION		
DATE: 03-28-07	SEC-TWP-RGE 01-48S-25E	FILE: PARCEL 408-A	COUNTY: LEE COUNTY

LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
 PARCEL 408.  
 SECTION 1, TOWNSHIP 48 SOUTH, RANGE 25 EAST

Exhibit "A"



POINT OF COMMENCEMENT  
 P.I. STA. 392+09.91  
 FND. ALUMINUM DISK  
 STAMPED "MCKEE LB 5093"

P.I. STA. 418+53.68  
 FND. ALUMINUM DISK  
 STAMPED "PLS 3955 1/4 COR."

MATHESON AVENUE

IMPERIAL STREET

WEST LINE NW QUARTER

35 36 394 280.28' N89°25'48"E

BONITA BEACH ROAD - C.R. 865 395 N89°25'48"E

STA. 394+30.19 S 00°41'08" E 30.00'(P)

SURVEY BASE LINE  
 BONITA BEACH ROAD  
 AND SECTION LINE

ORIGINAL LOT LINE N 89°25'48" E 60.00' (CXP)

S 00°41'08" E 40.00' (C) S 00°41'08" E 40.00' (C)

POINT OF BEGINNING N 88°55'4" E 1.99' S 83°40'55" E 54.82'

MAINTAINED R/W N 52°48'55" E 4.48'

PARCEL 408 N 00°41'08" W 50.76' S 00°41'08" E 47.98'

WEST BROOK DRIVE (PXF) 60.00' R/W (P)

BROOKSIDE ESTATES AS RECORDED IN UNRECORDED

PLAT BOOK 1, PAGE 35 AND DEED BOOK 307, PAGE 323

THIS IS NOT A SURVEY SHEET 2 OF 2

NOTE:

THE MAINTAINED RIGHT OF WAY LINE SHOWN ON THIS SKETCH ALONG THE SOUTH SIDE OF BONITA BEACH ROAD, WAS DETERMINED BY LEE COUNTY D.O.T. OPERATIONS ON MARCH 29th, 2007.

LEGEND

- P.B. = PLAT BOOK
- COR. = CORNER
- FND. = FOUND
- R/W = RIGHT-OF-WAY
- C.R. = COUNTY ROAD
- STA. = STATION
- (C) = CALCULATED
- (P) = PLAT
- (F) = FIELD
- LEGAL AND SKETCH AREA
- PROPERTY LINE
- POINT OF INTERSECTION
- D.O.T. = DEPARTMENT OF TRANSPORTATION



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 239/332-4569  
 FX:239/332-8734  
 Licensed Business Number 3114

DATE: 03-28-07	SEC.-TWP-RGE 01-48S-25E	FILE: PARCEL 408-A	COUNTY: LEE COUNTY
PROJECT NUMBER: 04-8574	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 408	
DRAWN BY: A.L.R.	LEGAL DESCRIPTION AND SKETCH FOR PARCEL 408		



LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION

PARCEL 411

SECTION 1, TOWNSHIP 48 SOUTH, RANGE 25 EAST

Exhibit "A"

PARCEL 411

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 48 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, ALSO BEING A PORTION OF EAST BROOK DRIVE, A 60 FOOT RIGHT OF WAY AS SHOWN ON THE UNRECORDED PLAT OF BROOKSIDE ESTATES, UNRECORDED PLAT BOOK 1, PAGE 35 AND DEED BOOK 307, PAGE 323, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 1, BEING A FOUND ALUMINUM DISK STAMPED "MCKEE LB 5093", ALSO BEING P.I. STATION 392+09.91 BONITA BEACH ROAD - C.R. 865; THENCE N89°25'48"E, ALONG SAID BASE LINE, A DISTANCE OF 637.22 FEET TO STATION 398+47.13, BONITA BEACH ROAD - C.R. 865; THENCE LEAVING SAID BASE LINE S00°34'12"E, A DISTANCE OF 30.00 FEET TO THE ORIGINAL NORTHEAST CORNER OF LOT 26 BROOKSIDE ESTATES, AS RECORDED IN UNRECORDED PLAT BOOK 1, PAGE 35 AND DEED BOOK 307, PAGE 323, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, ALSO BEING THE WEST RIGHT OF WAY LINE OF EAST BROOK DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A DELTA OF 22°42'03", A RADIUS OF 233.21 FEET, A CHORD BEARING OF S11°55'13"E AND A CHORD DISTANCE OF 91.80 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 92.40 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED, ALSO A MAINTAINED RIGHT OF WAY LINE, DETERMINED BY LEE COUNTY DEPARTMENT OF TRANSPORTATION OPERATIONS ON MARCH 29th, 2007; THENCE N89°25'48"E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 67.15 FEET; TO THE EAST RIGHT OF WAY LINE OF EAST BROOK DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A DELTA OF 28°38'54", A RADIUS OF 173.21 FEET, A CHORD BEARING OF S46°11'59"E AND A CHORD DISTANCE OF 85.71 FEET; THENCE ALONG SAID ARC A DISTANCE OF 86.61 FEET TO A POINT OF REVERSE CURVATURE, HAVING A DELTA OF 00°01'02", A RADIUS OF 433.21 FEET, A CHORD BEARING OF S60°30'54"E AND A CHORD DISTANCE OF 0.13 FEET; THENCE ALONG SAID ARC A DISTANCE OF 0.13 FEET; THENCE LEAVING SAID EAST RIGHT OF WAY LINE S89°25'48"W, A DISTANCE OF 20.95 FEET; THENCE S37°00'37"W, A DISTANCE OF 48.65 FEET TO THE WEST RIGHT OF WAY LINE OF EAST BROOK DRIVE OF SAID BROOKSIDE ESTATES, ALSO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A DELTA OF 31°15'05", A RADIUS OF 233.21 FEET, A CHORD BEARING OF N38°53'47"W AND A CHORD DISTANCE OF 125.63 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 127.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 6022 SQUARE FEET, MORE OR LESS.

NOTE:

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF BONITA BEACH ROAD, HAVING A BEARING OF N89°25'48"E FROM P.I. STATION 392+09.91 BEING A FOUND ALUMINUM DISK STAMPED "MCKEE LB 5093" TO P.I. STATION 418+53.68 BEING A FOUND ALUMINUM DISK STAMPED "PLS 3955 1/4 COR."

PREPARED BY: AIM ENGINEERING & SURVEYING, INC.

Signature of Bob L. Potter, P.S.M. DATE 4/2/07  
BOB L. POTTER, P.S.M. DATE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

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

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Licensed Business Number 3114

THIS IS NOT A SURVEY SHEET 1 OF 2

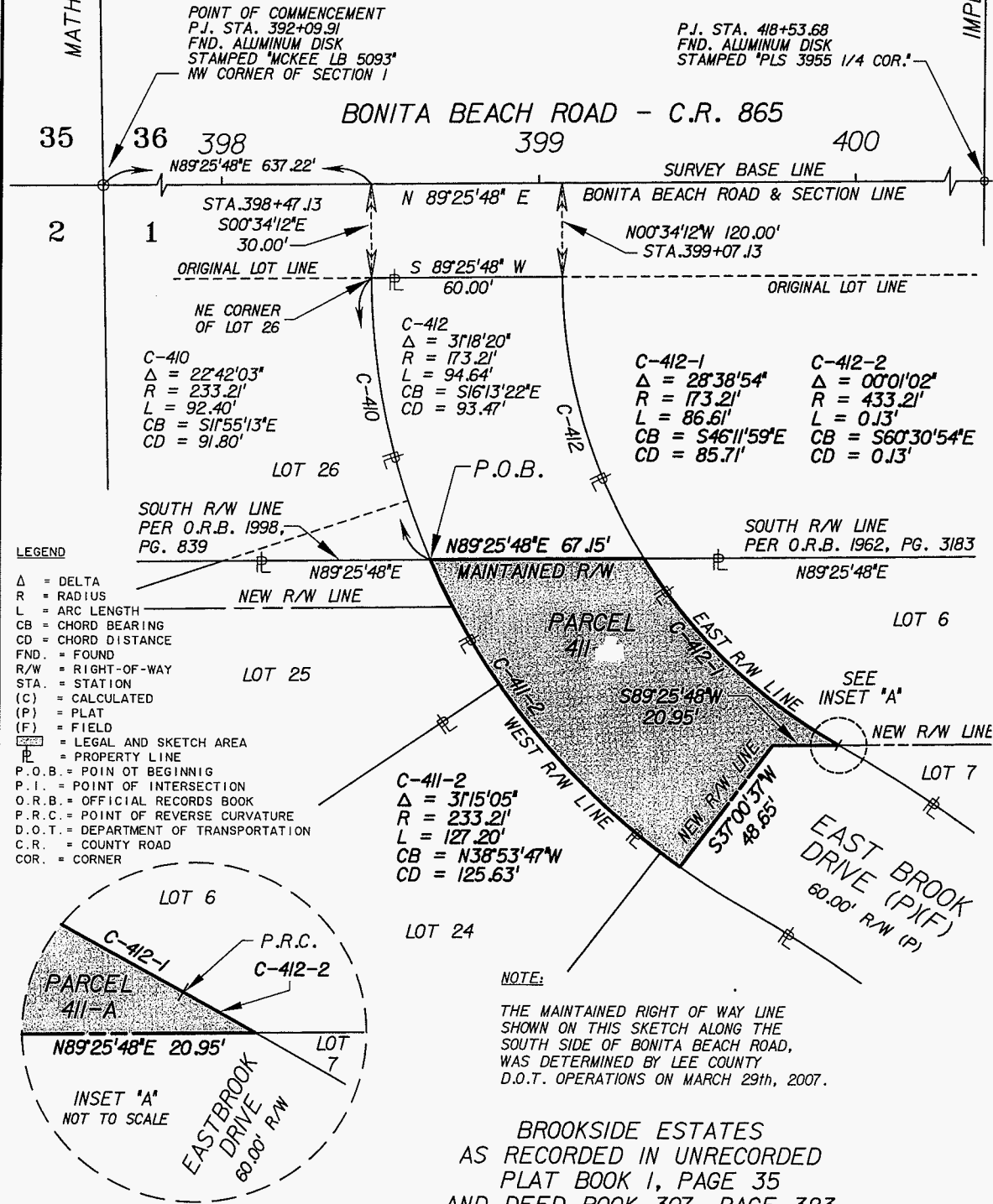
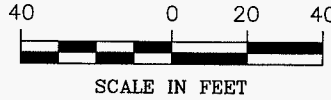
PROJECT NUMBER: 04-8574	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 411- BONITA BEACH ROAD
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 03-28-07	SEC-TWP-RGE: 01-48S-25E
FILE: PARCEL 411-A	COUNTY: LEE COUNTY

LEGAL AND SKETCH FOR RIGHT OF WAY ACQUISITION  
 PARCEL 411  
 SECTION 1, TOWNSHIP 48 SOUTH, RANGE 25 EAST

Exhibit "A"

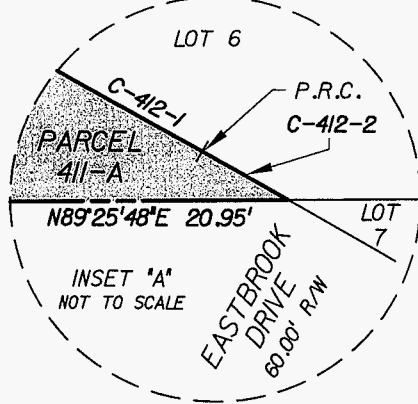
MATHESON AVENUE

IMPERIAL STREET



LEGEND

- $\Delta$  = DELTA
- R = RADIUS
- L = ARC LENGTH
- CB = CHORD BEARING
- CD = CHORD DISTANCE
- FND. = FOUND
- R/W = RIGHT-OF-WAY
- STA. = STATION
- (C) = CALCULATED
- (P) = PLAT
- (F) = FIELD
- = LEGAL AND SKETCH AREA
- = PROPERTY LINE
- P.O.B. = POINT OF BEGINNING
- P.I. = POINT OF INTERSECTION
- O.R.B. = OFFICIAL RECORDS BOOK
- P.R.C. = POINT OF REVERSE CURVATURE
- D.O.T. = DEPARTMENT OF TRANSPORTATION
- C.R. = COUNTY ROAD
- COR. = CORNER



AIM Engineering & Surveying, Inc.



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 FX:239/332-8734

Licensed Business Number 3114

THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER: 04-8574	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 411 - BONITA BEACH ROAD
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 03-28-07	SEC-TWP-RGE 01-48S-25E
	FILE: PARCEL 411-A
	COUNTY: LEE COUNTY

**LEGAL AND SKETCH FOR 10 FOOT TEMPORARY EASEMENT  
PARCEL 306<sup>SE</sup>  
SECTION 35, TOWNSHIP 47 SOUTH, RANGE 25 EAST**

**Exhibit "B"**

**PARCEL 306<sup>SE</sup>**

A PARCEL OF LAND LYING IN SECTION 35, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA ALSO BEING A PORTION OF LOT 23 BONITA FARMS, PLAT BOOK 3, PAGE 27, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2532, PAGE 1937 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 35, BEING A FOUND ALUMINUM DISK STAMPED "MCKEE LB 5093", BEING P.I. STATION 392+09.91 BONITA BEACH ROAD - C.R. 865; THENCE S89°33'16"W, ALONG SAID BASE LINE A DISTANCE OF 660.00 FEET TO STATION 385+49.91; THENCE LEAVING SAID BASE LINE N01°22'16"W A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT OF WAY LINE OF BONITA BEACH ROAD - C.R. 865; THENCE CONTINUE N01°22'16"W ALONG THE WEST LOT 23 BONITA FARMS A DISTANCE OF 14.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N01°22'16"W ALONG SAID LINE A DISTANCE OF 10.01 FEET TO A POINT OF A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A DELTA OF 01°14'06", A RADIUS OF 6064.67 FEET; A CHORD OF 130.73 FEET AND A CHORD BEARING OF N87°13'45"E; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 130.73 FEET TO A POINT ON THE NEW RIGHT OF WAY LINE; THENCE S42°52'17"W ALONG SAID NEW RIGHT OF WAY LINE A DISTANCE OF 14.16 FEET TO A POINT OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A DELTA OF 01°08'37", A RADIUS OF 6054.67 FEET, A CHORD OF 120.85 FEET AND A CHORD BEARING OF S87°10'48"W, THENCE ALONG SAID CURVE AN ARC DISTANCE OF 120.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 1258 SQUARE FEET, MORE OR LESS.

AREA OF PARENT TRACT: 8397 SQUARE FEET, MORE OR LESS, INCLUDING THE PROPOSED TAKING AREA.

**NOTE:**

BEARINGS SHOWN HEREON ARE BASED UPON THE SURVEY BASE LINE OF BONITA BEACH ROAD, HAVING A BEARING OF N89°33'16"E FROM P.I. STATION 365+63.83 BEING AN ALUMINUM DISK STAMPED "MCKEE LB 5093" TO P.I. STATION 392+09.91 BEING AN ALUMINUM DISK STAMPED "MCKEE LB 5093"

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

PREPARED BY:  
AIM ENGINEERING & SURVEYING, INC.

*[Signature]* 3/27/07  
DATE  
BOB L. POTTER, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 5688

**AIM Engineering & Surveying, Inc.**



5300 LEE BLVD.  
P.O. BOX 1235  
LEHIGH ACRES  
FLORIDA 33970  
239/332-4569  
FX:239/332-8734

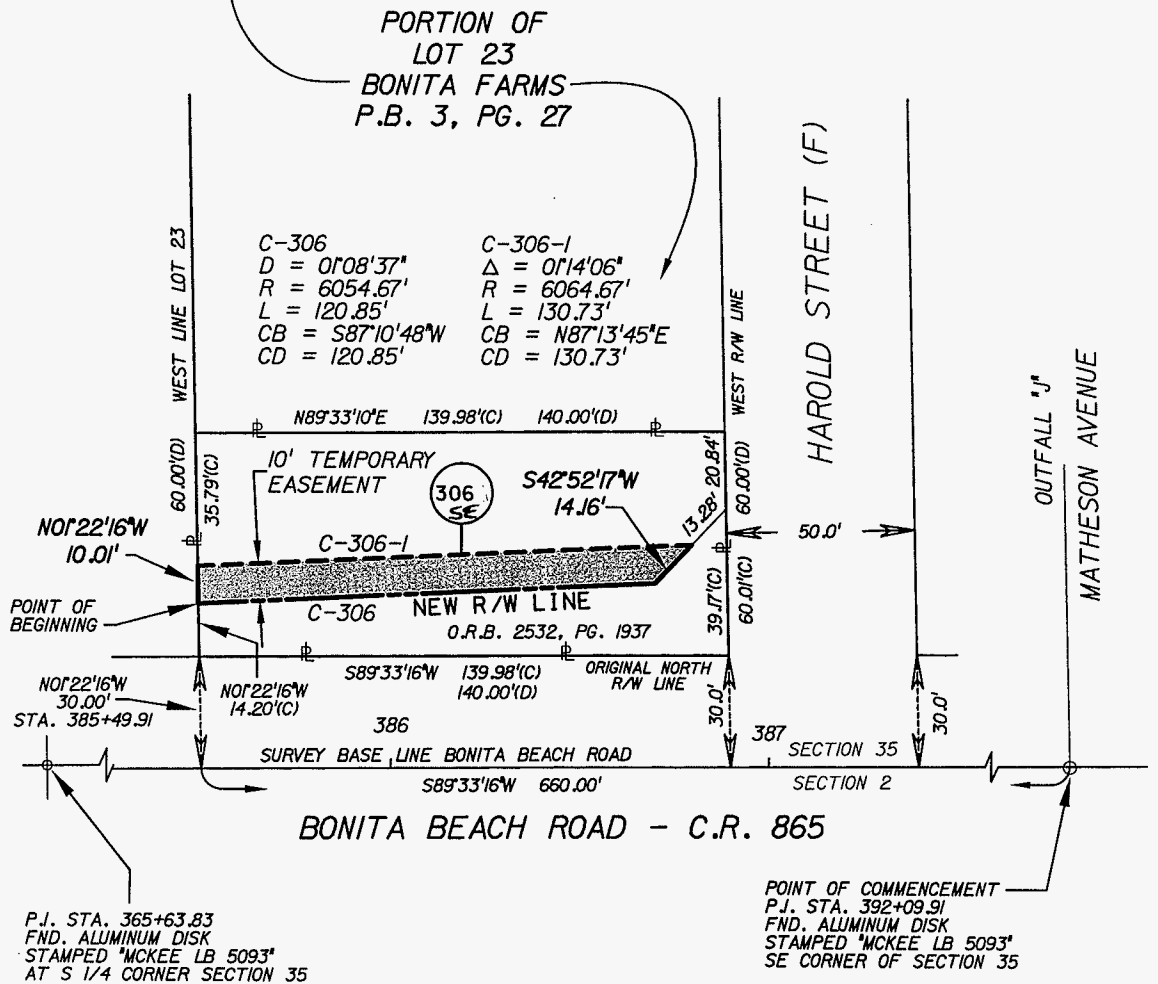
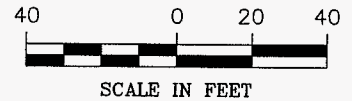
Licensed Business Number 3114

**THIS IS NOT A SURVEY SHEET 1 OF 2**

PROJECT NUMBER: 04-8574	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 306 <sup>SE</sup> BONITA BEACH ROAD
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 03-27-07	SEC-TWP-RGE: 35-47S-25E
FILE: PARCEL 306A EASEMENT	COUNTY: LEE COUNTY

LEGAL AND SKETCH FOR 10 FOOT TEMPORARY EASEMENT  
 PARCEL 306~~SE~~  
 SECTION 35, TOWNSHIP 47 SOUTH, RANGE 25 EAST

Exhibit "B"



LEGEND

CB = CHORD BEARING  
 CD = CHORD DISTANCE  
 D = DELTA  
 FND. = FOUND  
 L = ARC LENGTH  
 PG. = PAGE  
 R = RADIUS  
 (D) = DEED DATA  
 (F) = FIELD  
 P.I. = POINT OF INTERSECTION

LEGEND

P.B. = PLAT BOOK  
 R/W = RIGHT-OF-WAY  
 STA. = STATION  
 (C) = CALCULATED  
 [Symbol] = LEGAL AND SKETCH AREA  
 [Symbol] = PROPERTY LINE  
 O.R.B. = OFFICIAL RECORDS BOOK  
 C.R. = COUNTY ROAD

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THIS IS NOT A SURVEY SHEET 2 OF 2

PROJECT NUMBER: 04-8574	DESCRIPTION: LEGAL DESCRIPTION AND SKETCH FOR PARCEL 306 <del>SE</del> BONITA BEACH ROAD
DRAWN BY: A.J.R.	CLIENT: LEE COUNTY DEPARTMENT OF TRANSPORTATION
DATE: 03-27-07	SEC-TWP-RGE: 35-47S-25E
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