

ADMINISTRATIVE APPROVAL AMENDMENT NUMBER PUD-91-017

ADMINISTRATIVE APPROVAL
AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Breckenridge, Ltd., has filed an application for administrative approval of an amendment to a Planned Unit Development on a project known as Breckenridge to amend the Preliminary PUD granted and, subsequently, amended to allow a reconfiguration of the project's phasing lines; to allow a revision to the phasing plan; and to allow clarification of the project data, i.e., building types, to specifically show three-story buildings. The changes are reflected in the table below:

CURRENT PROJECT DATA (APPROVED BY PUD-90-001)

ATTACHED UNITS	33 UNITS
MULTI-FAMILY (16 BLDGS.- 28 UNITS EA.)	448 UNITS
MULTI-FAMILY (12 BLDGS.- 8 UNITS EA.)	96 UNITS
TRI-PLEX (4 BLDGS.)	12 UNITS
FOUR-LEX (7 BLDGS.)	<u>28 UNITS</u>
TOTAL	617 UNITS

PROJECT DATA

SINGLE FAMILY	33 UNITS
MULTI-FAMILY (3 STORY)	292 UNITS
MULTI-FAMILY (2 STORY)	170 UNITS
FOUR-PLEX	92 UNITS
TRI-PLEX	<u>30 UNITS</u>
TOTAL	617 UNITS

AMENDED PHASE PLAN

<u>PHASE</u>	<u># OF UNITS</u>	<u>COMPLETION DATE</u>
I	164	(EXISTING)
II	117	(UNDER CONSTRUCTION-COMPLETED 1992)
III	51	(1992)
IV	139	(1993)
V	<u>146</u>	(1994)
TOTAL	<u>617</u>	

WHEREAS, the subject property is located at 19850 South Tamiami Trail, Estero, described more particularly as:

LEGAL DESCRIPTION: In Sections 20, 21 & 29, Township 46 South, Range 25 East, Lee County, Florida:

The East Half (E½) of the Northeast Quarter (NE¼) of Section 29, Township 46 South, Range 25 East, Lee County, Florida,

AND;

Continued ...

The East Half (E½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of Section 29, Township 46 South, Range 25 East, Lee County, Florida,

CONSISTING OF APPROXIMATELY ONE HUNDRED (100) ACRES;

AND;

Situated in the State of Florida, County of Lee, being a part of Sections 20 and 21, Township 46 South, Range 25 East, and further bounded and described as follows:

Starting at the Southeast corner of the aforesaid Section 20;
THENCE N09°42'00"W a distance of 733.5 feet;
THENCE N89°18'00"E a distance of 186.26 feet to a point on the Southwesterly right-of-way line of SR 45 (Tamiami Trail, US 41, 200.00 feet wide);
THENCE N36°55'00"W along the aforesaid Southwesterly right-of-way line a distance of 207.62 feet to a point and the principal PLACE OF BEGINNING;
THENCE continue N36°55'00"W along the aforesaid Southwesterly right-of-way line a distance of 207.62 feet;
THENCE S53°05'00"W a distance of 126.84 feet;
THENCE S88°30'00"W a distance of 498.56 feet;
THENCE S00°42'00"E a distance of 855.91 feet;
THENCE N89°18'00"E a distance of 324.97 feet;
THENCE N00°42'00"W a distance of 662.81 feet;
THENCE by a curve deflecting to the right a distance of 94.27 feet; said curve having a radius of 60.0 feet and a chord that bears N44°18'00"E a distance of 84.85 feet;
THENCE N89°18'00"E a distance of 226.94 feet;
THENCE N66°14'40"E a distance of 121.31 feet to the PLACE OF BEGINNING.

CONTAINING 7.70 ACRES, MORE OR LESS.

AND IN ADDITION THERETO, an easement for road right-of-way purposes over the adjacent lands within 30 feet of the Southerly and Easterly Boundaries of the above described tract from the right-of-way line of SR 45 (Tamiami Trail, US 41), to a point 135.46 feet North and 335.03 feet West of the Southeast corner of Section 20, Township 46 South, Range 25 East, Lee County, Florida.

AND ALSO IN ADDITION THERETO;

An access easement, 30 feet wide, lying in Sections 20 and 21, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

From the Southeast corner of said Section 20;
THENCE N00°42'00"W along the East line of said Section 20 for 733.59 feet;
THENCE N89°18'00"E for 186.26 feet;
THENCE N36°55'00"W along the Southwesterly right-of-way line of US 41 (SR 45) for 176.81 feet to the POINT OF BEGINNING;
THENCE continue N36°55'00"W FOR 30.81 feet;
THENCE S66°14'40"W FOR 121.31 feet;
THENCE S89°18'00"W FOR 226.94 feet to the Point of Curvature of a tangent curve to the left with a radius of 60.0 feet and a delta angle of 90°00'00";
THENCE Southwesterly and Southerly along the arc of said curve for 94.27 feet to the Point of Tangency;
THENCE S00°42'00"E for 662.81 feet;
THENCE S89°18'00"W for 30.0 feet;
THENCE S00°42'00"E for 135.88 feet;

Continued ...

THENCE N88°30'00"E along the South line of said Section 20 for 60.0 feet;
THENCE N00°42'00"W for 797.85 feet to the Point of Curvature of a tangent curve to the right with a radius of 30.0 feet and a delta angle of 90°00'00";
THENCE Northeasterly and Easterly along the arc of said curve for 47.12 feet to the Point of Tangency;
THENCE N89°18'00"E for 233.06 feet;
THENCE N66°14'40"E for 134.44 feet to the POINT OF BEGINNING.

CONTAINING 0.94 ACRES, MORE OR LESS.

AND a parcel or tract of land lying in Sections 20, 21, and 29, Township 46 South, Range 25 East, Lee County, Florida, further described as follows:

COMMENCING at the corner marking Sections 20, 21, 28, and 29, Township 46 South, Range 25 East;
THENCE S88°30'00"W (basis of bearings being deed recorded in Official Record Book 1515 at page 62) along the line between said Sections 20 and 29 for 600.00 feet to a point on a curve, said point being the POINT OF BEGINNING of the herein described parcel or tract;

THENCE (leaving said section line) southerly along the arc of said curve concave to the East, having a radius of 215.00 feet and an interior angle of 00°13'24", for 0.84 feet to a Point of Reverse Curvature;

THENCE Southwesterly along the arc of a curve concave to the West, having a radius of 275.00 feet and an interior angle of 26°49'43", for 128.77 feet to a Point of Non-Tangency;

THENCE S15°57'41"W for 103.80 feet;

THENCE S60°43'33"E for 158.16 feet;

THENCE S27°24'09"W for 705.00 feet;

THENCE S66°09'53"W for 141.26 feet;

THENCE S89°34'41"W for 323.00 feet;

THENCE N36°42'32"W for 110.57 feet;

THENCE N66°25'19"W for 248.00 feet;

THENCE S89°34'41"W for 323.00 feet;

THENCE N00°25'19"W for 72.00 feet;

THENCE S89°34'41"W for 125.00 feet to the West line of the East Half (E½) of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼) of said Section 29;

THENCE N00°25'19"W along said West line for 695.00 feet to the North line of said Section 29;

THENCE N88°30'00"E along said section line for 1,325.73 feet to a point which lies 60.01 feet West of the POINT OF BEGINNING, said point also being on a curve;

THENCE Northeasterly along the arc of a curve concave to the Southeast, having a radius of 275.00 feet and an interior angle of 66°32'44", for 319.40 feet to a Point of Reverse Curvature;

THENCE Northeasterly along the arc of a curve concave to the Northwest, having a radius of 215.00 feet and an interior angle of 66°32'44", for 249.71 feet to a Point of Tangency;

THENCE N00°42'00"W for 188.82 feet to a Point of Curvature;

THENCE Northeasterly along the arc of a curve concave to the Southeast, having a radius of 355.00 feet and an interior angle of 53°47'00", for 333.24 feet to a Point of Tangency;

THENCE N53°05'00"E for 63.27 feet to a Point of Curvature;

THENCE Northeasterly along the arc of a curve concave to the Northwest, having a radius of 70.00 feet and an interior angle of 71°19'45", for 87.15 feet to a Point of Reverse Curvature;

THENCE Northerly along the arc of a curve concave to the East, having a radius of 105.00 feet and an interior angle of 66°24'06", for 121.69 feet to a point on the Southwesterly right-of-way line of US 41;

THENCE S36°55'00"E along said right-of-way line (entering Section 21 at 190.00 feet) for 316.00 feet;

Continued ...

THENCE S53°05'00"W, leaving said right-of-way line (re-entering Section 20 at 92.27 feet) for 182.00 feet;
THENCE N36°55'00"W for 137.41 feet;
THENCE S53°05'00"W for 38.04 feet to a Point of Curvature;
THENCE Southwesterly along the arc of a curve concave to the Southeast, having a radius of 295.00 feet and an interior angle of 53°47'00", for 276.92 feet to a Point of Tangency;
THENCE S00°42'00"E for 188.82 feet to a Point of Curvature;
THENCE Southwesterly along the arc of a curve concave to the Northwest, having a radius of 275.00 feet and an interior angle of 66°32'44", for 319.40 feet to a Point of Reverse Curvature;
THENCE Southwesterly along the arc of a curve concave to the Southeast, having a radius of 215.00 feet and an interior angle of 66°19'20", for 248.87 feet to the POINT OF BEGINNING.

CONTAINING 29.78 ACRES, MORE OR LESS.

AND;

ROADWAY EASEMENT #2

A tract or parcel of land for a non-exclusive easement for ingress and egress, roads, utilities and drainage over, under and across the lands lying in Section 29, Township 46 South, Range 25 East, Lee County, Florida, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 29;
THENCE S88°30'00"W (basis of bearings from deed recorded in Official Record Book 1515, Page 62, Public Records of Lee County, Florida) along the North line of said Section 29 for 660.00 feet to a non-tangent curve;
THENCE Southwesterly along the arc of the curve concave to the Northwest (radius = 215.00 feet, interior angle = 46°49'35", chord bearing and distance = S22°42'47"W, 170.86 feet) for 175.71 feet to a Point of Tangency;
THENCE S46°07'35"W for 144.96 feet to a Point of Curvature;
THENCE Southwesterly along the arc of the curve concave to the Southeast (radius = 290.00 feet, interior angle = 29°30'53", chord bearing and distance = S31°22'09"W, 147.74 feet) for 149.39 feet to a Point of Reverse Curvature and the POINT OF BEGINNING of herein described easement;
THENCE Southwesterly along the arc of the curve concave to the Northwest (radius = 30.00 feet, interior angle = 79°11'35", chord bearing and distance = S56°12'30"W, 38.24 feet) for 41.46 feet to a Point of Tangency;
THENCE N84°11'42"W for 196.75 feet to a Point of Curvature;
THENCE Southwesterly along the arc of the curve concave to the Southeast (radius = 250.00 feet, interior angle = 39°24'07", chord bearing and distance = S76°06'15"W, 168.55 feet) for 171.92 feet to a non-tangent curve;
THENCE Northwesterly along the arc of the curve concave to the Northeast (radius = 30.00 feet, interior angle = 13°48'32", chord bearing and distance = N47°09'18"W, 7.21 feet) for 7.23 feet to a Point of Reverse Curvature;
THENCE Northwesterly along the arc of the curve concave to the Southwest (radius = 485.00 feet, interior angle = 49°44'33", chord bearing and distance = N65°07'18"W, 407.96 feet) for 421.06 feet to a Point of Compound Curvature;
THENCE Southwesterly, Southeasterly and Easterly along the arc of the curve concave to the Northeast (radius = 60.00 feet, interior angle = 240°38'47", bearing and distance between beginning and ending Points of Curve = S30°18'58"E, 103.58 feet) for 252.00 feet to a Point of Reverse Curvature;
THENCE Northeasterly along the arc of the curve concave to the Southeast (radius = 90.00 feet, interior angle = 81°03'04", chord bearing and distance = N69°53'10"E, 116.96 feet) for 127.31 feet to a Point of Compound Curvature;

Continued ...

THENCE Southeasterly along the arc of the curve concave to the Southwest (radius = 465.00 feet, interior angle = 28°51'50", chord bearing and distance = S55°09'24"E, 231.78 feet) for 234.25 feet to a Point of Compound Curvature;
 THENCE Southeasterly along the arc of the curve concave to the Southwest (radius = 30.00 feet, interior angle = 18°15'32", chord bearing and distance = S31°35'42"E, 9.52 feet) for 9.56 feet to a non-tangent curve;
 THENCE Southwesterly along the arc of the curve concave to the Southeast (radius = 250.00 feet, interior angle = 38°29'27", chord bearing and distance = S32°01'44"W, 164.81 feet) for 167.95 feet to a Point of Tangency;
 THENCE S12°47'00"W for 168.00 feet to a Point of Curvature;
 THENCE Southwesterly along the arc of the curve concave to the Northwest (radius = 210.00 feet, interior angle = 23°56'36", chord bearing and distance = S24°45'18"W, 87.12 feet) for 87.76 feet to a non-tangent line;
 THENCE S66°25'19"E for 61.25 feet to a non-tangent curve;
 THENCE Northeasterly along the arc of the curve concave to the Northwest (radius = 270.00 feet; interior angle = 20°59'08"; chord bearing and distance = N23°16'34"E, 98.34 feet) for 98.89 feet to a Point of Tangency;
 THENCE N12°47'00"E for 168.00 feet to a Point of Curvature;
 THENCE Northeasterly along the arc of the curve concave to the Southeast (radius = 190.00 feet, interior angle = 83°01'18", chord bearing and distance = N54°17'39"E, 231.85 feet) for 275.31 feet to a Point of Tangency;
 THENCE S84°11'42"E for 196.75 feet to a Point of Curvature;
 THENCE Southeasterly along the arc of the curve concave to the Southwest (radius = 30.00 feet, interior angle = 79°11'35", chord bearing and distance = S44°35'54"E, 38.24 feet) for 41.47 feet to a Point of Cusp;
 THENCE Northerly along the arc of a curve concave to the East (radius = 290.00 feet, interior angle = 21°36'50", chord bearing and distance = N05°48'18"E, 108.75 feet) for 109.40 feet to the POINT OF BEGINNING.

CONTAINING 1.59 ACRES, MORE OR LESS.

AND

ROADWAY EASEMENT #3

A 60.00 foot wide strip of land for a non-exclusive easement for ingress and egress, roads, utilities and drainage over, under and across the lands lying in Section 29, Township 46 South, Range 25 East, Lee County, Florida, the centerline of which is described as follows:

COMMENCING at the Northeast corner of said Section 29;
 THENCE S88°30'00"W (basis of bearings from deed recorded in Official Record Book 1515, Page 62, Public Records of Lee County, Florida) along the North line of said Section 29 for 630.00 feet to the centerline of Breckenridge Drive (60.00 foot wide) and to a non-tangent curve;
 THENCE Southerly along said centerline and along the arc of the curve concave to the East (radius = 245.00 feet, interior angle = 00°05'53", chord bearing and distance = S00°39'04"E, 0.42 feet) for 0.42 feet to the Point of Reverse Curvature;
 THENCE Southwesterly along the arc of the curve concave to the Northwest (radius = 245.00 feet, interior angle = 46°49'35", chord bearing and distance = S22°42'47"W, 194.71 feet) for 200.23 feet to a Point of Tangency;
 THENCE S46°07'35"W for 144.96 feet to a Point of Curvature;
 THENCE Southwesterly and Southeasterly along the arc of the curve concave to the East (radius = 260.00 feet, interior angle = 103°41'26", chord bearing and distance = S05°43'07"E, 408.90 feet) for 470.53 feet to a Point of Reverse Curvature;

Continued ...

THENCE Southeasterly along the arc of the curve concave to the Southwest (radius = 280.00 feet, interior angle = 20°19'31", chord bearing and distance = S47°24'05"E, 98.81 feet) for 99.33 feet to the POINT OF BEGINNING of herein described easement;

THENCE continue Southeasterly and Southwesterly along the arc of the curve concave to the West (radius = 280.00 feet, interior angle = 76°40'29", chord bearing and distance = S01°05'55"W, 347.36 feet) for 374.70 feet to a Point of Reverse Curvature;

THENCE Southwesterly and Southeasterly along the arc of the curve concave to the East (radius = 400.00 feet, interior angle = 66°00'00", chord bearing and distance = S06°26'10"W, 435.71 feet) for 460.77 feet to a Point of Reverse Curvature;

THENCE Southerly along the arc of the curve concave to the West (radius = 260.00 feet, interior angle = 52°00'00", chord bearing and distance = S00°33'50"E, 227.95 feet) for 235.97 feet to a Point of Tangency;

THENCE S25°26'09"W for 143.89 feet to a Point of Curvature;

THENCE Southerly and Southeasterly along the arc of the curve concave to the Northeast (radius = 370.00 feet, interior angle = 82°58'10", chord bearing and distance = S16°02'56"E, 490.19 feet) for 535.79 feet to a Point of Tangency;

THENCE S57°32'01"E for 50.33 feet to a Point of Curvature;

THENCE Southeasterly along the arc of the curve concave to the Southwest (radius = 125.00 feet, interior angle = 57°00'00", chord bearing and distance = S29°02'01"E, 119.29 feet) for 124.35 feet to a Point of Tangency;

THENCE S00°32'01"E for 117.13 feet to a point on the North right-of-way line of Broadway (50-foot wide), said point being S89°27'59"W along said North right-of-way line a distance of 609.28 feet from the East line of aforesaid Section 29 and ending hereinabove described easement. The side lines of said easement are to be prolonged or shortened to terminate at the North right-of-way line of Broadway and the line which bears S27°24'09"W at the beginning of said easement.

WHEREAS, the property was originally rezoned to Preliminary PUD in hearing number 82-2-15-DCI, Resolution Numbers Z-82-38 and ZAB-85-129 [a one year extension was granted in ZAB-84-194] (with subsequent amendments in Resolution Numbers PUD-88-001, PUD-89-001, PUD-89-002, PUD-89-003, PUD-90-001, and PUD-90-002); and

WHEREAS, Lee County Ordinance 89-04 amends the Zoning Ordinance (Ordinance No. 86-17) to provide for certain administrative changes to planned development master concept plans and planned unit development development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Planned Unit Development is APPROVED.

Approval is subject to the following conditions:

1. This project shall not exceed the total MAXIMUM dwelling unit amount of 617. However, approval of this amendment shall not be construed to automatically allow the maximum number of units.

Each phase (or portion thereof) shall comply with the open space requirement of the PUD regulations.

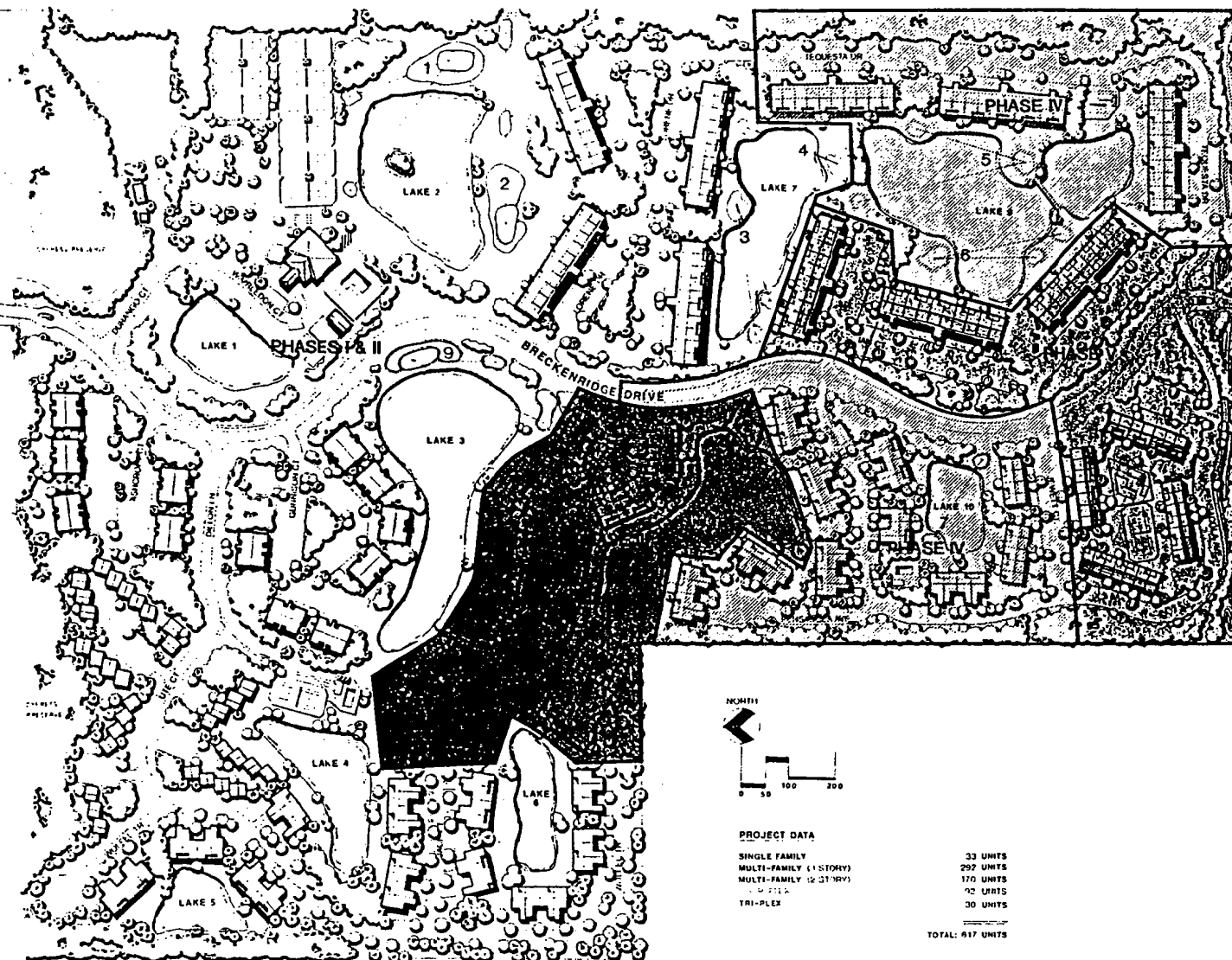
2. The terms and conditions of the original zoning resolution(s) remain in full force and effect.
3. The site plan for this project is entitled "Conceptual Master Site Plan," for the project identified as Breckenridge, prepared by Wilson, Miller, et al, printed January 10, 1992, stamped received January 10, 1992, and is attached hereto and incorporated herein by reference as a reduced copy of the Amended Preliminary PUD Plan. This amended Preliminary PUD plan is to depict only the changes enumerated on Page 1 of this action. No other change approvals shall be approved as part of this action.

DULY SIGNED this 22nd day of January, A.D., 1992.

BY: Mary Gibbs
Mary Gibbs
Acting Director
Department of Community Development

<u>PHASE PLAN</u>		
<u>PHASE</u>	<u># OF UNITS</u>	<u>COMPLETION DATE</u>
I	184	(EXISTING)
II	117	(UNDER CONSTRUCTION - COMPLETED 1992)
III	51	(1982)
IV	139	(1983)
V	148	(1984)
TOTAL 617		

JANUARY 10, 1992



Breckinridge
BATH & TENNIS CLUB

RECEIVED
JAN 18 1922
ZONING COUNTER

CONCEPTUAL MASTER SITE PLAN

PREPARED FOR BRECKENRIDGE BATH & TENNIS CLUB, INC.
PREPARED BY WILSON MILLER, BARTON & PEEK, INC.
OCTOBER 1991

A P P R O V E D

Agreement to
Master Lease Plan
Subject to conditions in Resolution 88-1-100-10-1
Zoning Case # 88-2-10-10-1
Date 1-27-88

PRINTED
WILSON, MILLER, SANBORN
& PECK, INC.

JAN 10 1992