

Airport Technology Center

1694

Development Type - DCI

Status - Approved/W Amendments

Gateway/Airport Planning Community

Project Approvals

Category/ Sub Category	Acres	Units	Square Feet
	Totals/Sub Category	Totals/Sub Category	Totals/Sub Category
Mixed Use	90.46		
Mixed	90.46		
<p><i>The project will allow for one of three scenarios: Either a mixture of industrial uses (up to 300,000 s/f), office uses (up to 200,000 s/f), commercial uses (up to 69,000 s/f), and a hotel use (up to 115 rooms); or a mixture of industrial uses (up to 300,000 s/f), office uses (up to 295,000 s/f), commercial uses (up to 69,000 s/f), and no hotel use; or a maximum of 500,000 s/f of industrial uses, with a corresponding reduction in other land uses per a conversion table, not to exceed the mixed use DRI thresholds of Chapter 380 or 9J-2 F.A.C. as may be amended. Maximum height proposed is 6 stories/75 feet. Development Blasting is requested. Zoning Resolution Z-02-025 becomes null and void with this approval for the 90.6 acres of this project</i></p>			
Project Total	90.46		

Project Hearings

Resolution #	Case Number	Hearing Date	Approved	
ADD2008-00083 <i>Go To E-Connect</i>	ADD2008-00083	9/15/08	Yes	<i>Modify Deviation 1, resolution Z-04-070 for signs, Deviation from Section 30-91(a) to allow supporting structures of the sign to exceed more than half of the sign area and to allow a 4 foot setback from the adjacent property lines.</i>
Z-04-070 <i>Go To E-Connect</i> <i>Click For Resolution</i>	DCI2004-00035	1/31/05	Yes	<i>Rezones southern portion of project from IPD to MPD. Northern portion of project is being rezoned by DCI2004-00030 Reducing PD size by 80.84 acres</i>
Z-02-025 <i>Go To E-Connect</i> <i>Click For Resolution</i>	DCI2001-00009	7/1/02	Yes	<i>Rezone 171.43 acres from AG-2 to IPD</i>

DCI2001-00009

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

WHEREAS, ATC Partners, LLC, filed an application on behalf of the property owners, Chris Bundschu and Gayle Bundschu, to rezone a 90.6-acre parcel from Industrial Planned Development (IPD) to Mixed Use Planned Development (MPD) in reference to a project known as Airport Technology Center MPD; and

WHEREAS, a public hearing was advertised and held on November 10, 2004, before the Lee County Zoning Hearing Examiner Salvatore Territo, who gave full consideration to the evidence in the record for Case #DCI2004-00035; and

WHEREAS, a second public hearing was advertised and held on January 31, 2005, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record, and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone a 90.6-acre parcel from IPD to MPD, to allow for one of three scenarios as listed below:

1. A mixture of industrial uses (up to 300,000 sf), office uses (up to 200,000 sf), commercial uses (up to 69,000 sf), and a hotel use (up to 115 rooms); or
2. A mixture of industrial uses (up to 300,000 sf), office uses (up to 295,000 sf), commercial uses (up to 69,000 sf), and no hotel use; or
3. A maximum of 500,000 sf of industrial uses, with a corresponding reduction in other land uses per a conversion table, not to exceed the mixed use Development of Regional Impact (DRI) thresholds.

The maximum height proposed is six stories/75 feet. Development blasting is requested.

The property is located in the Tradeport & Wetlands Future Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

CASE NO: DCI2004-00035

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COMMUNITY DEVELOPMENT

1. Development must be consistent with the two-page Master Concept Plan (MCP) entitled "AIRPORT TECHNOLOGY CENTER MPD," revision date March 11, 2005 (3-14-05), date stamped received March 17, 2005, except as modified by the conditions below. (See Exhibit I to this resolution.)

Development must comply with the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

2. Upon passage of this resolution, Zoning Resolution #Z-02-025 will become null and void as to this 90.6-acre portion of the property.
3. The following limits apply to the project and uses:

- a. Schedule of Uses

LOTS C-1 - C-18

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
AGRICULTURAL USES - SEE CONDITION #21
ANIMALS: CLINIC OR KENNEL, WHEN COMPLETELY ENCLOSED IN A BUILDING. NO OUTDOOR KENNELS OR RUNS
ANIMAL CONTROL CENTER (INCLUDING HUMANE SOCIETY) - WHEN COMPLETELY ENCLOSED IN A BUILDING. NO OUTDOOR KENNELS OR RUNS
AUTOMATIC TELLER MACHINE (ATM)
AUTO PARTS STORE
AUTO REPAIR AND SERVICE, PER LDC § 34-622(C)(2) - GROUP I ONLY
NO RETAIL SALE OF GASOLINE PERMITTED, SEE CONDITION #25
BANKS AND FINANCIAL ESTABLISHMENTS, PER § 34-622(C)(3) - ALL GROUPS
BAR OR COCKTAIL LOUNGE - LIMITED TO 1 ON THE ENTIRE MPD
BOAT PARTS STORE
BOARDWALKS
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION
BUILDING MATERIALS SALES, PER LDC § 34-622(C)(4)
BUSINESS SERVICES, PER LDC. § 34-622(C)(5) - ALL GROUPS
INCLUDES AIRCRAFT FOOD SERVICES AND CATERING
BUS STATION/DEPOT
CATERERS
CAR WASH - LIMITED TO 1 ON THE ENTIRE MPD.
CLEANING AND MAINTENANCE SERVICES PER LDC. § 34-622(C)(7)
CLOTHING STORES, GENERAL PER LDC. § 34-622(C)(9)
CLUBS: COUNTRY, COMMERCIAL, FRATERNAL, MEMBERSHIP ORGANIZATION, PRIVATE
COMMUNICATIONS FACILITY, WIRELESS - PER LDC § 34-1441 *et seq.*

(ALSO SEE WIRELESS COMMUNICATION FACILITY CONDITIONS #11, #12, and #23). FREESTANDING WIRELESS COMMUNICATION FACILITIES (TOWERS, INCLUDING STEALTH TYPE) ARE PROHIBITED.

COMPUTER AND DATA PROCESSING SERVICES
 CONSUMPTION ON PREMISES
 IN CONJUNCTION WITH BAR OR COCKTAIL LOUNGE, CLUBS, RESTAURANTS, HOTEL/MOTEL, PACKAGE STORE, NIGHTCLUBS. SEE LDC § 34-1264

CONTRACTORS AND BUILDERS PER LDC. § 34-622(C)(9) - GROUPS I, II, AND III ONLY

CONVENIENCE FOOD AND BEVERAGE STORE
 LIMITED TO 1 FOR THE ENTIRE MPD, FURTHER LIMITED TO LOTS C-5, C-6, C-7, OR C-8 ARE PROHIBITED

CULTURAL FACILITIES PER LDC § 34-622(C)(10).

DEPARTMENT STORE

DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE

DRUGSTORE, PHARMACY

ENTRANCE GATE AND GATEHOUSE

EMERGENCY OPERATIONS CENTER

EMERGENCY MEDICAL SERVICE (EMS), FIRE OR SHERIFF'S STATION

ESSENTIAL SERVICES
 ESSENTIAL SERVICE FACILITIES, GROUP I
 GROUP II LIMITED TO COMMUNICATION, TELEPHONE, AND ELECTRICAL DISTRIBUTION FACILITIES, AND ELECTRICAL SUBSTATIONS

EXCAVATION, WATER RETENTION - SEE BLASTING CONDITION

FACTORY OUTLETS (POINT OF MANUFACTURE ONLY)

FENCES, WALLS

FOOD AND BEVERAGE SERVICE, LIMITED

FOOD STORES, PER LDC § 34-622(C)(16) - GROUP I ONLY.

FREIGHT AND CARGO HANDLING ESTABLISHMENTS, PER LDC § 34-622(C)(17)

GASOLINE DISPENSING SYSTEMS, SPECIAL
 LIMITED TO LOTS C-12 THROUGH C-18

GIFT AND SOUVENIR SHOP

GOLF DRIVING RANGE

GOVERNMENT MAINTENANCE FACILITY

HEALTH CLUB OR SPA

HARDWARE STORE

HEALTH CARE FACILITIES, PER LDC § 34-622(C)(22) GROUP III - SEE CONDITIONS # 7 AND #8

HOTEL/MOTEL - MAXIMUM 115 ROOMS. SEE CONDITIONS #3.b.i. AND 8

HOUSEHOLD AND OFFICE FURNISHINGS, PER LDC § 34-622(C)(22) - ALL GROUPS

INSURANCE COMPANIES PER LDC § 34-622(C)(23)

LAUNDRY OR DRY CLEANING PER LDC § 34-622(24) - ALL GROUPS

LAWN AND GARDEN SUPPLY STORES

MANUFACTURING OF: *See NOTE below

APPAREL PRODUCTS PER LDC § 34-622(C)(1)
ELECTRICAL MACHINERY AND EQUIPMENT PER LDC § 34-622(C)(11)
FABRICATED METAL PRODUCTS PER LDC § 34-622(C)(14) GROUP I,
AND GROUP II. GROUP I LIMITED TO METAL FORGING AND
STAMPING AND COATING, ENGRAVING AND ALLIED SERVICES
FOOD AND KINDRED PRODUCTS PER LDC § 34-622(C)(15) - GROUP
III
LEATHER PRODUCTS PER LDC § 34-622(C)(25) - GROUP II
MEASURING, ANALYZING AND CONTROLLING INSTRUMENTS PER
LDC § 34-622(C)(28)
NOVELTIES, JEWELRY, TOYS AND SIGNS PER LDC § 34-622(C)(29) -
ALL GROUPS
RUBBER AND PLASTIC PRODUCTS PER LDC § 34-622(C)(44) - GROUP
II
STONE, CLAY, GLASS AND CONCRETE PRODUCTS PER LDC § 34-
622(C)(48) - GROUP I
***NOTE:** ALL OPERATIONS MUST BE CONDUCTED WITHIN A FULLY
ENCLOSED BUILDING

MEDICAL OFFICES
MESSAGE ANSWERING SERVICE
MINI-WAREHOUSE
MOTION PICTURE PRODUCTION STUDIO
NIGHTCLUBS - MUST MEET COMMERCIAL SITE LOCATION STANDARDS
NON STORE RETAILERS, PER LDC § 34-622(C)(30) - ALL GROUPS
PARCEL AND EXPRESS SERVICES
PACKAGE STORE - LIMITED TO 1 ON THE ENTIRE MPD.
PAINT, GLASS AND WALLPAPER
PARKING LOT - ACCESSORY, COMMERCIAL (SEE CONDITION#24), GARAGE
PUBLIC PARKING, TEMPORARY
PERSONAL SERVICES, PER LDC § 34-622(C)(33) - EXCLUDING ESCORT
SERVICES, PALM READERS, FORTUNETELLERS, CARD READERS,
AND TATTOO PARLORS
PET SERVICES - WHEN COMPLETELY ENCLOSED IN A BUILDING
PHOTO FINISHING LABORATORIES
PLANT NURSERY - LIMITED TO LOTS C-12 THROUGH C-18.
POST OFFICE
PRINTING AND PUBLISHING PER LDC § 34-622(C)(36)
PROCESSING, PACKAGING AND WAREHOUSING
REAL ESTATE SALES OFFICE
RECREATION FACILITIES: COMMERCIAL PER LDC § 34-622(C)(38)
GROUPS I, II, III, IV
PERSONAL
PRIVATE - ON SITE
PRIVATE - OFF SITE
RENTAL OR LEASING ESTABLISHMENTS PER LDC § 34-622(C)(39)
GROUPS I, II, III. (NO RECREATIONAL VEHICLES OR UTILITY
TRAILERS)
REPAIR SHOPS PER LDC § 34-622(C)(40) - ALL GROUPS

ALL OPERATIONS MUST BE WITHIN A FULLY ENCLOSED BUILDING
RESEARCH AND DEVELOPMENT LABORATORIES PER LDC § 34-622(C)(30) -
GROUPS I, II, AND IV. EXCLUDING GROUP III (CHEMICAL)
RESTAURANT, FAST FOOD - The fast food restaurant must be located in a
multiple use building or in an in-line center. No free standing fast food
restaurant is permitted.
RESTAURANTS PER LDC § 34-622(C)(43) - GROUP III.
GROUP I AND II ONLY WHEN LOCATED IN A MULTIPLE-OCCUPANCY
COMPLEX
RETAIL AND WHOLESALE WHEN CLEARLY INCIDENTAL AND SUBORDINATE
TO A PERMITTED PRINCIPAL USE ON THE SAME PREMISES
SCHOOLS, COMMERCIAL
SELF-SERVICE FUEL PUMPS - SEE CONVENIENCE FOOD AND BEVERAGE.
ALSO SEE CONDITIONS.
SIGNS IN ACCORDANCE WITH CHAPTER 30 - WITH APPROVED DEVIATIONS
SOCIAL SERVICES PER LDC § 34-622(C)(30) -
GROUPS I, II, III EXCLUDING ANY RESIDENTIAL DWELLING UNITS
(I.E., HALF WAY HOUSES AND GROUP HOMES)
SPECIALTY RETAIL SHOPS PER LDC § 34-622(C)(47) - ALL GROUPS
EXCLUDING AMMUNITION, FIREARMS, HUNTERS EQUIPMENT
STORAGE, INDOOR
STORAGE, OPEN - ONLY FOR USES THAT ARE PERMITTED, PER LDC § 34-
3001 *et seq.* - LIMITED TO LOTS C-12 THROUGH C-18
STORAGE, VEHICLES - LIMITED TO LOTS C-12 THROUGH C-18
STUDIOS, PER LDC § 34-622(C)(49)
TEMPORARY USES
THEATER, INDOOR
TRANSPORTATION SERVICES, PER LDC § 34-622(C)(53) -
GROUPS, II, III
TRUCK STOP, TRUCKING TERMINAL - LIMITED TO LOTS C-12 THROUGH C-
18
USED MERCHANDISE PER LDC § 34-622(C)(54) - ALL GROUPS
ALL USED MERCHANDISE AND OPERATIONS MUST BE CONDUCTED
WITHIN A FULLY ENCLOSED BUILDING.
VARIETY STORE
VEHICLE AND EQUIPMENT DEALERS PER LDC § 34-622(C)(5) GROUPS I, II
ONLY
WAREHOUSE, MINI WAREHOUSE, PRIVATE, PUBLIC
WHOLESALE ESTABLISHMENTS PER LDC § 34-622(C)(56)-GROUPS I, III, IV
LIMITED TO LOTS C-12 THROUGH C-18

LOTS I-1 - I-10

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
AGRICULTURAL USES - SEE CONDITION #21
AMATEUR RADIO ANTENNAS & SATELLITE EARTH STATIONS - LIMITED TO
50 FEET IN HEIGHT

ANIMALS: CLINIC OR KENNEL, WHEN COMPLETELY ENCLOSED IN A BUILDING. NO OUTDOOR KENNELS OR RUNS
ANIMAL CONTROL CENTER (INCLUDING HUMANE SOCIETY) - WHEN COMPLETELY ENCLOSED IN A BUILDING
NO OUTDOOR KENNELS OR RUNS
AUTOMATIC TELLER MACHINE (ATM)
AUTO PARTS STORE
AUTOMOBILE SERVICE STATION, NO RETAIL SALE OF GASOLINE PERMITTED
AUTO REPAIR AND SERVICE, PER LDC § 34-622(C)(2) - ALL GROUPS
NO OUTDOOR STORAGE
BANKS AND FINANCIAL ESTABLISHMENTS, PER § 34-622(C)(3) - ALL GROUPS
BAR OR COCKTAIL LOUNGE - LIMITED TO 1 ON THE ENTIRE MPD
BOAT PARTS STORE
BOAT REPAIR AND SERVICE
BOARDWALKS
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION
BUILDING MATERIALS SALES, PER LDC § 34-622(C)(4)
BUSINESS SERVICES, PER LDC. § 34-622(C)(5) - ALL GROUPS
INCLUDES AIRCRAFT FOOD SERVICES AND CATERING
BUS STATION/DEPOT
CATERERS
CAR WASH - LIMITED TO 1 ONE THE ENTIRE MPD.
CLEANING AND MAINTENANCE SERVICES PER LDC. § 34-622(C)(7)
CLOTHING STORES, GENERAL PER LDC. § 34-622(C)(9)
CLUBS: COUNTRY, COMMERCIAL, FRATERNAL, MEMBERSHIP ORGANIZATION, PRIVATE
COLD STORAGE, PRE-COOLING AND WAREHOUSE - NO OUTDOOR STORAGE
COMMUNICATIONS FACILITY, WIRELESS - PER LDC § 34-1441 *et seq.*
(ALSO SEE WIRELESS COMMUNICATION FACILITY CONDITIONS #11, #12, AND #23). FREESTANDING WIRELESS COMMUNICATION FACILITIES (TOWERS, INCLUDING STEALTH TYPE) ARE PROHIBITED.
COMPUTER AND DATA PROCESSING SERVICES
CONSUMPTION ON PREMISES
IN CONJUNCTION WITH BAR OR COCKTAIL LOUNGE, CLUBS, RESTAURANTS, HOTEL/MOTEL, PACKAGE STORE, NIGHTCLUBS - SEE LDC § 34-1264
CONTRACTORS AND BUILDERS PER LDC. § 34-622(C)(9) - ALL GROUP
CULTURAL FACILITIES PER LDC § 34-622(C)(10)
DEPARTMENT STORE
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY
ENTRANCE GATE AND GATEHOUSE
EMERGENCY OPERATIONS CENTER
EMERGENCY MEDICAL SERVICE (EMS), FIRE OR SHERIFF'S STATION
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, GROUP I

GROUP II LIMITED TO COMMUNICATION, TELEPHONE, AND
ELECTRICAL DISTRIBUTION FACILITIES, AND ELECTRICAL
SUBSTATIONS
EXCAVATION, WATER RETENTION
SEE BLASTING CONDITION #18
FACTORY OUTLETS (POINT OF MANUFACTURE ONLY)
FENCES, WALLS
FOOD AND BEVERAGE SERVICE, LIMITED
FOOD STORES, PER LDC § 34-622(C)(16) - GROUP I ONLY.
FREIGHT AND CARGO HANDLING ESTABLISHMENTS, PER LDC § 34-
622(C)(17)
FUNERAL HOME AND MORTUARY WITH OR WITHOUT CREMATORY
GASOLINE DISPENSING SYSTEMS, SPECIAL
GIFT AND SOUVENIR SHOP
GOLF DRIVING RANGE
GOVERNMENT MAINTENANCE FACILITY
HEALTH CLUB OR SPA
HARDWARE STORE
HEALTH CARE FACILITIES, PER LDC § 34-622(C)(22) - GROUP III - SEE
CONDITIONS
HELIPORT OR HELISTOP - SEE CONDITION #9
HOTEL/MOTEL - MAXIMUM 115 ROOMS. (SEE CONDITIONS #3.b.i. AND #8)
HOUSEHOLD AND OFFICE FURNISHINGS, PER LDC § 34-622(C)(22) - ALL
GROUPS
INSURANCE COMPANIES PER LDC § 34-622(C)(23)
LAUNDRY OR DRY CLEANING PER LDC § 34-622(24) - ALL GROUPS
LAWN AND GARDEN SUPPLY STORES
MANUFACTURING OF:
APPAREL PRODUCTS PER LDC § 34-622(C)(1)
BOATS
CHEMICAL OR ALLIED PRODUCTS PER LDC § 34-622(C)(6) - GROUP
II. WITH GROUP II LIMITED TO SOAPS, DETERGENTS,
PERFUMES, COSMETICS, AND OTHER TOILET PREPARATIONS
ELECTRICAL MACHINERY AND EQUIPMENT PER LDC § 34-622(C)(11)
FABRICATED METAL PRODUCTS PER LDC § 34-622(C)(14) GROUP I,
AND GROUP II
GROUP I WHEN IN A COMPLETELY ENCLOSED BUILDING AND
LIMITED TO METAL FORGING AND STAMPING AND COATING,
ENGRAVING AND ALLIED SERVICES
FOOD AND KINDRED PRODUCTS PER LDC § 34-622(C)(15) - GROUP
III
LEATHER PRODUCTS PER LDC § 34-622(C)(25) - GROUP II
LUMBER AND WOOD PRODUCTS PER LDC § 34-622(C)(26) - GROUP
II
MEASURING, ANALYZING AND CONTROLLING INSTRUMENTS PER
LDC § 34-622(C)(28)
NOVELTIES, JEWELRY, TOYS AND SIGNS PER LDC § 34-622(C)(29) -
ALL GROUPS

PAPER AND ALLIED PRODUCTS PER LDC § 34-622(C)(31) - GROUPS II AND III
 GROUP III LIMITED TO PAPER CONTAINERS AND BOXES
 RUBBER AND PLASTIC PRODUCTS PER LDC § 34-622(C)(44) - GROUP II
 STONE, CLAY, GLASS AND CONCRETE PRODUCTS PER LDC § 34-622(C)(48) - GROUP I (WHEN IN A COMPLETELY ENCLOSED BUILDING ONLY)
 TOBACCO PRODUCTS PER LDC § 34-622(C)(51)
 TRANSPORTATION EQUIPMENT PER LDC § 34-622(C)(52) - GROUP I (LIMITED TO MOTOR VEHICLE PARTS AND ACCESSORIES, AIRCRAFT ENGINE PARTS, AND AIRCRAFT PARTS AND AUXILIARY EQUIPMENT)
 MEDICAL OFFICES
 MESSAGE ANSWERING SERVICE
 MINI-WAREHOUSE
 MOTION PICTURE PRODUCTION STUDIO
 NIGHTCLUBS - MUST MEET COMMERCIAL SITE LOCATION STANDARDS
 NON STORE RETAILERS, PER LDC § 34-622(C)(30) - ALL GROUPS
 PARCEL AND EXPRESS SERVICES
 PACKAGE STORE - LIMITED TO 1 ON THE ENTIRE MPD.
 PAINT, GLASS AND WALLPAPER
 PARKING LOT - ACCESSORY, COMMERCIAL, TEMPORARY
 PERSONAL SERVICES, PER LDC § 34-622(C)(33)
 EXCLUDING ESCORT SERVICES, PALM-READERS, FORTUNETELLERS, CARD READERS, AND TATTOO PARLORS
 PET SERVICES - WHEN COMPLETELY ENCLOSED IN A BUILDING
 PHOTO FINISHING LABORATORIES
 PLANT NURSERY
 POST OFFICE
 PRINTING AND PUBLISHING PER LDC § 34-622(C)(36)
 PROCESSING AND WAREHOUSING
 REAL ESTATE SALES OFFICE
 RECREATION FACILITIES: COMMERCIAL PER LDC § 34-622(C)(38)
 GROUPS I, II, III, IV
 PERSONAL
 PRIVATE - ON SITE
 PRIVATE - OFF SITE
 RENTAL OR LEASING ESTABLISHMENTS PER LDC § 34-622(C)(39)
 GROUPS I, II, III & IV
 REPAIR SHOPS PER LDC § 34-622(C)(40) - ALL GROUPS
 ALL OPERATIONS MUST BE WITHIN A FULLY ENCLOSED BUILDING
 RESEARCH AND DEVELOPMENT LABORATORIES PER LDC § 34-622(C)(30) - I, II, AND IV. EXCLUDING GROUP III (CHEMICAL)
 RESTAURANT, FAST FOOD - The fast food restaurant must be located in a multiple use building or in an in-line center. No free standing fast food restaurant is permitted.

RESTAURANTS PER LDC § 34-622(C)(43) - GROUP III. GROUP I AND II ONLY
 WHEN LOCATED IN A MULTIPLE-OCCUPANCY COMPLEX
 RETAIL AND WHOLESALE WHEN CLEARLY INCIDENTAL AND SUBORDINATE
 TO A PERMITTED PRINCIPAL USE ON THE SAME PREMISES
 SCHOOLS, COMMERCIAL
 SELF-SERVICE FUEL PUMPS - SEE CONDITION #25.
 SIGNS IN ACCORDANCE WITH CHAPTER 30 - WITH APPROVED DEVIATIONS
 SOCIAL SERVICES PER LDC § 34-622(C)(30) - GROUPS I, II, III
 EXCLUDING ANY RESIDENTIAL DWELLING UNITS (I.E. HALF WAY
 HOUSES AND GROUP HOMES)
 SPECIALTY RETAIL SHOPS PER LDC § 34-622(C)(47) - ALL GROUPS
 EXCLUDING AMMUNITION, FIREARMS, HUNTERS EQUIPMENT
 STORAGE, INDOOR
 STORAGE, OPEN - ONLY FOR USES THAT ARE PERMITTED, PER LDC § 34-
 3001 *et seq.*
 STORAGE, VEHICLES
 STUDIOS, PER LDC § 34-622(C)(49)
 TEMPORARY USES
 THEATER, INDOOR
 TRANSPORTATION SERVICES, PER LDC § 34-622(C)(53) - GROUPS, II, III &
 IV
 TRUCK STOP, TRUCKING TERMINAL
 USED MERCHANDISE PER LDC § 34-622(C)(54) - ALL GROUPS
 ALL USED MERCHANDISE AND OPERATIONS MUST BE CONDUCTED
 WITHIN A FULLY ENCLOSED BUILDING.
 VARIETY STORE
 VEHICLE AND EQUIPMENT DEALERS PER LDC § 34-622(C)(5) - ALL GROUPS
 WAREHOUSE, MINI WAREHOUSE, PRIVATE, PUBLIC
 WHOLESALE ESTABLISHMENTS PER LDC SEC 34-622(C)(56) - GROUPS I, II,
 III, IV

b. Site Development Regulations

Development Intensity

i. The approval will allow for one of the following three development scenarios:

a mix of industrial uses (up to 300,000 sf), office uses (up to 200,000 sf),
 commercial uses (up to 69,000 sf), and a hotel use (up to 115 rooms);

or

a mix of industrial uses (up to 300,000 sf), office uses (up to 295,000 sf),
 commercial uses (up to 69,000 sf), and no hotel use.

or

a maximum of 500,000 sf of industrial uses, with a corresponding reduction
 in other land uses per a conversion table, not to exceed the mixed use DRI

thresholds of Florida Statutes, Chapter 380, or 9J-2, F.A.C., as may be amended.

- ii. Uses may be converted between industrial, office, commercial retail, and hotel activities according to the following ratios (based on Development of Regional Impact thresholds) and according to the following restrictions:

a) Conversion Ratios

1,000 sf industrial	=	125 sf commercial retail
1,000 sf industrial	=	94 sf office
1,000 sf commercial	=	8,000 sf industrial
1,000 sf commercial	=	750 sf office
1,000 sf office	=	10,665 sf industrial
1,000 sf office	=	1,333 sf commercial retail

Land Area per Building Square Foot

One acre of commercial retail uses = not more than 8,000 sf
One acre of office uses = not more than 9,000 sf
One acre of industrial uses = not more than 10,000 sf

(This limitation does not apply to the commercial parking structure referenced in Condition 24. This structure is limited by the lot coverage requirements.)

- b) The developer must provide a cumulative land development summary table indicating square footage, acreage, and number of hotel rooms for industrial, office, retail, and hotel uses to ensure that the project development parameters do not exceed Development of Regional Impact (DRI) thresholds. A cumulative land development summary table must be included on development order submittal documents.
- c) The land use total may not exceed 100 percent of the applicable mixed use Development of Regional Impact (DRI) thresholds outlined in Florida Statutes, Chapter 380, or 9J-2, F.A.C. The DRI thresholds are those thresholds in effect at the time an application is submitted.

Minimum Lot Area Dimensions (all uses)

Area: 20,000 square feet
Width: 100 feet
Depth: 100 feet

Minimum Setbacks *

* All buildings must be set back a minimum of 25 feet from the perimeter of the entire Airport Technology Center property.

Street: Consistent with LDC § 34-2192(a).

Side: 10 feet
Rear: 20 feet
Water Body: 25 feet
Accessory
Setbacks: Consistent with LDC § 34-1171 & 34-2194 *et seq.*

Maximum Lot Coverage:

50 percent, except for a long-term vehicular storage structure, which is 75 percent.

Maximum Building Height:

Hotel, motel, and office uses - six stories/75 feet.

All other uses (except wireless communication facilities) are limited to a maximum of 45 feet/three stories.

Buildings exceeding 35 feet in height must maintain additional building setbacks consistent with LDC § 34-2174(a).

Wireless communication facilities - Height governed by Condition 23 below.

Minimum Building Separation:

One half the sum of the height of both buildings, or 20 feet, whichever is greater

Open Space:

Prior to local development order approval, the development order plans must delineate a minimum of 21.3 acres of open space for the project, including a minimum of 10.35-acre indigenous wetland preserve within the 21.3-acre preserve in substantial compliance with the approved MCP. Individual lots must provide a minimum of 10 percent open space.

4. ENVIRONMENTAL CONDITIONS

- A. The developer must install a 15-foot-wide buffer between the property line adjacent to Ben Hill Griffin Parkway Extension and the internal frontage roadway consisting of a two-foot high berm with five (5) trees and eighteen (18) shrubs per 100 linear feet prior to issuance of a Certificate of Compliance for the industrial subdivision infrastructure development order. The buffer trees and shrubs must be native species planted on the Ben Hill Griffin side of the berm or on top of the berm. This trees must be canopy type trees (i.e., no palms). The buffer plantings may be clustered within 300 linear foot segments to allow design flexibility; and
- B. The developer must provide a 17.5-foot-wide buffer, 10 feet of which may be reserved as a Public Utility Easement on the lots abutting the frontage road. The buffer must consist of five (5) trees per 100 linear feet and a 24-inch high double staggered hedge at time of planting. The hedge must be maintained at a minimum 36-inch height.

5. ROADWAY ACCESS

All access points depicted on the MCP for the proposed Ben Hill Griffin Parkway Extension, are consistent with the October 19, 1999 Memorandum of Understanding (MOU) between Alico, Inc. and the Lee County Port Authority. The MOU permitted adjustments to the location of access points based on an agreement between the parties. Access to the subject property was adjusted in response to concerns raised by the Port Authority.

6. DRAINAGE

In accordance with the October 19, 1999 MOU between Alico, Inc. and the Lee County Port Authority, the owner of the Airport Technology Center agrees to execute permanent drainage easements within the completed Airport Technology Center surface water management systems upon final certification of the system as complete. (See Exhibit B to this resolution.)

- 7. Noise sensitive land uses (including residential dwelling units, places of worship, libraries, schools, hospitals, correctional institutions, or nursing homes) are prohibited within Airport Noise Overlay Zone 3.
- 8. Developers constructing commercial buildings, especially hotel/motel facilities located in Airport Noise Overlay Zone 3, must consider the use of sound insulating materials. Due to the potential noise levels within this zone, the developer may wish to consider the use of sound insulating features within the proposed office and commercial retail buildings as well.
- 9. Heliports and Helistops may only be permitted after review and approval by the Florida Department of Transportation Aviation Office and the Lee County Port Authority.
- 10. Deleted.

11. The proposed development will be subject to the provisions of LDC § 34-1008 "Permit for Tall Structures." Depending on the height and location of the proposed structures, an application may need to be submitted for review and approval to the Federal Aviation Administration (FAA) and the Lee County Port Authority to determine airspace impacts of proposed permanent buildings, wireless communication facilities, and temporary construction equipment (cranes).

12. Federal Communication Commission review will be required for any wireless communication facilities to ensure that signals from the wireless communication facilities do not interfere with navigation aids and radar at the Lee County Port Authority (and airport).

13. AIRPORT NOISE ZONE DISCLOSURE

Prior to the issuance of any building permit and to the extent the property or any portion of the property is located within Noise Zone 2 or Noise Zone 3 of the Airport Hazard District, the property owner and all subsequent purchasers of the property, or any portion of the property, must execute and deliver to the Department of Community Development a statement containing substantially the same language as set forth in Exhibit C and labeled "Airport Noise Zone Disclosure Statement."

14. All industrial buildings and developments within frontage Lots C-1 through C-11 must be in substantial compliance with the Airport Technology Center Architectural Design Standards attached hereto as Exhibit D. Design standards and development must also comply with the LDC and this resolution.

15. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

16. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).

17. Accessory uses must be located on the same tract, parcel, or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

18. BLASTING

Development blasting is permitted only in areas identified as proposed areas of blasting in Exhibit E, to the extent the developer is able to comply with the provisions of Chapter 3 of the LDC, as it may be amended, including 72-hour notification of blasting to the Lee County Port Authority.

19. All required buffers must utilize 100 percent native vegetation.

20. Excavated material may not be removed from the site.

21. AGRICULTURAL USES

Bona fide agricultural uses, in the form of cattle grazing, exist on this site. Cattle grazing is allowed to continue only in strict compliance with the following:

- A. Bona fide agricultural uses that are in existence (cattle grazing) at the time this resolution is approved and as shown on Exhibit F attached hereto may continue until approval of a local development order for the area of the project containing those uses.
- B. Additional clearing or grading of existing agricultural uses is prohibited. This prohibition is not intended to preclude County approved requests for the removal of exotic species.
- C. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

22. EXCAVATION AND DEWATERING

- A. Written approval from the Port Authority is necessary prior to commencing dewatering activity.
- B. If written approval by the Port Authority is granted, or granted with conditions, then dewatering is permitted subject to the following additional conditions:
 1. The combined staff gauges and monitoring wells specified in the Environmental Resource Permit in the vicinity of Lake 1- SG-2 and Lake 2 - SG-4 must be installed prior to initiation of lake excavation or dewatering . (See Exhibit G, Memorandum dated October 21, 2004, from Rand Edelstein Jr. with attached figure.)
 2. Daily surface water and groundwater monitoring level monitoring at SG-2 and SG-4 shall be implemented at least one day prior to initiation of dewatering activities and continue during dewatering operations.
 3. The developer must report the daily surface water and groundwater level observations to the Division of Natural Resources on a weekly basis.
 4. If surface water levels decline by one foot or groundwater levels decline by one foot as a result of the developer's dewatering, all dewatering operations must be suspended immediately and the developer must notify the Division of Natural Resources within 24 hours.

5. Following suspension of dewatering operations in response to adverse surface water or groundwater declines that are attributable to the project, the dewatering operations will be redesigned and the modifications approved by the Division of Natural Resources prior to resumption of any dewatering operation.
6. If the developer's dewatering operations cannot be redesigned to eliminate adverse surface water or groundwater level declines, no further dewatering operations will be allowed.
7. Any additional conditions recommended by the Port Authority.

23. WIRELESS COMMUNICATION FACILITIES

- A. Freestanding wireless communication facilities (tower, including stealth type) are prohibited. However, other wireless communication facilities may be approved in accordance with LDC § 34-1441, et. seq.

24. COMMERCIAL PARKING LOT

- A. The following uses are accessory and subordinate uses to a commercial parking lot as follows:

1. AUTOMOTIVE REPAIR SERVICES, GROUP I, ONLY
2. CAR WASH
3. SELF-SERVICE FUEL PUMPS

- B. The accessory and subordinate uses to a commercial parking lot must comply with the following:

1. Uses must be totally within the property containing the principal use; and
2. Uses cannot be separated from the principal use by a street, road, or right-of-way easement.
3. Direct public access to the accessory and subordinate uses may not be provided from any abutting public street, road, or right-of-way easement.

C. SQUARE FOOTAGE CALCULATIONS/COMMERCIAL PARKING

1. If any principal use includes a parking garage or parking structure, that structure will be considered an accessory use to the principal use. The parking structure square footage will be calculated based on the same standard applied to the principal use. Surface parking or storage areas will not be counted as square footage.
2. For purposes of calculating gross square footage allowed under this zoning approval, the total square footage of all floor area within the commercial

parking building (such as parking garage) will be deducted from the industrial square footage allowed/approved in accord with the attached MCP and this zoning resolution.

3. The ITE Trip Generation does not provide data for long-term car storage. Based on the current information available, the long-term car storage use is considered industrial. If the developer requests additional floor area or desires to adjust the ratio of industrial square footage to long-term storage after the long-term storage facility is constructed and operational, then the developer has the option of performing a traffic analysis of the commercial vehicle storage facility to determine the actual trip generation rate.

The trip generation analysis must be submitted to the DCD Development Services Division and must include the following:

- (a) Traffic counts will be conducted at all driveways leading to and from the commercial parking structure for a period not less than three (3) consecutive weekdays. The traffic counts must be conducted during the months of February or March to determine the peak season usage of the commercial parking structure. Operators of the facility will be consulted as to the peak months of operation. The facility must be open a minimum of 60 days before conducting any surveys. The 24-hour machine count will be summarized in tabular form.
- (b) The average weekday P.M. peak-hour trip generation will be determined from the three-day count,
- (c) The P.M. peak-hour trip generation will be analyzed to determine that an industrial land use of similar size to the parking facility does not generate similar P.M. peak hour trips as does a commercial parking structure, (i.e., an 80,000 sf commercial parking facility does not generate the same number of trips as 80,000 sf of industrial use).

25. No retail sale of gasoline is permitted on the property. However, self-service fuel pumps are permissible as an accessory use to a business to provide fuel for their own fleet of vehicles/equipment and customers of the commercial parking lot limited to a maximum of two pumps. Additional pumps will require special exception approval.

26. FPL Easement

The applicant, the County, and FPL are working together to locate FPL termination cabinets on the property. The location of the utility cabinets would require the granting of an easement. The project's berm and landscaping can be located within this easement, and the berm and landscaping will be adjusted to incorporate the cabinets.

SECTION C. DEVIATIONS:

1. Deviation 1 seeks relief from the LDC § 30-153(2) requirement that limits non-residential subdivision developments exceeding 330 linear feet of frontage to 2 signs not to exceed 300 square feet so as to allow 4 off-site ground mounted single-faced subdivision identification signs limited to 10 feet high, and 1 on-site ground mounted double-faced sign limited to 15 feet high, at the three entrances along approximately 3,000 linear feet of Ben Hill Griffin Parkway frontage, with each sign allowed 200 square feet of signage on each face. In addition, the on-site sign located within the common area, the off-site signs located on abutting parcels, and the signs will not be included in sign calculations for the receiving parcels. This deviation is APPROVED, SUBJECT TO the following conditions:
 - A. The developer must submit a unified signage, landscaping, and design plan for staff review at the time of local development order application.
 - B. All signs must be consistent with Chapter 30, including provisions for height, setbacks, and square footage.
 - C. This deviation is limited to four 200-square-foot off-site ground mounted single-faced subdivision identification signs, no higher than 10 feet high at entrance locations, as shown on the approved Master Concept Plan and one 200 square-foot double-faced sign, no higher than 15 feet within the frontage road "jug handle", as shown on the approved MCP.
2. Deviation 2 seeks relief from the LDC § 30-153(2)a.4. requirement which prohibits identification signs between a collector or arterial street and a frontage road so as to allow one "V" shaped sign in the "jug handle area" between the arterial road and a local road. This deviation is APPROVED, SUBJECT TO the following conditions:
 - A. This deviation is limited to one 200 square-foot double-faced sign no higher than 15 feet within the frontage road "jug handle" shown on the approved MCP.
 - B. The developer must submit a unified signage, landscaping, and design plan for staff review at the time of local development order application.
 - C. All signs must be consistent with Chapter 30, including provisions for height, setbacks, and square footage.
3. Deviation 3 - **WITHDRAWN**
4. Deviation 4 seeks relief from the LDC § 34-2194 requirement that buildings and structures may not be placed closer than 25 feet to a canal or to a bay or other water body or the distance required by the provisions of Chapter 6, Article IV, pertaining to flood hazard reduction, whichever is greater so as to allow a zero-foot setback at the bulkhead for the following uses: hotels, health club or spa, offices, restaurants, all groups, bar or cocktail lounge, cultural facilities, banks and financial institutions. Additional uses that may be considered for a zero-foot water-body setback on a case-by-case basis via an

administrative amendment include the following: administrative office for any permitted use, Business Services, Group I. This deviation is APPROVED.

5. Deviation 5 - **WITHDRAWN**
6. Deviation 6 seeks relief from the LDC § 10-285(a) requirement to provide a minimum of 330 feet of access separation on a collector road; to allow 125 feet on a possible future on-site collector road. This deviation is APPROVED, SUBJECT TO the following conditions:
 - A. Approval is limited to right-in right-out accesses only.
 - B. The intersection connection separation will be established at the time of local development order approval; however, in no instance will the intersection separation be less than 125 feet.
7. Deviation 7 seeks relief from the LDC § 30-94(h) prohibition against double-faced signs with opposing faces having an interior angle greater than 30 degrees so as to permit signs at the entrance with an interior angle of 45 to 90 degrees. This deviation is APPROVED, SUBJECT TO the following conditions:
 - A. Limited to one 200 square-foot double-faced sign no higher than 15 feet within the frontage road "jug handle" as shown on the approved MCP.
 - B. The developer must submit a unified signage, landscaping, and design plan for staff review at the time of local development order application.
 - C. All signs must be consistent with Chapter 30, including provisions for height, setbacks, and square footage.
8. Deviation 8 seeks relief from LDC § 10-329(d)(4) to permit excavation bank slope requirements to allow a bulkhead to be placed at the edge of an excavation (with a 0:1 slope) rather than sloped at a ratio not greater than 4:1; and relief from LDC § 10-418 to allow for an unnatural shoreline in the form of a bulkhead on a small portion of stormwater ponds as delineated on the MCP. This deviation is APPROVED, SUBJECT TO the following conditions:
 - A. If bulkheads are to be used as depicted on the MCP, a compensatory littoral zone equivalent to the linear footage of the bulkhead must be provided within the lake. The compensatory littoral zone must have an 8:1 slope with the control elevation set to hold a minimum of 3-inches of water during the dry season. Littoral plantings must be calculated as two herbaceous plants per linear foot of lake shoreline, and 50 percent of the littoral plants must be provided as native wetland trees (minimum 3-gallon size; one tree is equivalent to 10 herbaceous plants) with the littoral plantings concentrated within the compensatory littoral zone area. The compensatory littoral zone must be adjacent to a preservation area. The development order plans must delineate the location and cross-section of the compensatory littoral zone on the landscape, paving, and grading plans.

- B. Provision must be made for wayward vehicles during the development order process.
9. Deviation 9 seeks relief from the LDC § 34-329(d)(1)a.3 prohibition against excavations within 50 feet of private property lines under separate ownership unless granted an administrative deviation in accordance with §10-104 so as to allow the water/retention detention excavation at the northeast corner of the proposed development to be not less than 25 feet from the property line without an administrative deviation. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Memorandum of Understanding
- Exhibit C: Airport Noise Zone Disclosure Statement
- Exhibit D: Airport Technology Architectural Design Standards
- Exhibit E: Areas of Proposed Blasting
- Exhibit F: Bona fide Agricultural Uses Affidavit
- Exhibit G: Substantive Review Comments from Natural Resources Management dated October 21, 2004
- Exhibit H: Zoning Map (subject parcel identified with shading)
- Exhibit I: Master Concept Plan revision date March 11, 2005 (3-14-05), date stamped received March 17, 2005

The applicant has indicated that the STRAP number for the property is: 02-46-25-00-00001.0070.

SECTION E. FINDINGS AND CONCLUSIONS:

- 1. The applicant has proven entitlement to the MPD rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes and regulations.
- 2. The MPD rezoning, as conditioned:
 - a. meets or exceeds the performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities, and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.

3. The approval of this rezoning request satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan will be available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34 to protect the public health, safety, and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Janes, and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammy Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 31st day of January 2005.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Anna S. Purice*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *[Signature]*
Chairman

Approved as to form by:

[Signature]
Donna Marie Collins
County Attorney's Office



CASE NO: DCI2004-00035

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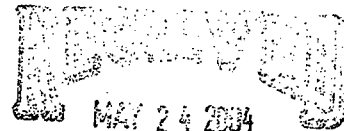
EXHIBIT "A"
LEGAL DESCRIPTION
Property located in Lee County, Florida
Page 1 of 3

DESCRIPTION

A PARCEL OF LAND BEING A PART OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 2; THENCE NORTH 01°02'30" WEST ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 50.00 FEET TO A POINT AT THE NORTH RIGHT OF WAY LINE OF ALICO ROAD (BEING 50 FEET FROM THE CENTERLINE); THENCE SOUTH 89°42'18" EAST ALONG SAID NORTH LINE, A DISTANCE OF 2009.62 FEET TO A POINT AT THE EASTERLY RIGHT OF WAY LINE OF BEN HILL GRIFFIN PARKWAY EXTENDED SOUTH; THENCE NORTH 00°17'32" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE (BEING 89 FEET FROM THE CENTERLINE), A DISTANCE OF 650.00 FEET; THENCE NORTH 89°42'28" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 14.00 FEET; THENCE NORTH 00°17'32" EAST ALONG SAID EASTERLY RIGHT OF WAY LINE (BEING 75 FEET FROM THE CENTERLINE), A DISTANCE OF 232.03 FEET TO A POINT OF A CURVE; THENCE NORTHERLY ALONG SAID CURVE TO THE LEFT AND ALONG SAID EASTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 6074.11 FEET, A DELTA OF 02°37'29", A CHORD BEARING OF NORTH 01°01'13" WEST, A CHORD DISTANCE OF 278.24 FEET, AN ARC DISTANCE OF 278.27 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 6074.11 FEET, A DELTA OF 15°13'31", A CHORD BEARING OF NORTH 09°56'43" WEST, A CHORD DISTANCE OF 1609.33 FEET, AN ARC DISTANCE OF 1614.07 FEET TO THE POINT OF TANGENCY; THENCE NORTH 17°33'28" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 215.06 FEET TO A POINT OF A CURVE; THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT AND ALONG SAID EASTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 5921.30 FEET, A DELTA OF 14°19'53", A CHORD BEARING OF NORTH 10°23'31" WEST, A CHORD DISTANCE OF 1477.25 FEET, AN ARC DISTANCE OF 1481.10 FEET; THENCE NORTH 88°10'29" EAST, A DISTANCE OF 284.09 FEET TO A POINT OF A CURVE; THENCE EASTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 200.00 FEET, A DELTA OF 28°16'48", A CHORD BEARING OF NORTH 74°02'05" EAST, A CHORD DISTANCE OF 97.72 FEET, AN ARC DISTANCE OF 98.72 FEET TO A POINT OF A REVERSE CURVE; THENCE EASTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, A DELTA OF 29°22'52", A CHORD BEARING OF NORTH 74°35'07" EAST, A CHORD DISTANCE OF 253.60 FEET, AN ARC DISTANCE OF 256.40 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°16'33" EAST, A DISTANCE OF 485.00 FEET TO A POINT OF A CURVE; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 150.00 FEET, A DELTA OF 42°55'58", A CHORD BEARING OF SOUTH 69°15'28" EAST, A CHORD DISTANCE OF 109.79 FEET, AN ARC DISTANCE OF 112.40 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 47°47'29" EAST, A DISTANCE OF 117.34 FEET; THENCE SOUTH 47°42'24" EAST, A DISTANCE OF 43.29 FEET; THENCE SOUTH 42°19'00" EAST, A DISTANCE OF 53.14 FEET; THENCE SOUTH 59°59'03" EAST, A DISTANCE OF 48.88 FEET; THENCE SOUTH 66°58'27" EAST, A DISTANCE OF 53.76 FEET; THENCE SOUTH 54°46'55" EAST, A DISTANCE OF 58.27 FEET; THENCE SOUTH 63°09'23" EAST, A DISTANCE OF 47.90 FEET; THENCE SOUTH 58°31'25" EAST, A DISTANCE OF 41.25 FEET; THENCE SOUTH 24°48'03" EAST, A DISTANCE OF 28.87 FEET; THENCE SOUTH 34°02'32" EAST, A DISTANCE OF 51.14 FEET; THENCE SOUTH 27°27'05" EAST, A DISTANCE OF 36.70 FEET; THENCE SOUTH 21°57'19" EAST, A DISTANCE OF 31.98 FEET TO A POINT ON A LINE THAT IS PERPENDICULAR TO THE SOUTH LINE OF SAID SECTION 2; THENCE SOUTH 00°17'42" WEST ALONG SAID PERPENDICULAR LINE, A DISTANCE OF 1993.58 FEET TO A POINT ON A LINE THAT IS PARALLEL

SHEET 1 OF 2



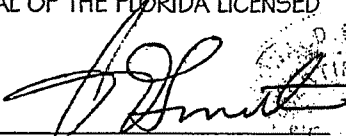
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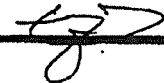
PLANNERS & SURVEYORS

TO SAID SOUTH LINE OF SECTION 2; THENCE NORTH 89°42'18"WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 288.43 FEET; THENCE SOUTH 32°02'12"WEST, A DISTANCE OF 302.93 FEET TO A POINT ON A LINE THAT IS PERPENDICULAR TO SAID SOUTH LINE OF SECTION 2; THENCE SOUTH 00°17'42"WEST ALONG SAID PERPENDICULAR LINE, A DISTANCE OF 404.68 FEET; THENCE SOUTH 32°02'12"WEST, A DISTANCE OF 309.16 FEET TO A POINT ON A LINE THAT IS PARALLEL TO SAID SOUTH LINE OF SECTION 2; THENCE NORTH 89°42'18"WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 416.89 FEET TO THE POINT OF BEGINNING. CONTAINING 90.60 ACRES MORE OR LESS.

THE BEARINGS ARE BASED ON THE SOUTH LINE OF SAID SECTION 2, BEING SOUTH 89°42'18"EAST AS ASSUMED MERIDIAN.

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


DONALD D. SMITH, P.S.M. REG. 4078
FLORIDA REGISTRATION NO. 4078
DATED SIGNED: 5-17-04

Applicant's Legal Checked
by  5/28/2004

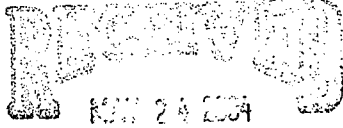
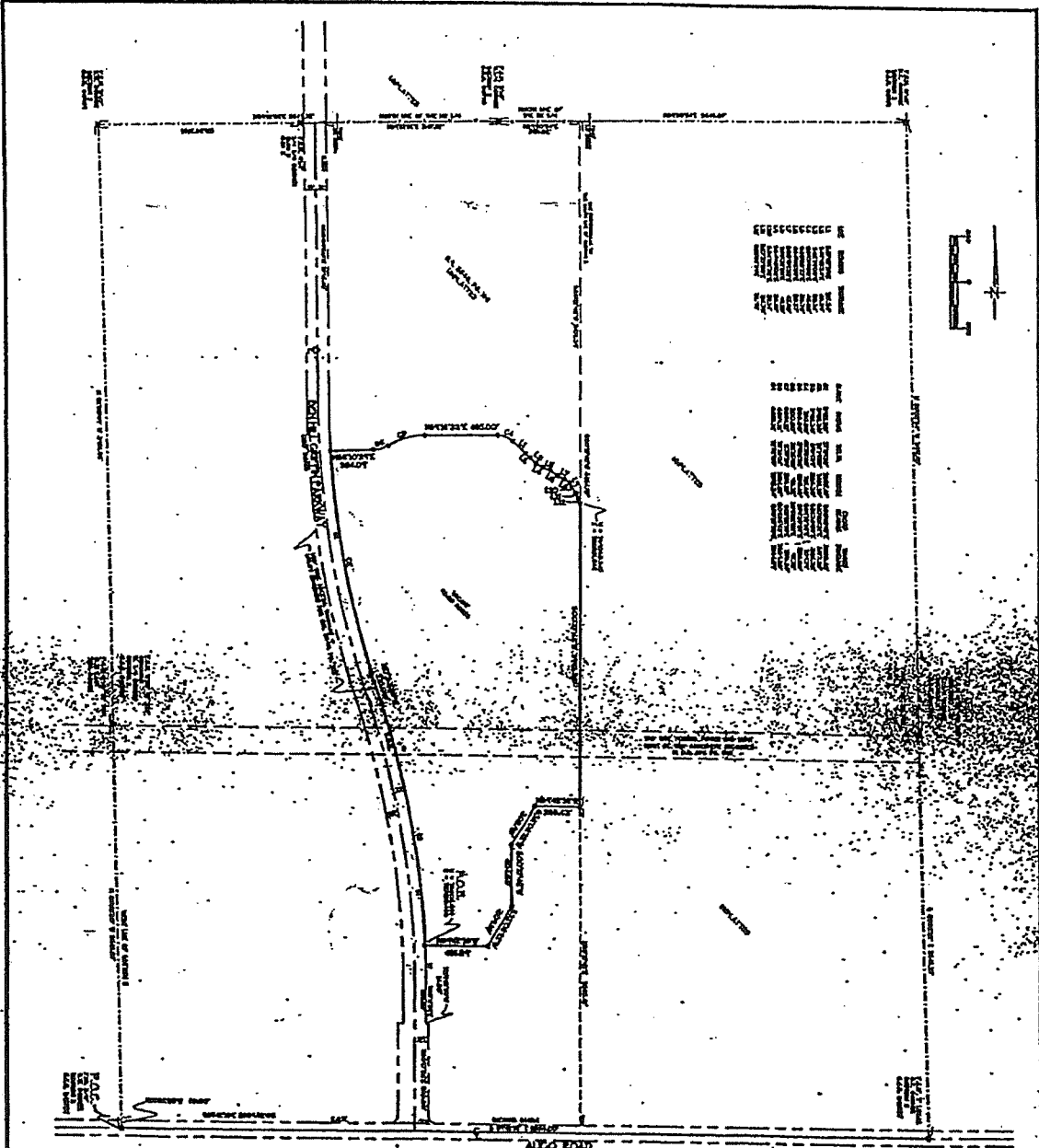


EXHIBIT "A"

Page 2 of 3



I, the undersigned, being a duly Licensed Professional Engineer in the State of Florida, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the client, and that the same is a true and correct copy of the original survey as shown to me by the client.

Professional Engineer
 License No. 11,123
 State of Florida
 Date: 11/15/2023

This is a true and correct copy of the original survey as shown to me by the client, and that the same is a true and correct copy of the original survey as shown to me by the client.

This is a true and correct copy of the original survey as shown to me by the client, and that the same is a true and correct copy of the original survey as shown to me by the client.

BOUNDARY SURVEY
 Southwest Florida Equities Corporation
 AIRPORT TECHNOLOGY CENTER
 600 County Road 100

MD MORRIS - DEFEW ASSOCIATES, INC.
 Surveyors & Engineers
 222 South Loop West, Suite 100, Fort Worth, Texas 76102

8-1
 11/15/2023

1999
02/15/99

Lee County Contract _____

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this 19th day of October, 1999, by and between Alico, Inc., a Florida corporation, whose address is Post Office Box 338, 640 S. Main Street, LaBelle, Florida 33935 ("Alico"), and the Lee County Port Authority, a special district and political subdivision of the State of Florida, whose address is 16000 Chamberlin Parkway, Suite 8671, Fort Myers, Florida, 33913 ("Port Authority").

WHEREAS, the purpose of this Memorandum of Understanding (hereafter "MOU") is to provide a formal mechanism as to the understanding of certain issues related to the extension of Ben Hill Griffin Parkway from Alico Road to Daniels Parkway and connecting to the Southwest Florida International Airport ("Airport"); and

WHEREAS, the Port Authority has agreed to construct the road, at Port Authority's expense, from Alico Road north to the existing airport property boundary; and

WHEREAS, Alico has agreed to donate the right-of-way corridor through its property to accommodate the ultimate six-lane cross section; and

WHEREAS, the proposed roadway is an integral link in the area's transportation network and will provide access to the airport and areas north from the arterial roadway system; and

WHEREAS, the roadway corridor is consistent with the Lee County Metropolitan Planning Organization's 2020 Long-Range Transportation Plan; and

WHEREAS, the roadway corridor is consistent with the Lee County Comprehensive Plan Transportation Element; and

WHEREAS, this MOU provides a benefit to the Port Authority and to Alico, and to the general public by allowing the construction of the preferable access to the Southwest Florida International Airport.

WITNESSETH:

NOW, THEREFORE, in consideration of Ten Dollars and No Cents (\$10.00) and other good and valuable consideration exchanged between the parties, the receipt and sufficiency of which is mutually acknowledged, and in consideration of the covenants contained herein, the parties agree as follows:

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1. Alico shall donate a road right-of-way corridor of 150 feet wide, from a point 650 feet north of Alico Road to the current Alico, Inc./Port Authority boundary, a distance of approximately 5,850 feet. Alico shall further donate a road right-of-way corridor 200 feet wide from Alico Road to a point 650 feet north of the northerly right-of-way line of Alico Road to accommodate expanded turnlane features. The legal description for the right of way is set forth on the attached Exhibit "A", which is attached hereto and made a part hereof. If adjustments to the right-of-way are necessary or desirable for permitting reasons, Port Authority shall confer with Alico, or if Alico has sold the property Alico's successors in interest, regarding those changes. Alico, or its successors in interest, has the right to decline to accept the adjustments if the change has a negative impact on Alico or its successors in interest. The right-of-way cannot be shifted in a manner which, for environmental reasons, would preclude Alico, or its successor(s) in interest from gaining access to its property on both sides of the right-of-way.

2. Alico must convey the right-of-way within five business days after the acceptance and execution of this agreement. Alico will convey a quitclaim deed under threat of condemnation. Port Authority will be responsible for all documentary stamps, title insurance and other costs associated with the transfer of the property and the recordation of the deed. Each party will be responsible for its attorney's fees associated with this agreement and transaction.

3. Port Authority shall be responsible for the design, permitting, mitigation, and construction of roadway within the dedicated right-of-way. The roadway cross section shall be designated as an urban four-lane divided highway, expandable to six lanes. The initial construction shall be a four-lane divided cross section.

4. To the extent permitted by the South Florida Water Management District, Alico shall provide land for the conveyance, treatment, and attenuation of stormwater from that portion of the roadway described in Exhibit "A" an adjacent land owned by Alico (the "Roadway Drainage System").

5. The Roadway Drainage System shall be incorporated as part of the roadway design, subject to prior approval by Alico, such approval not to be unreasonably withheld. Prior approval means the plan and design documents must be submitted to Alico for its approval prior to submission to the SFWMD. Prior approval must be obtained for modifications to the plans which have been reviewed and approved by Alico. Approval will not be unreasonably withheld.

6. Once the Roadway Drainage System is constructed by Port Authority, appropriate temporary easements will be recorded by Alico over the Roadway Drainage System. The temporary easement must be consistent with the Lee County Land Development Code (LCLDC). The temporary easements may be relocated by Alico, at its sole discretion. Alico shall bear all costs of such Roadway Drainage System relocation, including but not limited to, additional land costs, additional permitting costs, engineering and design costs, and all mitigation costs imposed by

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any agency having jurisdiction over stormwater management on the Alico property. All fill generated outside of the right-of-way by virtue of the Port Authority's construction of the temporary water management system shall be placed on Alico lands and shall remain Alico's property. The fill shall not become the property of Port Authority. Alico's stormwater management system must be designed to accommodate the drainage from the ultimate six-lane cross section design of the roadway.

7. The parties agree that the access shall be as identified on the attached Exhibit "B". The first directional median cut north of Alico Road must be a minimum of 800 feet north of the centerline of Alico Road, and as far north as possible. The limiting factor for this directional median cut is the location of the cypress wetlands, the directional median shall not be located where the connection to the directional median cut will require dredge and fill permits for cypress wetlands. If there are documented public safety issues regarding the first directional median cut north of Alico Road, Port Authority, or its designee LCDOT, has the right to close all or a portion of the median cut or make any other adjustments deemed necessary to address the safety concern. Prior to making any adjustments to the median, Port Authority, or its designee LCDOT, must document the public safety problem to Alico, or its successor in interest. No adjustments to, or elimination of, the access points and median cuts identified on the attached "B" can be made without the prior approval of Alico. If the parties disagree on the extent of the safety problem, or the access adjustments, the matter shall be scheduled for a decision by the Board of Port Commissioners. Alico, or its successor, are entitled to a right-in/right-out access point if the directional median is closed.

8. The northern most access point will be a directional median opening. If Lee County Department of Transportation (LCDOT) determines that the location conflicts with the proposed intersection with the entrance road to the Mid-Field terminal, the LCDOT or Port Authority will modify the access management plan (Exhibit B) by relocating the approved median openings consistent with best engineering practices. In the event that the approved number of median openings can not be accommodated by relocating the median opening, the LCDOT or Port Authority will undertake the design, permitting mitigation, and construction of a parallel roadway that will provide for the flow of traffic from the northernmost full median cut to the upland parcel located east of the roadway south of the Port Authority property line.

9. There will be three full median cuts as identified on "Exhibit B". (Four directional openings shall be allowed.) The directional median cuts (allowing movement in both an east and west direction) will be in the location identified on "Exhibit B".

10. Port Authority will be responsible for the mitigation required for any cumulative and secondary impacts associated with the construction within the right-of-way and drainage easements for the roadway. Alico, its successors or assigns, will be responsible for the mitigation required for any cumulative and secondary impacts associated with the development of lands currently owned by Alico adjacent to the corridor.

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11. The Lee County Port Authority Staff will recommend to the Lee County Port Authority Board/County Commission that the roadway be named the "Ben Hill Griffin Parkway."

12. If construction of the roadway has not commenced within three years of the date of execution of this Memorandum, this Memorandum shall expire. The agreement may be extended only by mutual written consent of the parties. Once construction is commenced, it must continue in a reasonable manner. Construction will begin at the southern part of the roadway, the connection with Alico Road. If the roadway construction has not commenced within three years, and if the agreement is not extended by mutual written agreement of the parties, the right-of-way and temporary easements dedicated to the Port Authority by virtue of this Memorandum of Understanding shall revert back to Alico. If the property reverts back to Alico due to a failure to commence within three years, the Port Authority must take any steps which are necessary to deliver Alico clear title to the property. If construction of the road is not completed within sixteen (16) months after commencement then Port Authority shall advise Alico of the delay and the reasonable basis for the delay. If Alico does not concur that the rationale for the delay is reasonable, the Alico shall request the matter to be scheduled before the Board of Port Commissioners for consideration. The matter shall be scheduled before the Board of Port Commissioners within twenty-one (21) days after the submission of the written request to the executive director of the Port Authority or the Director of the Department of Public Works.

13. This memorandum of understanding will be binding and inure to the benefit of Alico and the Port Authority's successors, assigns, and designees.

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IN WITNESS WHEREOF, the parties to the Memorandum of Understanding have hereunto set their hands and seals and have executed this agreement the day and year first above written.

ALICO, INC.,
A FLORIDA CORPORATION

By: [Signature]

BOARD OF PORT COMMISSIONERS
LEE COUNTY, FLORIDA

By: [Signature]
Chairman or Vice Chairman

ATTEST: CHARLIE GREEN
Clerk of the Circuit Court.

By: [Signature]
Deputy Clerk

APPROVED AS TO FORM

By: [Signature]
Port Authority Attorney's Office

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JUN 29 2004

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002004-00030

Wilson Miller

New Directions in Planning, Design & Engineering

Exhibit "A"
Description of Ben Hill Griffin Parkway
North of Alico Road
Being a Part of Section 2, Township 46 South, Range 25 East,
Lee County, Florida.

A tract or parcel of land being part of the Section 2, Township 46 South, Range 25 East, Lee County, Florida described as follows:

Commencing at the Southwest corner of Section 2; thence along the West line of said Section 2, N.01°05'14"W. for 50.00 feet to the North right of way of Alico Road (an existing 100 feet wide right of way); thence along said Northerly right-of-way line, S.89°42'18"E. for 1759.65 feet to a point of curvature and the Point of Beginning;

Thence 78.54 feet along the arc of a tangent circular curve concave to the northwest, having a radius of 50.00 feet, through a central angle of 90°00'10" and being subtended by a chord which bears N.45°17'37"E. for 70.71 feet to the point of tangency; thence N.00°17'32"E. for 549.99 feet; thence S.89°42'28"E. for 36.00 feet; thence N.00°17'32"E. for 282.03 feet to a point of curvature; thence 1845.60 feet along the arc of a tangent circular curve concave to the west, having a radius of 5924.11 feet, through a central angle of 17°51'00" and being subtended by a chord which bears N.08°37'58"W. for 1838.15 feet; thence N.17°33'28"W. for 215.06 feet to a point of curvature; thence 1853.25 feet along the arc of a tangent circular curve to the east, having a radius of 6071.30 feet, through a central angle of 17°29'22" and being subtended by a chord which bears N.08°48'47"W. for 1846.07 feet; thence N.00°04'06"W. for 1795.01 feet to the Northerly line of said Section 2; thence N.89°20'22"E. along said Section line for 150.01 feet; thence departing from said Section line, S.00°04'06"E. for 1796.56 feet; thence 1807.47 feet along the arc of a tangent circular curve concave to the east, having a radius of 5921.30 feet, through a central angle of 17°29'22" and being subtended by a chord which bears S.08°48'47"E. for 1800.46 feet; thence S.17°33'28"W. for 215.06 feet to a point of curvature; thence 1892.34 feet along the arc of a tangent circular curve concave to the west, having a radius of 6074.11 feet, through a central angle of 17°51'00" and being subtended by a chord which bears S.08°37'58"E. for 1884.69 feet; thence S.00°17'32"W. for 282.03 feet; thence S.89°42'28"E. for 14.00 feet; thence S.00°17'32"W. for 550.01 feet to a point of curvature; thence 78.54 feet along the arc of a tangent circular curve concave to the northeast, having a radius of 50.00 feet, through a central angle of 89°59'50" and being subtended by a chord which bears S.44°42'23"E. for 70.71 feet to a point of cusp and the North right-of-way line of said Alico Road; thence N.89°42'18"W. along said North right-of-way for 300.00 feet to the Point of Beginning.

Parcel contains 23.414 acres, more or less;
Subject to easements, restrictions, reservations and rights-of-way of record;
Bearings are assumed and based on the south Section line, Section 3, Township 46 South, Range 25 East, as being S.89°22'23"E.

Wilson Miller, Inc.

Alan W. Sadowski
Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. LS4800
Not valid unless embossed with the Professional's seal.
W.O. : F0253-009-005-LSSLD Ref: B-0253-157 Rev: September 17, 1999

9-17-99
Date

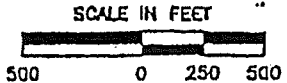
RECEIVED
JUN 29 2004

DCI 2004-00030
ZONING COUNTER

Naples • Fort Myers • Sarasota • Bradenton • Tampa
4571 Colonial Boulevard, Suite 100 • Fort Myers, Florida 33912-1062 • 941-939-1020 • 941-939-7479

www.wilsonmiller.com

Wilson Miller, Inc. - FL Lic. # LC-2000170



N.00°04'06"W. 1796.56'
 S.00°04'06"E. 1795.01'

PROPOSED BEN HILL GRIFFIN PARKWAY

LINE TABLE

Line	Bearing	Distance
L1	N.00°17'32"E	232.03'
L2	N.89°42'28"W	36.00'
L3	N.00°17'32"E	699.99'
L4	N.00°17'32"E	600.01'
L5	S.89°42'28"E	14.00'
L6	N.00°17'32"E	232.03'
L7	S.89°42'18"E	300.00'
L8	N.17°53'24"W	215.06'
L9	N.17°53'28"W	215.06'
L10	N.89°20'22"E	150.01'
L11	N.01°05'14"W	50.00'

PARCEL C

CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	6071.30'	17°29'22"	1853.25'	933.09'	1816.07'	N.08°48'47"W
2	5924.11'	17°51'00"	1845.60'	930.34'	1838.15'	S.08°37'58"E
3	50.00'	90°00'10"	78.54'	50.00'	70.71'	S.45°17'37"W
4	6074.11'	17°51'00"	1892.34'	953.90'	1884.69'	S.08°37'58"E
5	50.00'	89°59'50"	78.54'	50.00'	70.71'	N.44°42'23"W
6	5921.30'	17°29'22"	1807.47'	910.82'	1800.46'	N.08°48'47"W

CURVE TABLE

EASTERLY RIGHT-OF-WAY LINE OF I-75
 E 1-75

* SKETCH ONLY THIS IS NOT A SURVEY *

REVISION DATE DRAWN BY CIP, N.L.

ALICO, INC. PO BOX 358, LABELLE, FL 33975			
NOVLS	EXP. N2	DATE	
1223	MOH	8/17/98	
BY:			
D BY:			9936 v.2

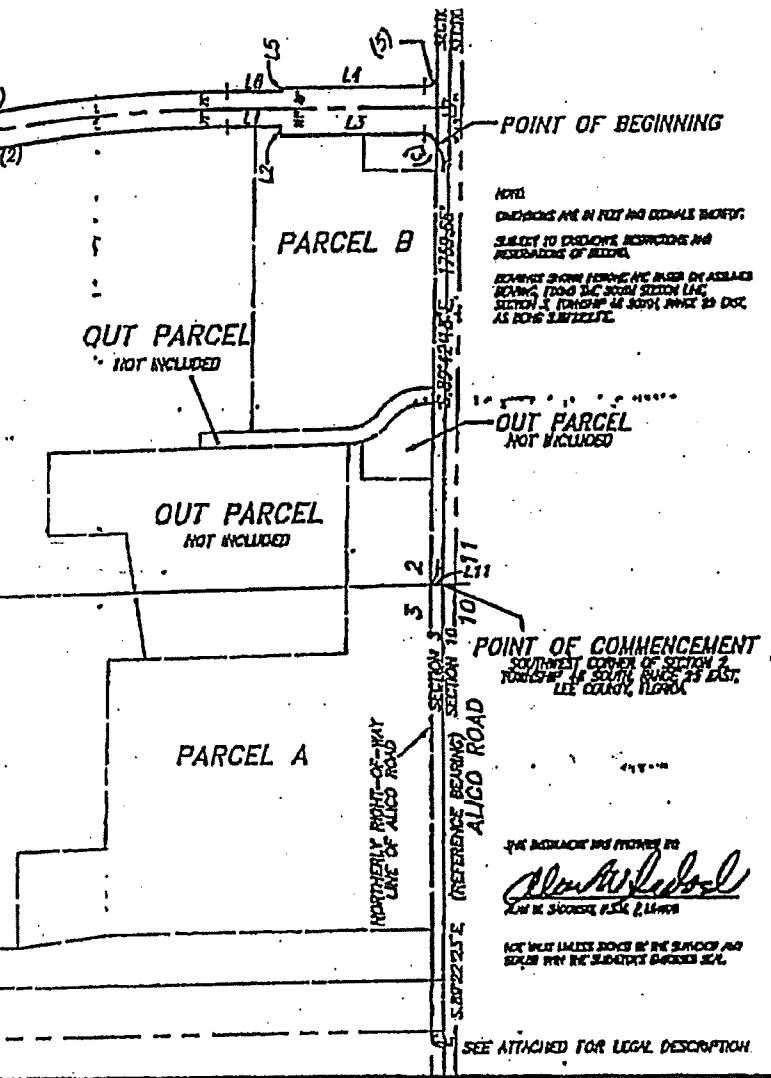
ZONING COUNTER

WILSON MILLER

PLANNING, ENVIRONMENTAL & CONSTRUCTION ENGINEERING
 SURVEYING, LANDSCAPE ARCHITECTURE & CONSTRUCTION MANAGEMENT
 WILSON, MILLER, BARTON & PECK, INC.
 1575 Central Expressway, Suite 100, Fort Myers, Florida 33911 Phone (813) 938-1100 Fax (813) 938-9412
 Web Site: www.wilsonmiller.com E-mail: info@wilsonmiller.com

CURRENT SCALE	VERTICAL SCALE	1" = 30'	N/A
TICK EMPY	AGE	3	48 25
FIELD BOOK	DATE		

TITLE: SKETCH OF DESCRIPTION PROPOSED BEN HILL GRIFFIN PKWY. PART OF SECTION 2, TOWNSHIP 48 SOUTH RANGE 25 EAST, LEE COUNTY, FLORIDA			
TASK	PROJECT NO.	SHEET NUMBER	DRAWING NUMBER
LSSL0	F0253-009-005	1 of 1	B-0253-157



NOTE:
 DIMENSIONS ARE IN FEET AND DECIMAL FRACTIONS;
 SUBJECT TO EXISTING RECORDS AND RECORDATIONS OF RECORDS;
 BEARING SHOWN HEREIN ARE BASED ON ASSUMED
 BEARING (2000 U.S. SURVEY SYSTEM) (U.S.
 SECTION 2, TOWNSHIP 48 SOUTH, RANGE 25 EAST,
 AS BEING SUBMITTED.

POINT OF COMMENCEMENT
 SOUTHWEST CORNER OF SECTION 2,
 TOWNSHIP 48 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA

THE SIGNATURE AND NUMBER OF

 ALAN W. MILLER, P.E., L.S.

NOT VALID UNLESS BOULES BY THE SURVEYOR AND
 BOULES BY THE SURVEYOR BOULES ONLY.

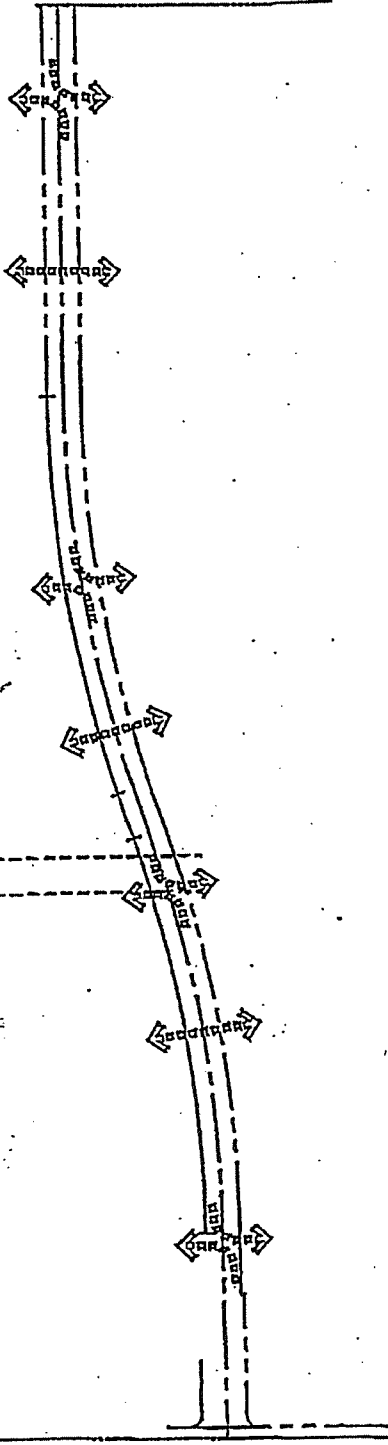
SEE ATTACHED FOR LEGAL DESCRIPTION

DCI 2004-00030

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 JUL 29 2004

EXHIBIT B

MEMORANDUM OF UNDERSTANDING,
BEN HILL GRIFFIN
PARKWAY



SCALE: 1"=800'

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PROJECT: *ALICO*

APPLICANT:

ZONING COUNTER

Wilson Miller

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

Wilson Miller, Inc.

Naples • Fort Myers • Sarasota • Bradenton • Tampa

1111 3rd Avenue West #100 • Bradenton, Florida 34205-7034 • Phone 941-744-0700 • Fax 714-0800 • Web Site www.wilsonmiller.com

FLA. REG. #		DATE
COUNTY	NO. 1	9/17/99
SEC.	TWP.	REV. NO.
PROJECT NO.	FILE NO.	
FO253-000-000	A-0253-29	
DRYING BY/DATE	SHEET NO.	
KAC/1213	1 of 1	

DCT2004-00030

ADDENDUM

1. During the negotiations between the Port Authority and Alico, Alico entered into contracts of purchase and sale to sell its holdings adjacent to the right-of-way.

2. Southwest Florida Equities Corporation, a Florida Corporation, and Thomas B. Garlick, Trustee are the contract purchasers of certain property owned by Alico. The contract purchasers have reviewed the terms and conditions of the above memorandum of understanding by and between Alico and the Port Authority and agree and acknowledge that they will be bound by the provisions thereof as contract purchasers if and when they take title to a portion of the property currently owned by Alico which lies to the east and to the west of the right-of-way described in Exhibit "A". Southwest Florida Equities Corporation, a Florida Corporation, and Thomas B. Garlick, Trustee do hereby accept all of the benefits, liabilities and responsibilities of Alico at the time title is obtained.

Summa Street
Witness

Donna M. Heffner
Witness

BY: [Signature]
Southwest Florida Equities Corporation,
a Florida Corporation

BY: [Signature]
Thomas B. Garlick, Trustee

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WilsonMiller
New Directions In Planning, Design & Engineering

Description of Parcel A
44.49 Acres North of Alico Road
Being a Part of Sections 2 and 3, Township 46 South, Range 25 East,
Lee County, Florida

A tract or parcel of land being part of the Sections 2 and 3, Township 46 South, Range 25 East, Lee County, Florida described as follows:

Commencing at the Southeast corner of Section 3; thence along the East line of said Section 3, North $01^{\circ}05'14''$ West, 50.00 feet to the North right of way of Alico Road (100 feet wide right of way) and the Point of Beginning of the herein described tract or parcel of land.

From said Point of Beginning along said North right of way line, South $89^{\circ}22'23''$ West, 1400.62 feet to the Easterly right of way line of Interstate Highway 75;
Thence along said Easterly right of way line, North $00^{\circ}38'28''$ West, 1353.60 feet;
Thence continue along said Easterly right of way line North $07^{\circ}29'02''$ West, 402.87 feet;
Thence leaving said Easterly right of way line, North $89^{\circ}54'40''$ East, 386.31 feet;
Thence South $02^{\circ}02'48''$ East, 373.78 feet;
Thence South $89^{\circ}22'23''$ East, 772.32 feet;
Thence South $01^{\circ}03'53''$ East, 1004.67 feet;
Thence South $89^{\circ}42'18''$ East parallel with and 400.28 feet North (as measured at right angles) of the South line of Section 3 for 851.48 feet to a point on a curve;
Thence Southeasterly, 60.92 feet along the arc of a nontangential circular curve concave to the West, having a radius of 230.00 feet, through a central angle of $15^{\circ}10'31''$ and being subtended by a chord which bears South $08^{\circ}39'09''$ East, 60.74;
Thence South $89^{\circ}42'18''$ East parallel with and 340.28 feet North (as measured at right angles) of the South line of Section 3 for 144.00 feet;
Thence South $00^{\circ}17'42''$ West. 290.28 to the North right-of-way of Alico Road;
Thence along the said Northerly right-of-way, North $89^{\circ}42'18''$ East, 437.57 feet to the Point of Beginning of the tract or parcel of land herein described.

Parcel contains 44.49 acres, more or less;

Subject to easements, restrictions, reservations and rights-of-way of record;

Bearings are assumed and based on the south Section line, Section 3, Township 46 South, Range 25 East, as being North $89^{\circ}22'23''$ West.

Prepared by:

WilsonMiller, Inc.

Alan W. Sadowski

Alan W. Sadowski, Professional Surveyor & Mapper

Florida Registration No. 4800

Not valid unless embossed with the Professional's seal.

Date

8-25-99

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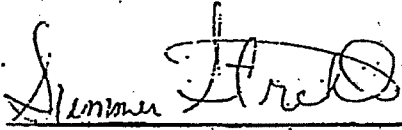
DC12004 ZONING COUNTER

W.O.: F0253-009 -005 LSSLD REF.: C-0253-153 Date: June 10, 1999

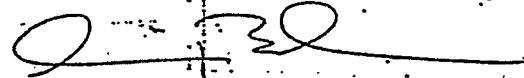
ADDENDUM

1. During the negotiations between the Port Authority and Alico, Alico entered into contracts of purchase and sale to sell its holdings adjacent to the right-of-way.

2. Southwest Florida Equities Corporation, a Florida Corporation, and Thomas B. Garlick, Trustee are the contract purchasers of certain property owned by Alico. The contract purchasers have reviewed the terms and conditions of the above memorandum of understanding by and between Alico and the Port Authority and agree and acknowledge that they will be bound by the provisions thereof as contract purchasers if and when they take title to a portion of the property currently owned by Alico which lies to the east and to the west of the right-of-way described in Exhibit "A". Southwest Florida Equities Corporation, a Florida Corporation, and Thomas B. Garlick, Trustee do hereby accept all of the benefits, liabilities and responsibilities of Alico at the time title is obtained.



Witness


BY: _____
Southwest Florida Equities Corporation,
a Florida Corporation

Witness

BY: _____
Thomas B. Garlick, Trustee

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DC12004-00030

WilsonMiller
New Directions In Planning, Design & Engineering

Description of Parcel B
18.86 Acres North of Alico Road
Being a Part of Section 2, Township 46 South, Range 25 East,
Lee County, Florida

A tract or parcel of land being part of the Section 2, Township 46 South, Range 25 East, Lee County, Florida described as follows:

Commencing at the Southwest corner of Section 2; thence along the West line of said Section 2, North 01°05'14" West, 50.00 feet to the North right of way of Alico Road (100 feet wide right of way); Thence along said Northerly right-of-way line, South 89°42'18" East, 786.72 feet to the Point of Beginning of the herein described tract or parcel of land.

From said Point of Beginning, leaving said Northerly right-of-way line, North 00°17'42" East, 39.82 feet to a point of curvature;

Thence Northwesterly, 209.41 feet along the arc of a tangential circular curve concave to the Southwest, having a radius of 230.00 feet through a central angle of 52°10'02" and being subtended by a chord which bears North 25°47'19" West, 202.25 feet to a point of reverse curvature;

Thence Northwesterly, 150.75 feet along the arc of a tangential circular curve concave to the Northeast, having a radius of 170.00 feet through a central angle of 50°48'27" and being subtended by a chord which bears North 26°28'07" West, 145.86;

Thence North 01°03'53" West, 405.49 feet;

Thence South 89°42'18" East parallel with and 807.08 feet North (as measured at right angles) of the South line of Section 2 for 1223.13 feet to the West right-of-way line of the Proposed Ben Hill Griffin Parkway;

Thence along said West right-of-way line, South 00°17'32" West, 107.08 feet;

Thence North 89°42'28" West, 36.00 feet;

Thence South 00°17'32" West, 350.02 feet;

Thence North 89°42'18" West parallel with and 349.98 feet North (as measured at right angles) of the South line of Section 2 for 145.14 feet;

Thence South 00°17'32" West, 299.98 feet to the Northerly right-of-way-line of Alico Road;

Thence along said Northerly right-of-way line, North 89°42'18" West, 877.80 feet to the Point of Beginning of the tract or parcel of land herein described.

Parcel contains 18.86 acres, more or less;

Subject to easements, restrictions, reservations and rights-of-way of record;

Bearings are assumed and based on the south Section line, Section 3, Township 46 South, Range 25 East, as being North 89°22'23" West.

Prepared by:

WilsonMiller, Inc.

Alan W. Sadowski

Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. 4800
Not valid unless embossed with the Professional's seal.

9-20-99
Date

DCI2004-00000

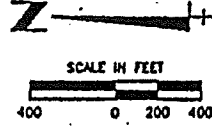
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JUN 29 2004

W.O.: F0253-009 -005 LSSLD REF.: C-0253-153 Date: June 10, 1999 REV.: September 17, 1999

ZONING COUNTER

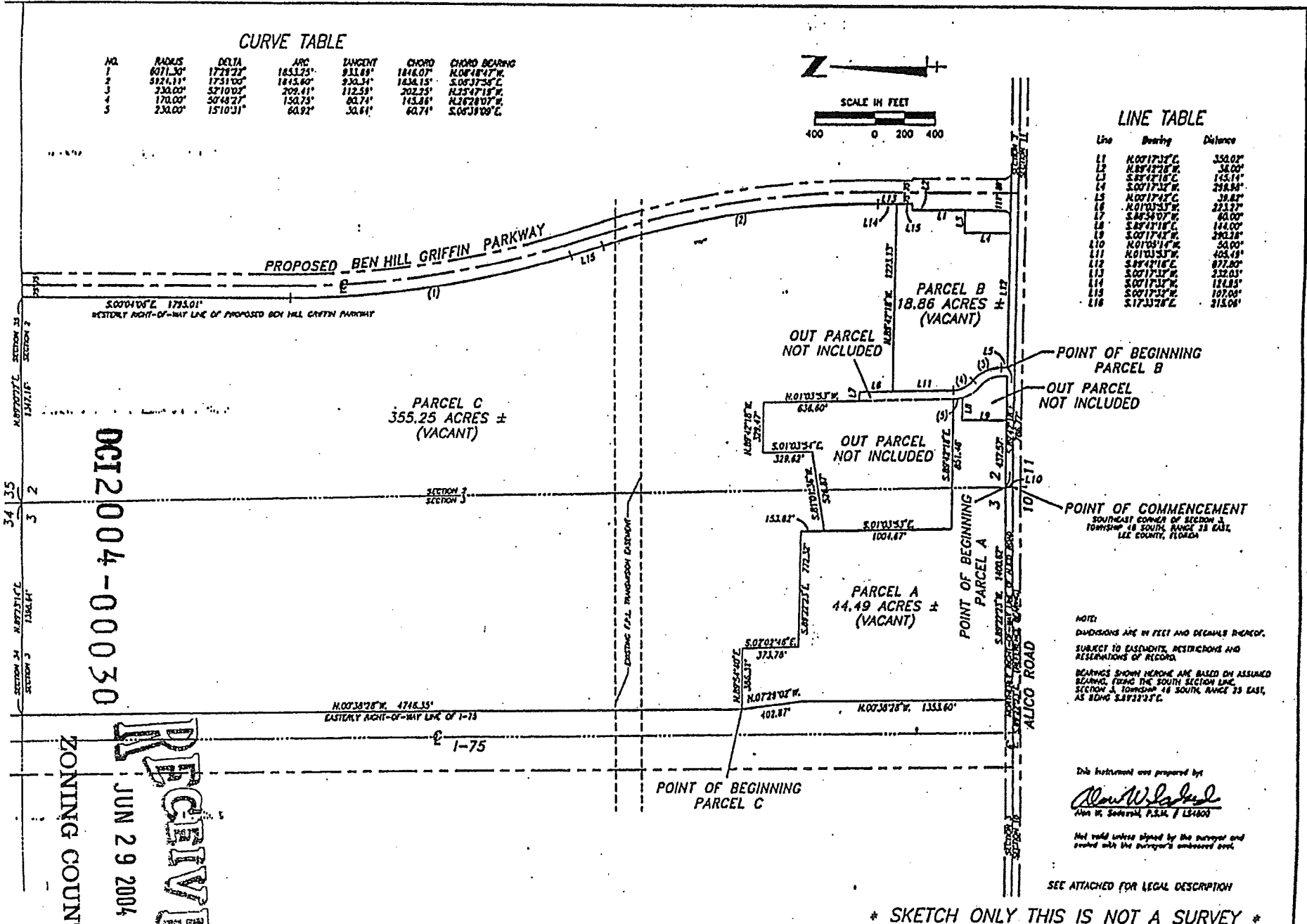
CURVE TABLE

NO	RADIUS	CHORD	ARC	TANGENT	CHORD BEARING	CHORD BEARING
1	6071.30'	1728.73'	183.75'	9.1189°	184.01°	N 0° 48' 17" W
2	5924.81'	1751.00'	183.60'	9.3034°	183.15°	S 0° 37' 50" E
3	330.00'	5710.02'	209.41'	112.58°	202.25°	N 12° 47' 18" W
4	170.00'	5048.27'	150.73'	80.74°	143.86°	N 16° 28' 07" W
5	230.00'	1510' 31"	60.92'	30.81°	60.71°	S 0° 57' 39" E



LINE TABLE

Line	Bearing	Distance
L1	N 0° 17' 37" E	350.00'
L2	N 8° 42' 28" W	34.00'
L3	S 8° 47' 15" E	145.14'
L4	S 0° 17' 37" W	298.86'
L5	N 0° 17' 37" E	39.82'
L6	N 0° 10' 35" W	223.27'
L7	S 8° 54' 07" W	40.00'
L8	S 8° 47' 15" E	174.00'
L9	S 0° 17' 37" W	280.28'
L10	N 0° 10' 35" W	50.00'
L11	N 0° 10' 35" W	405.49'
L12	S 0° 47' 15" E	877.00'
L13	S 0° 17' 37" E	232.00'
L14	S 0° 17' 37" W	124.85'
L15	S 0° 17' 37" E	107.00'
L16	S 17° 37' 22" E	315.00'



DC12004-00030

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 JUN 29 2004
 ZONING COUNTER

NOTE:
 DIVISIONS ARE IN FEET AND DECIMALS THEREOF.
 SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.
 BEARINGS SHOWN HEREON ARE BASED ON ASSUMED BEARING TOWARD THE SOUTH SECTION LINE, SECTION 3, TOWNSHIP 16 SOUTH, RANGE 25 EAST, AS BEING SAID SECTION.

This instrument was prepared by

 Alan W. LaRue, P.E., L.S. 15480

Not valid unless signed by the surveyor and sealed with the surveyor's embossed seal.

SEE ATTACHED FOR LEGAL DESCRIPTION

* SKETCH ONLY THIS IS NOT A SURVEY *

WILSON MILLER
 PLANNING, ENVIRONMENTAL & CONSULTANTS, ENGINEERS,
 SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS
 PLEASANT HILLS, FLORIDA 34468
 (813) 640-0000, (813) 640-0001, (813) 640-0002
 Fax: (813) 640-0003
 Web Site: www.wilsonmiller.com

DATE: 6/10/04	CLIENT: ALICO, INC.
SCALE: 1" = 400'	PG BOX 316, DANVILLE, FL 31525
TITLE: SKETCH OF DESCRIPTION	
	PARCELS A, B & C
	PART OF SECTIONS 2 AND 3, TOWNSHIP 16 SOUTH,
	RANGE 25 EAST, LEE COUNTY, FLORIDA
DATE: 6/10/04	PROJECT NO: F0793-004-004
DATE: 6/10/04	DATE: 6/10/04

NO	ACTIVITY	DATE	BY	CHECKED BY	DATE
1	DESIGNED	6/10/04	AWL		
2	CHECKED	6/10/04	AWL		
3	APPROVED	6/10/04	AWL		

Wilson Miller

New Directions in Planning, Design & Engineering

Description of Parcel C
338.81 Acres North of Alico Road
Being a Part of Sections 2 and 3, Township 46 South, Range 25 East,
Lee County, Florida

A tract or parcel of land being part of the Sections 2 and 3, Township 46 South, Range 25 East, Lee County, Florida described as follows:

Commencing at the Southeast corner of Section 3; thence along the East line of said Section 3, North $01^{\circ}05'14''$ West, 50.00 feet to the North right of way of Alico Road (100 feet wide right of way); thence along said Northerly right-of-way line, South $89^{\circ}22'23''$ West, 1400.62 feet to the Easterly right-of-way line of Interstate of I-75; Thence along said Easterly right-of-way line, North $00^{\circ}38'28''$ West, 1353.60 feet; Thence continue along said Easterly right of way line North $07^{\circ}29'02''$ West, 402.87 feet to the Point of Beginning of the herein described tract or parcel of land.

From said Point of Beginning continue along said Easterly right of way line, North $00^{\circ}38'28''$ West, 4746.35 feet to the North line of Section 3;
Thence departing said Easterly right of way line, along said North line of Section 3, North $89^{\circ}23'14''$ East, 1398.64 feet to the Northeast corner of Section 3;
Thence along the North line of Section 2, North $89^{\circ}20'22''$ East, 1347.16 feet to the Westerly right-of-way line of the Proposed Ben Hill Parkway;
Thence along said Westerly right-of-way line for the following five (5) courses:

1. South $00^{\circ}04'06''$ East, 1795.01 feet to a point of curvature;
2. Southerly, 1853.25 feet along the arc of a tangent circular curve concave to the east, having a radius of 6071.30 feet, a central angle of $17^{\circ}29'22''$, a chord bearing of South $08^{\circ}48'47''$ East, 1846.07 feet to the point of tangency;
3. South $17^{\circ}33'28''$ East, 215.06 feet to a point of curvature;
4. Southerly, 1845.60 feet along the arc of a tangent circular curve concave to the west, having a radius of 5924.11 feet, a central angle of $17^{\circ}51'00''$, a chord bearing of South $08^{\circ}37'58''$ East, 1838.15 feet to the point of tangency;
5. South $00^{\circ}17'32''$ East, 124.95 feet;

Thence departing from said Westerly right-of-way line, North $89^{\circ}42'18''$ West parallel with and 807.08 feet North (as measured at right angles) of the South line of Section 2 for 1223.13 feet;
Thence North $01^{\circ}03'53''$ West, 223.27 feet;
Thence South $88^{\circ}56'07''$ West, 60.00 feet;
Thence North $01^{\circ}03'53''$ West, 636.60 feet;
Thence South $89^{\circ}42'18''$ West parallel with and 1665.28 feet North (as measured at right angles) of the South line of Section 2 for 329.47 feet;
Thence South $01^{\circ}03'54''$ East, 329.62 feet;
Thence South $81^{\circ}01'36''$ West, 526.87 feet;
Thence North $01^{\circ}03'53''$ West, 153.82 feet;
Thence North $89^{\circ}22'23''$ West, 772.32 feet;

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Thence North 02°02'48" West, 373.78 feet;

Thence South 89°54'40" West, 386.31 feet to the Point of Beginning of the tract or parcel of land herein described.

Parcel contains 355.25 acres, more or less;

Subject to easements, restrictions, reservations and rights-of-way of record;

Bearings are assumed and based on the south Section line, Section 3, Township 46 South, Range 25 East, as being North 89°22'23" West.

Prepared by:

WilsonMiller, Inc.

Alan W. Sadowski

Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. 4800

9-17-99

Date

Not valid unless embossed with the Professional's seal.

W.O.: F0253-009 -005 LSSLD REF.: C-0253-153 Date: June 10, 1999 REV.: September, 18, 1999

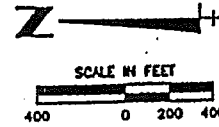
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ZONING COUNTER

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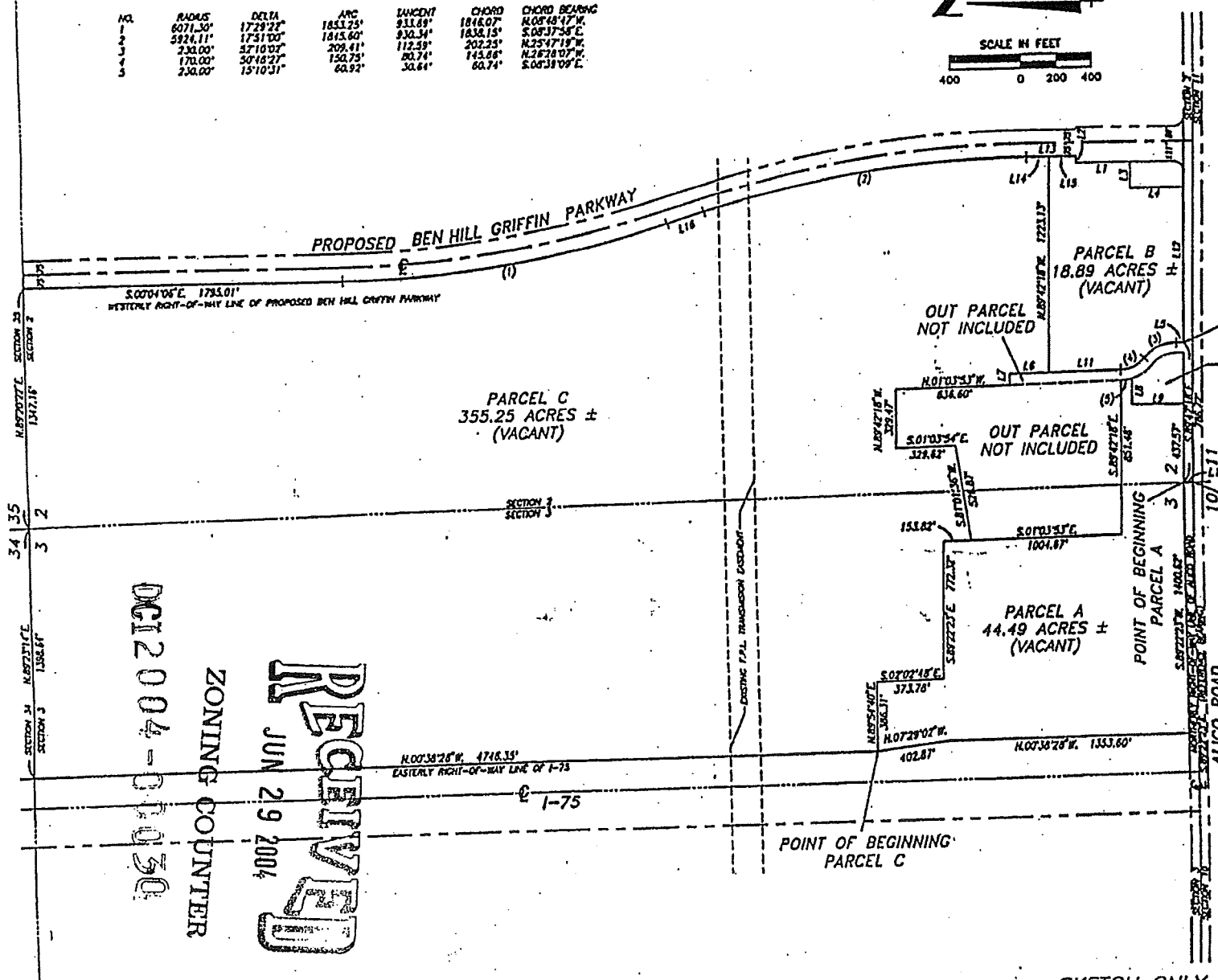
CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	6071.30'	1729'22"	1853.23'	933.89'	1846.07'	N.08°48'17"W.
2	5924.11'	1751'00"	1845.60'	930.34'	1838.15'	S.08°17'50"E.
3	230.00'	57'10"32"	209.41'	112.59'	202.25'	N.25°47'19"W.
4	170.00'	50'16'27"	150.75'	80.74'	145.86'	N.26°28'07"E.
5	230.00'	15'10'31"	60.92'	30.64'	60.74'	S.00°31'09"E.



LINE TABLE

Line	Bearing	Distance
L1	N.00°17'32"E.	300.07'
L2	S.89°42'18"E.	34.00'
L3	S.89°42'18"E.	145.14'
L4	S.00°17'32"W.	299.88'
L5	N.00°17'42"E.	38.82'
L6	N.01°03'55"W.	223.27'
L7	S.89°54'07"W.	80.00'
L8	S.89°42'18"E.	144.00'
L9	S.00°17'42"W.	290.38'
L10	N.01°03'16"W.	50.00'
L11	N.01°03'55"W.	402.49'
L12	S.89°42'18"E.	877.80'
L13	S.00°17'32"W.	782.00'
L14	S.00°17'32"W.	724.85'
L15	S.00°17'32"W.	137.00'
L16	S.17°33'28"E.	215.00'



POINT OF BEGINNING PARCEL B

OUT PARCEL NOT INCLUDED

POINT OF COMMENCEMENT
SOUTHEAST CORNER OF SECTION 1,
TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

NOTE:
DIMENSIONS ARE IN FEET AND DECIMALS THEREOF,
SUBJECT TO EASEMENTS, RESTRICTIONS AND
RESERVATIONS OF RECORD.
BEARINGS SHOWN HEREON ARE BASED ON ASSUMED
BEARING, FIXING THE SOUTH SECTION LINE,
SECTION 1, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
AS BEING S.89°27'37"E.

This instrument was prepared by
Alan W. Sowell
Alan W. Sowell, P.E.M. / LS1800

Not valid unless signed by the surveyor and
sealed with the surveyor's embossed seal.

SEE ATTACHED FOR LEGAL DESCRIPTION

* SKETCH ONLY THIS IS NOT A SURVEY *

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 DC12004-01050

NO.	REVISIONS	DATE	BY	CHKD.	APP'D.
1	REVISED SECTION AND DESCRIPTIONS TO PARCELS A, B & C	5/11/04	WPC	WMS	WMS
2					
3					
4					
5					

WILSON MILLER
 PLANNERS ENVIRONMENTAL CONSULTANTS ENGINEERS
 SURVEYORS LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS
 1311 Colonial Boulevard, Suite 104, Fort Myers, Florida 33911 Phone (813) 940-1000 Fax (813) 940-8111
 Web Site: www.wilsonmiller.com E-mail: factoring@wilsonmiller.com

DATE: 6/10/04	CLIENT: ALICO, INC. PO BOX 318, LABELLE, FL 33975
PROJECT: PARCELS A, B & C	TITLE: SKETCH OF DESCRIPTION PARCELS A, B & C PART OF SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA
SCALE: 1" = 400'	
DATE PLOTTED: 7/3/04	
PLotted BY: WPC	

WilsonMiller

New Directions In Planning, Design & Engineering

Description of Parcel D
219.72 Acres North of Alico Road
Being a Part of Section 2, Township 46 South, Range 25 East,
Lee County, Florida

A tract or parcel of land being part of the Section 2, Township 46 South, Range 25 East, Lee County, Florida described as follows:

Commencing at the Southwest corner of Section 2; thence along the West line of said Section 2, N.01°05'14"W. for 50.00 feet to the North right of way of Alico Road (an existing 100 feet wide right of way); thence along said Northerly right-of-way line, S.89°42'18"E. for 2009.65 feet to the Northeast intersection of said Alico Road along with the Easterly right-of-way line of proposed Ben Hill Parkway; thence along said Westerly right-of-way line, N.00°17'32"E. for 299.99 feet to the Point of Beginning of the herein described tract or parcel of land.

Thence continue along said Easterly right-of-way line for the following seven (7) courses:

1. N.00°17'32"E. for 350.02 feet;
2. S.89°42'28"W. for 14.00 feet;
3. N.00°17'32"E. for 232.03 feet to the point of curvature;
4. northerly, 1892.34 feet along the arc of a tangent circular curve concave to the west, having a radius of 6074.11 feet, a central angle of 17°51'00", a chord bearing N.08°37'58"W. for 1884.69 feet to the point of tangency;
5. N17°33'28"W. for 215.06 feet to the point of curvature;
6. northerly, 1807.47 feet along the arc of tangent circular curve concave to the east, having a radius of 5921.30 feet, a central angle of 17°29'22", a chord bearing of N.08°48'47"W. for 1800.46 feet to the point of tangency;
7. N.00°04'06"W. for 1796.56 feet

to the north line of Section 2;

Thence along said north line of Section 2 for the following two (2) courses:

1. N.89°20'22"E. for 1146.45 feet;
2. N.89°20'08"E. for 597.41 feet;

Thence departing from said north line, S.00°00'00"E. for 6552.09 feet to the North right-of-way line of said Alico Road;

Thence N.89°42'18"W. along said North right-of-way for 963.33 feet;

Thence departing from said right-of-way, N.00°17'32"W. for 299.99 feet;

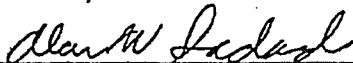
Thence N.89°42'18"W. for 145.14 feet to the Point of Beginning.

Parcel contains 219.72 acres, more or less;

Subject to easements, restrictions, reservations and rights-of-way of record;

Bearings are assumed and based on the south Section line, Section 2, Township 46 South, Range 25 East, as being N.89°42'18"W.

WilsonMiller, Inc.



Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. 4800

Date

9-20-99

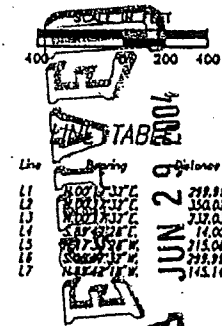
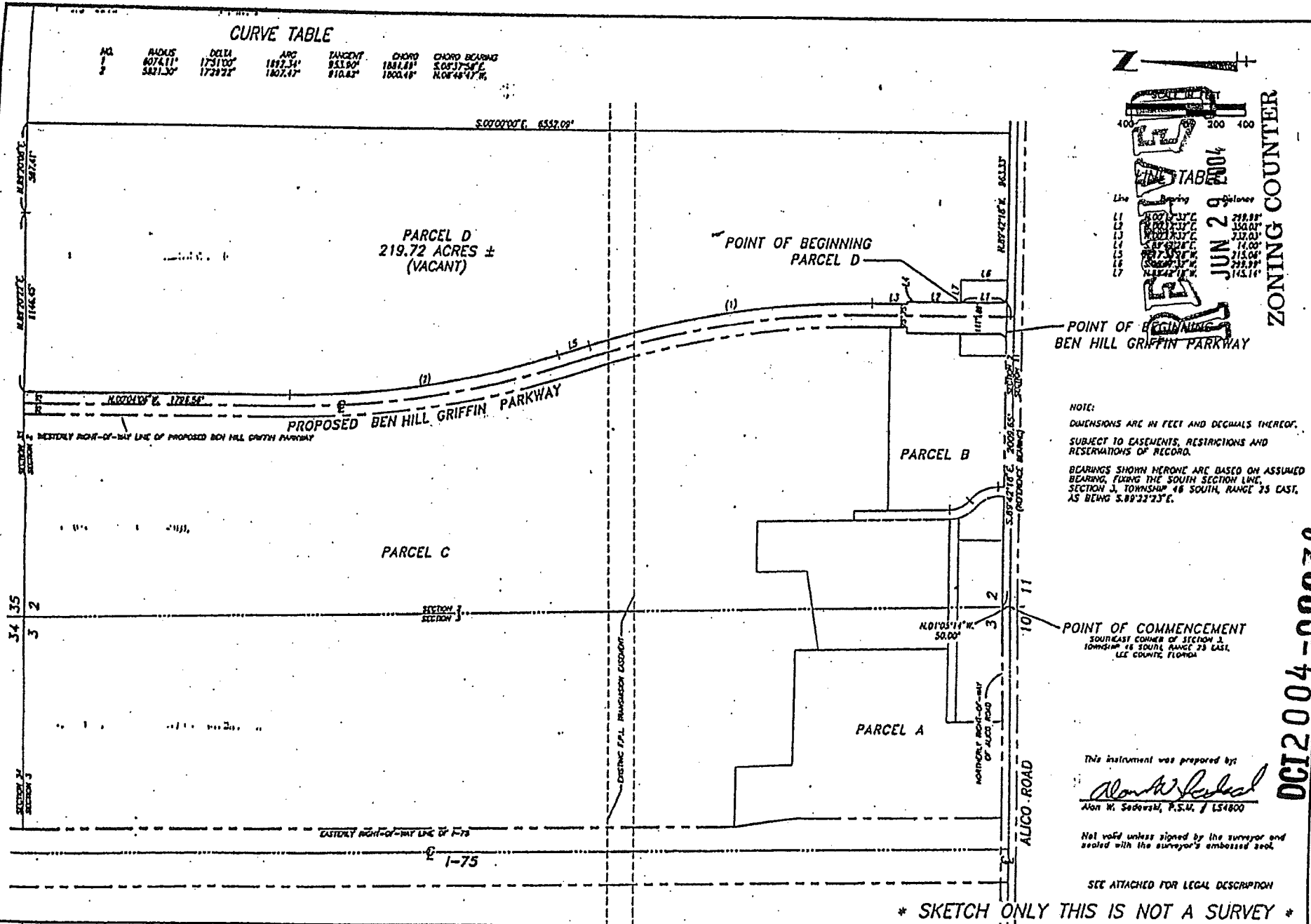
Not valid unless embossed with the Professional's seal.

Ref: C-0253-156 Pin.: F0253-009-005-LSSLD Date: August 12, 1999 Rev.: September 1999



CURVE TABLE

NO.	RAADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	6074.11'	175100'	1897.34'	953.90'	1883.81'	S 08°37'56" E
2	5821.30'	172922'	1807.47'	910.83'	1800.48'	N 06°48'47" W



NOTE:
 DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.
 BEARINGS SHOWN HEREON ARE BASED ON ASSUMED BEARING, FIXING THE SOUTH SECTION LINE, SECTION 2, TOWNSHIP 46 SOUTH, RANGE 25 EAST, AS BEING S.89°22'23"E.

This instrument was prepared by:

 Alon W. Sedowski, P.S.U. / LS1800

Not valid unless signed by the surveyor and sealed with the surveyor's embossed seal.

SEE ATTACHED FOR LEGAL DESCRIPTION

* SKETCH ONLY THIS IS NOT A SURVEY *

DCI2004-00030

NO.	REVISION	DATE	BY	DESCRIPTION
1	ADDED BEN HILL GRIFFIN PARKWAY LEGAL DESCRIPTION & REVISED PARCEL D	8-17-99	DPB	1999
2	ADDED BEN HILL GRIFFIN PARKWAY LEGAL DESCRIPTION	8-3-99	DPB	1999

WILSON MILLER
 PLANNING, ENVIRONMENTAL & CONSULTANTS, ENGINEERS,
 SURVEYORS, LANDSCAPE ARCHITECTS & CONSTRUCTION MANAGERS
 6421 Colonial Boulevard, Suite 100, Fort Myers, Florida 33913 Phone (813) 839-1100 Fax (813) 839-8111
 Web Site: www.wilsonmiller.com E-mail: forisj@wilsonmiller.com

DATE: 8/12/00	CLIENT: ALUCO, INC.
SCALE: HORIZONTAL SCALE 1" = 400'	ADDRESS: PO BOX 338, VANDALE, FL 33978
TITLE: SKETCH OF DESCRIPTION	
	BEN HILL GRIFFIN PARKWAY & PARCEL D
	PART OF SECTION 2, TOWNSHIP 46 SOUTH,
	RANGE 25 EAST, LEE COUNTY, FLORIDA

Exhibit "A"
Description of Ben Hill Griffin Parkway
North of Alico Road
Being a Part of Section 2, Township 46 South, Range 25 East,
Lee County, Florida

A tract or parcel of land being part of the Section 2, Township 46 South, Range 25 East, Lee County, Florida described as follows:

Commencing at the Southwest corner of Section 2; thence along the West line of said Section 2, N.01°05'14"W. for 50.00 feet to the North right of way of Alico Road (an existing 100 feet wide right of way); thence along said Northerly right-of-way line, S.89°42'18"E. for 1759.65 feet to a point of curvature and the Point of Beginning;

Thence 78.54 feet along the arc of a tangent circular curve concave to the northwest, having a radius of 50.00 feet, through a central angle of 90°00'10" and being subtended by a chord which bears N.45°17'37"E. for 70.71 feet to the point of tangency; thence N.00°17'32"E. for 599.99 feet; thence S.89°42'28"E for 36.00 feet; thence N.00°17'32"E. for 232.03 feet to a point of curvature; thence 1845.60 feet along the arc of a tangent circular curve concave to the west, having a radius of 5924.11 feet, through a central angle of 17°51'00" and being subtended by a chord which bears N.08°37'58"W. for 1838.15 feet; thence N.17°33'28"W. for 215.06 feet to a point of curvature; thence 1853.25 feet along the arc of a tangent circular curve to the east, having a radius of 6071.30 feet, through a central angle of 17°29'22" and being subtended by a chord which bears N.08°48'47"W. for 1846.07 feet; thence N.00°04'06"W. for 1795.01 feet to the Northerly line of said Section 2; thence N.89°20'22"E. along said Section line for 150.01 feet; thence departing from said Section line, S.00°04'06"E. for 1796.56 feet; thence 1807.47 feet along the arc of a tangent circular curve concave to the east, having a radius of 5921.30 feet, through a central angle of 17°29'22" and being subtended by a chord which bears S.08°48'47"E. for 1800.46 feet; thence S.17°33'28"W. for 215.06 feet to a point of curvature; thence 1892.34 feet along the arc of a tangent circular curve concave to the west, having a radius of 6074.11 feet, through a central angle of 17°51'00" and being subtended by a chord which bears S.08°37'58"E. for 1884.69 feet; thence S.00°17'32"W. for 232.03 feet; thence S.89°42'28"E. for 14.00 feet; thence S.00°17'32"W. for 600.01 feet to a point of curvature; thence 78.54 feet along the arc of a tangent circular curve concave to the northeast, having a radius of 50.00 feet, through a central angle of 89°59'50" and being subtended by a chord which bears S.44°42'23"E. for 70.71 feet to a point of cusp and the North right-of-way line of said Alico Road; thence N.89°42'18"W. along said North right-of-way for 300.00 feet to the Point of Beginning.

Parcel contains 23.47 acres, more or less;

Subject to easements, restrictions, reservations and rights-of-way of record;

Bearings are assumed and based on the south Section line, Section 3, Township 46 South, Range 25 East, as being S.89°22'23"E.

WilsonMiller, Inc.

Alan W. Sadowski

Alan W. Sadowski, Professional Surveyor & Mapper
Florida Registration No. LS4800

Not valid unless embossed with the Professional's seal.
W.O. : F0253-009-005-LSSLD Ref: B-0253-157 Rev: September 17, 1999

9-20-99
Date

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ZONING COUNTER
DCI2004-00030

AIRPORT NOISE ZONE DISCLOSURE STATEMENT

Property Owner(s): _____
[Type or print name(s)]

Street Address: _____, Lee County, Florida
[Type or print street address]

Lee County Property Appraiser STRAP No.(s): _____
[Type or print STRAP number(s)]

Date: _____
[Type or print date]

The above-identified property lies in whole or in part within the limits of Southwest Florida International Airport Noise Overlay Zone(s) _____ [Indicate Zone(s) 2 and/or 3] as established in Lee County Land Development Code (LDC) §34-1006.

The property owner is hereby notified that the above-identified property lies within a designated Noise Overlay Zone of the Southwest Florida International Airport and may be subject, now or in the future, to aircraft noise and aircraft overflight that may be objectionable.

The undersigned property owner hereby certifies that he has read this disclosure statement and acknowledges the pre-existence of the above-named airport and the potential for objectionable aircraft noise and aircraft overflight now and in the future, including such noise and overflight associated with a planned future runway.

The property owner agrees to notify any prospective buyer of the potential for objectionable aircraft noise and aircraft overflights.

In the absence of specific regulations by the County, the property owner should contact a reliable engineer, registered in the State of Florida, to determine if accepted engineering practices for reduction of noise in structures indicate the inclusion of sound insulation is appropriate. The property owner alone is responsible for providing any sound insulation.

The property owner indicates at the bottom of this informational disclosure that he has read this document and understands that the property owner alone is responsible for providing any sound insulation.

I hereby declare that I have read and do understand the above. This applies to any existing or subsequently constructed structures on the above-identified property. I have hereunto set my hand intending to be bound in the capacity as executed as of the date first written above.

[document execution by property owner(s)]

Airport Technology Center Architectural Standards

Introduction:

No owner may construct, install, erect, maintain, reconstruct, improve, alter or permit to remain any improvements on any lot or parcel within the Airport Technology Center (ATC) development until the owner has submitted all Pre-construction Development Documents (including building plans and elevations) and the same are approved in writing by the Design Review Committee (as established in the Homeowners' Documents). The Design Review Committee's (DRC) approval or disapproval may be predicated upon the DRC's subjective opinion as to whether said improvements conform to their general character of the Airport Technology Center.

The DRC's approval or disapproval may, without excluding other factors deemed relevant by the DRC, be based upon site dimensions; compatibility and harmony of the external design, elevations and colors with neighboring structures, relation of topography, grade, and finished ground elevation of the lot being improved to that of neighboring lots; and such other factors as the DRC determines is necessary or appropriate in its discretion. The DRC shall approve or disapprove the proposed plans and materials submitted within 15 days after receipt, and if disapproved, the DRC shall state in writing the reasons for disapproval.

Definitions.

The following words, terms or phrases, when used in this document only, will have the following meanings ascribed to them:

Arcade means a roof similar to an overhang or canopy but where the outer edge is supported by a line of pillars or columns.

Awning means a cover of lightweight material such as canvas, plastic, or aluminum, extending over a single doorway or window, providing protection from the elements.

Canopy, attached means a permanent structural cover affixed to and extending from the wall of a building, protecting a doorway or walkway from the elements.

Canopy, detached means a freestanding structure which covers a walkway of service area.

Facade means the exterior faces of a building.

Facade, primary means any facade of a building facing an abutting street. On a corner lot, each wall facing an abutting street is considered a primary facade. If a building is angled to an abutting street, both walls roughly facing the street are primary facades.

Overhang means the structural projection of an upper story or roof beyond the story immediately below having a minimum 2 feet projection.

Parapet means the part of an exterior wall that extends above the roof.

Portico means an architectural entry feature, such as a porch, structurally supported by columns or arches and protecting a doorway or walkway from the elements.

Porte Cochere means a roofed structure extending from the entrance of a building over a driveway sheltering the egress from vehicles.

Wainscot means the lower 3 to 4 feet of an exterior wall made of different materials or finish than the remainder of the wall.

Wall, front means the wall closest to, and running roughly parallel to, the front lot line. On a corner lot, there are two front walls.

Required site development or improvement plan.

Compliance with the standards set forth in this article must be demonstrated on the drawings or site development plan to be submitted when applying for DRC approval.

Site design standards and guidelines.

Purpose and intent: The purpose and intent of these provisions is to supplement and enhance existing approved property development regulations and to encourage the design of projects which will provide safe, convenient, and efficient access for vehicles.

(a) **Parking Standards**

(1) **Parking areas** shall be designed utilizing the design standards contained in the Lee County Land Development Code. The design shall provide for the safe and efficient maneuvering and parking of vehicles, as well as functionally oriented to the uses or structures they are designed to serve.

(b) **Lighting standards.**

(1) **Shielding.** Lighting must be designed so as to prevent direct glare, light spillage or hazardous interference with automotive and pedestrian traffic on abutting streets and all abutting properties.

(2) **Fixture height.** Lighting fixtures may not exceed a maximum of 30 feet in height within the parking lot and a maximum of 15 feet in height within non-vehicular pedestrian areas.

(c) **Buffering and shielding**

(1) Purpose and intent. The purpose and intent of this section is to diminish the visual impacts outdoor storage and service functions that may detract or have a negative impact on the streetscape, landscape and/or the overall development image.

(2) Outdoor storage, trash collection, heating/air conditioning and other similar mechanical equipment, solid waste disposal facilities, trash compaction, recycling, and other similar service function areas must be reasonably shielded from street rights-of-ways within the ATC development when viewed from 5' above ground level. The shielding must extend vertically a distance equal to or greater than the items, delivery trucks, or facilities being shielded, up to a maximum height of 8 feet above finish grade at the shielding material. Shielding material and design must be consistent with design treatment of the primary facades of the commercial building or development and the landscape plan.

(3) Roof top mechanical equipment must be shielded from ATC street view at ground level by a parapet or similar architectural features.

(4) Slatted wire fencing is not acceptable for shielding.

(d) Pedestrian access standards.

Where applicable; pedestrian ways, linkages or paths internal to the project must be designed and constructed to provide reasonable access between parking areas and building entry(s) and from the building entry(s) to surrounding streets, external sidewalks, and out parcels. The pedestrian ways, linkages or paths must provide a safe access through the project from external sidewalk facilities or bus stops to the building entry.

Building Design standards and guidelines.

(a) Purpose and intent. The purpose and intent of these provisions is to maintain and complement the streetscape by requiring that buildings be designed with architectural features and patterns that provide visual interest consistent with the community's identity and local character while reducing the mass/scale and uniform monolithic appearance of large unadorned walls. The design of buildings within a development must include elements which are integrated and common to those used in other buildings including colors and materials.

(b) Architectural design.

(1) All primary facades of a building must be designed with consistent architectural style, detail and trim features.

(2) The primary facade must provide a minimum of three of the following building design treatments integrated with the massing and style of the buildings. If awnings, canopies and overhangs are used they must conform to a unified plan of compatible colors, shapes and materials.

1. Awnings, other than canvas or attached canopies;
2. Overhangs;
3. Porticos;
4. Arcades, minimum of eight feet clear in width;
5. Peaked roof forms;

6. Wainscoting;
7. Curved corners and/or arched openings;
8. Elevated planters against a primary facade wall;
9. Side wing walls, which also can shield objectionable uses;
10. Any other treatment which the DRC finds meets the intent of this section.

(c) Roof treatments.

(1) Purpose and intent. Variations in roof lines must be used to add interest to, and reduce the massing of buildings. Roof features and materials must be in scale with the building's mass and complement the character of adjoining and/or adjacent buildings and neighborhoods. The following standards identify appropriate roof treatments and features.

(2) Primary facade roof edge and parapet treatment. The roof edge and/or parapet must have a vertical change from the dominant roof condition, in two locations. At least one such change must be located on a primary facade.

(3) Roofs must be designed to also meet at least two of the following requirements for the primary facade:

- a. Parapets used to conceal roof top equipment and flat roofs from the front street with side returns of at least 20% of the width of roof facing the street;
- b. Two or more roof slope planes per primary facade.
- c. Sloping roofs, which do not exceed the average height of the supporting walls, must have an average slope equal to or greater than 4V:12H but not greater than 12V:12H;
- d. Additional vertical roof changes with a minimum change in elevation of two feet (flat roofs must have a minimum of one change); or
- e. Three-dimensional cornice treatment, which must be a minimum of ten inches in height with a minimum of two reliefs, or a prominent coping feature.
- f. Any other treatment, which the DRC finds meets the intent of this section.

(d) Detail features.

The design elements in the following standards must be integral parts of the building's exterior facade and must be integrated into the overall architectural style. These elements may not consist solely of applied graphics, or paint.

(1) Blank wall areas. Building primary facade walls must avoid large blank wall areas by including at least three of the design elements listed below, in a repeating pattern. At least one of the design elements must repeat horizontally.

- a. Texture change;
- b. Material change;
- c. Architectural features such as bandings, bays, reveals, offsets, or projecting ribs.
- d. Structural features such as columns, pilasters, beams or buttresses.
- e. Building setbacks or projections; or,
- f. Pattern change;

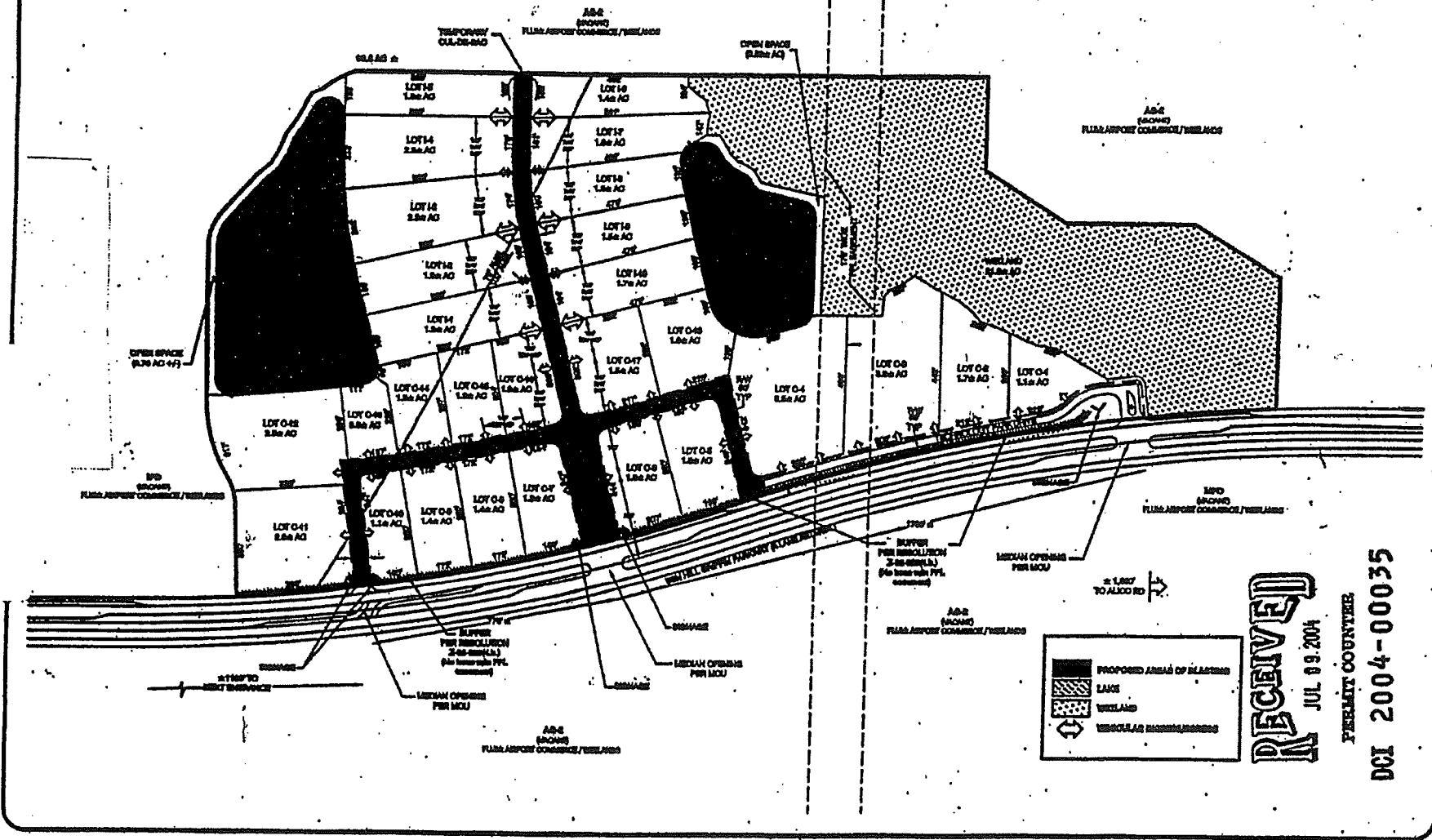
- g. Color change.**
- h. Any other treatment, which the DRC finds meets the intent of this section.**

(2) Materials. Exterior building materials contribute significantly to the visual impact of a building on the community. They must be well-designed and integrated into a comprehensive design style for the project.

a. Any one of the following exterior building materials can not be used on more than 60 percent of the building primary facade area:

- 1. Plastic or vinyl siding**
- 2. Corrugated or reflective metal panels;**
- 3. Tile (prohibition does not apply to roofs);**
- 4. Any translucent material, other than glass; or**
- 5. Any combination of the above.**

b. Building trim and accent area, consistent with the overall building, are limited to ten percent of the affected wall area, with a maximum trim width of 24 inches.



BLASTING MAP - EXHIBIT PH-4-B-1
 AIRPORT TECHNOLOGY CENTER LTD

MD
 MORRIS - DEFEW ASSOCIATES, INC.
 10100 WOODBURN AVENUE
 SUITE 200
 WOODBURN, INDIANA 46084
 PERMIT NUMBER: DCI 2004-00035
 RECEIVED JUL 09 2004

EXHIBIT E

EXHIBIT F
3 Pages

RECEIVED
JUL 06 2004

Southwest Florida Equities Corporation

ATTACHMENT C

July 2, 2004

Lee County Department of Community Development
Zoning Division
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Airport Technology Center MPD (MDA # 99159.P3b)

To whom it may Concern:

Please accept this statement as the notarized statement required pursuant to Section 34-202(b)(7) of the LDC.

The type of agricultural use on the property is cattle grazing.

The area of the property subject to cattle grazing is the entire 90.6± parcel.

The intensity of use is the number of cattle that can be adequately accommodated by the parcel; this is determined in part by the health and amount of the vegetation which can vary from time to time.

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JUL 09 2004

PERMIT COUNTER

DCI 2004-00035

7/2/2004
Page 2 of 2

I have reviewed the above statements and submit that they are true and correct.

By: [Signature]
Chris Bundschu, President
Southwest Florida Equities Corporation

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 2nd day of July,
2004, by Chris Bundschu, who is personally known to me or who has produced
N/A as identification and who did (did not) take an oath.

(Notary Seal)



[Signature]
Signature of Notary Public

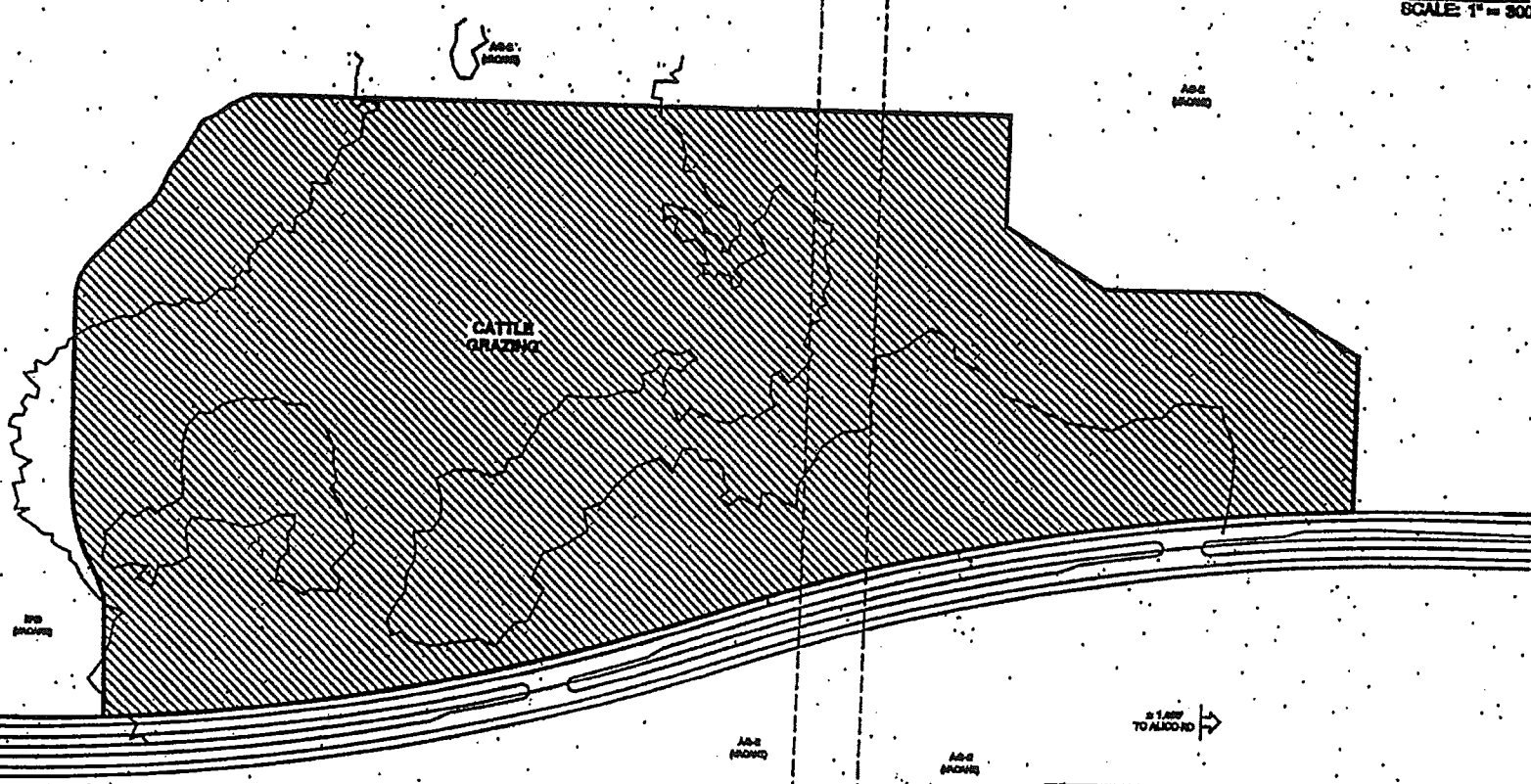
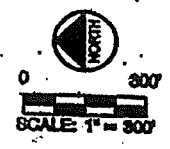
TINA MARIE UGLUND
(Print, type or stamp commissioned
name of Notary Public)

Commission No: DD 135374

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JUL 09 2004

PERMIT COUNTER

DCI 2004-00035



← 1 AMP TO ALCOHO →



AGRICULTURAL USE AT THE TIME OF ZONING APPLICATION
 THE NATURE OF THE SUBJECT PROPERTY IS CURRENTLY SUITED
 FOR CATTLE GRAZING.

APR 27 1974
 PERMITS SECTION

AGRICULTURAL USE AT TIME OF ZONING - EXHIBIT PH-S-1.

AIRPORT TECHNOLOGY CENTER, INC.

MORRIS - DEWEY ASSOCIATES, INC.
 1000 W. 10th Street, Suite 1000, Denver, CO 80202
 TEL: 303-733-1100



8175
APR 27 1974
PERMITS SECTION

DCI 2004-00025



Lee County
SOUTHWEST FLORIDA

**INTEROFFICE MEMORANDUM
FROM
PUBLIC WORKS
NATURAL RESOURCES MANAGEMENT**

EXHIBIT G
2 Pages

Date: October 21, 2004

TO: Tony Palermo

From: Rand Edelstein Jr.

SUBJECT: Substantive Review Comments, Airport Technology Center
Case # DCI2004-00035

Dear Tony:

The Lee County Natural Resources Division, Groundwater Unit has completed review of the proposed Technology Center (Case # DCI2004-00035) proposed dewatering and Water Use Permit (WUP) No. 36-04413-W issued for dewatering by the South Florida Water Management District (SFWMD) on December 11, 2003. The NRD review was conducted to evaluate the potential for adverse impacts resulting from the proposed dewatering operations to be performed during excavation of the retention ponds located on the project site. The substantive review performed by staff recommends Development Order conditions that are summarized as follows:

- The combined staff gauges and monitoring wells specified in the Environmental Resource Permit in the vicinity of Lake 1, SG-2 and Lake 2, SG-4 shall be installed prior to initiation of lake excavation or dewatering (see attached Figure);
- Daily surface water and groundwater level monitoring at SG-2 and SG-4 shall be implemented at least one day prior to initiation dewatering activities and continue during dewatering operations;
- The daily surface water and groundwater level observations shall be reported to NDR on a weekly basis;
- Should surface water levels decline by one (1) foot or groundwater levels decline by one (1) foot as a result of dewatering, all dewatering operations shall be suspended immediately and NRD shall be notified within 24-hours;
- Following suspension of dewatering operations in response to adverse surface water or groundwater level declines, the dewatering operations will be redesigned and the modifications approved by NRD prior resumption of any dewatering operation; and
- If the dewatering operations cannot be redesigned to eliminate adverse surface water or groundwater level declines, no further dewatering operations will be allowed.



SCALE: 1" = 600'

-BEN HILL GRIFFIN PARKWAY (A.K.A. TREELINE BOULEVARD)-

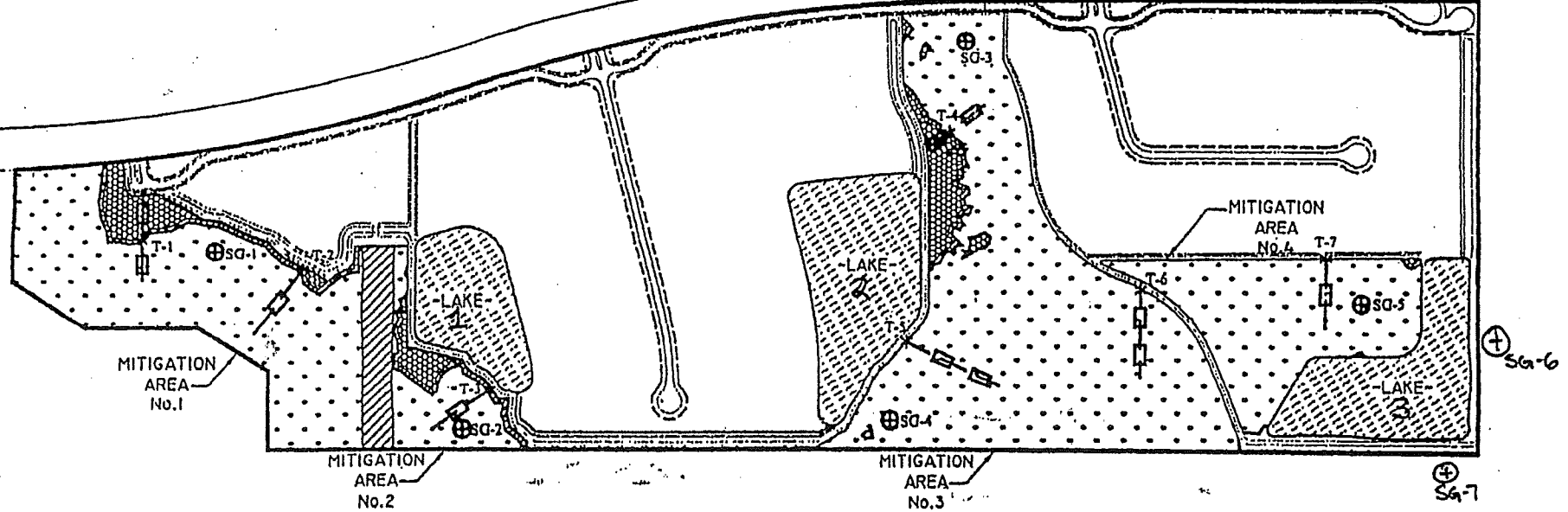


EXHIBIT 3.8

DCI 2004-00030

ZONING COUNCIL

DECEMBER 9 2004
DRAFT

- LEGEND:**
- FORESTED WETLAND ENHANCEMENT - HAND REMOVAL OF EXOTICS (38.33AC.1)
 - UPLAND ENHANCEMENT - HAND REMOVAL OF EXOTICS (3.88AC.2)
 - 15' MINIMUM UPLAND BUFFER (1.34AC.1)
 - WETLANDS WITHIN PPL EASEMENT - NOT USED AS MITIGATION (1.34AC.1)
 - TRANSECT LOCATION
 - TRANSECT NO. (TTP.)
 - TREE/SHRUB PLOT
 - PHOTO STATION (TTP.)
 - STAFF GAUGE/MONITORING WELL LOCATION
 - STAFF GAUGE/MONITORING WELL NO. (TTP.)

NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FOOT 1983).

PROPERTY BOUNDARY AND SURVEYED WETLAND LINES PER MORRIS-DEWEY ASSOCIATES, INC. DRAWING NO. 99159PROF/PASSARELLA1000000000, DATED OCTOBER 09, 2000.

WETLAND LINES HAVE BEEN FLAGGED IN THE FIELD AND VERIFIED BY SFVWD STAFF ON NOVEMBER 12, 1999 AND BY CDE STAFF ON JANUARY 27, 2000 AND FEBRUARY 7, 2000.

SITE PLAN PER RYAN SHUTE DRAWING NO. 99159PROF/TMP2310PASSARELLA.DWG DATED JANUARY 7, 2002.

DESIGNED BY M.A.M.	DATE 4/4/01	HORIZONTAL SCALE 1" = 600'
CHECKED BY M.A.M.	DATE 4/4/01	VERTICAL SCALE N/A
DATE OF P.A.F.	DATE 4/4/01	REVISION 02/46/25
REVIEWED PER MWR MIE PLAN (P.F.)	DATE 4/27/01	
REVIEWED PER MWR MIE PLAN (P.F.)	DATE 10/19/01	
REVIEWED PER MWR MIE PLAN (P.F.)	DATE 12/18/02	

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
 9110 College Pointe Court, Fort Myers, Florida 33919

AIRPORT TECHNOLOGY CENTER
 SFVWD WETLAND MITIGATION AND MONITORING PLAN

Drawing No.
998KK421-MM
 Title No.
FIGURE 2

DCI2004-00035 AIRPORT TECHNOLOGY CENTER

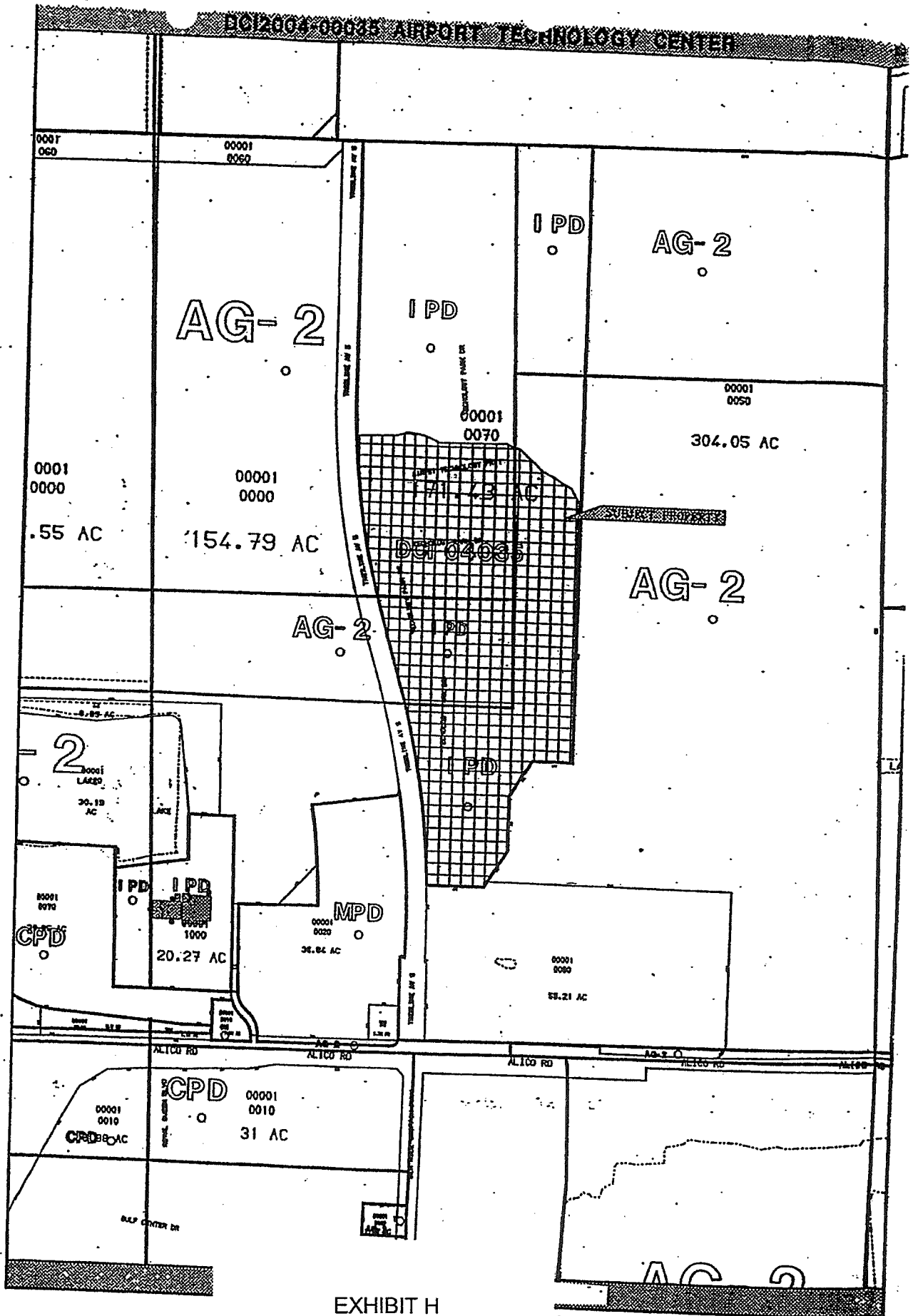
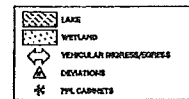
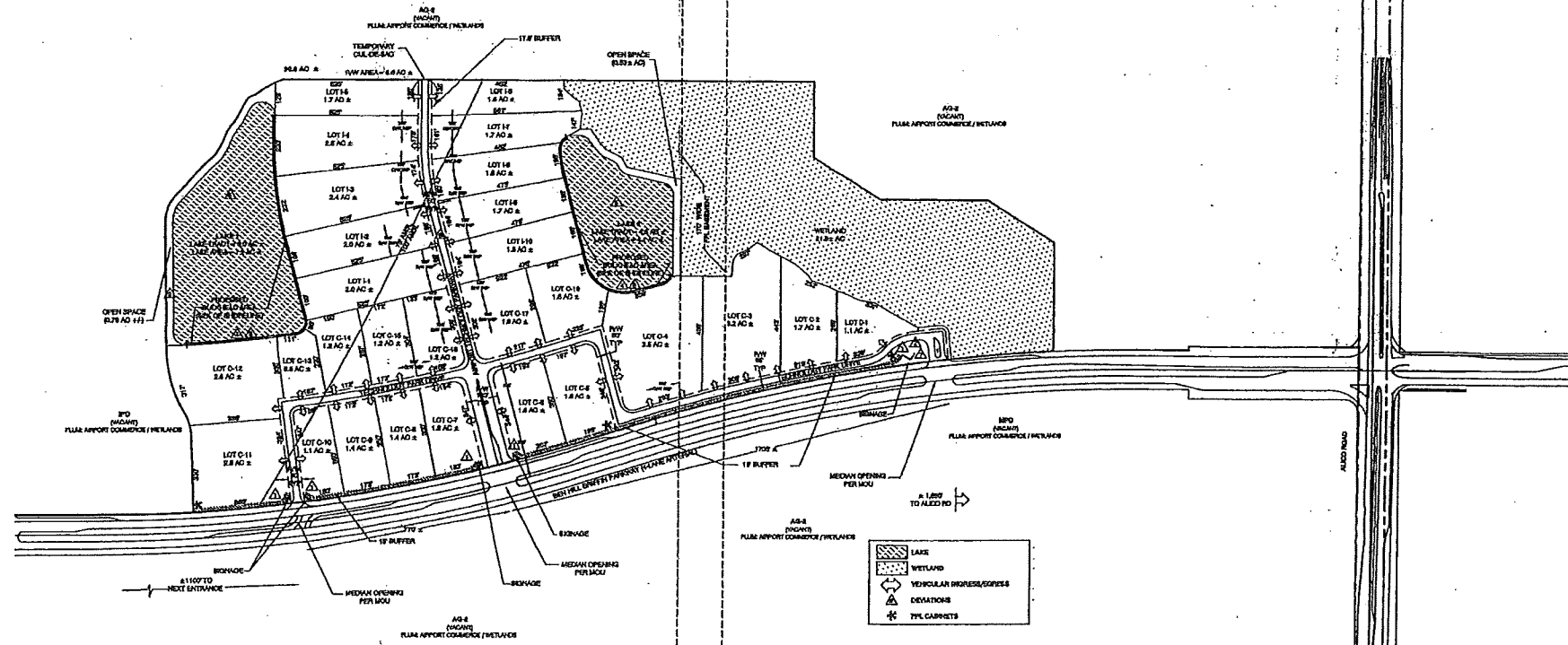


EXHIBIT H



APPROVED
Master Concept Plan
Site Plan # 04-010 Page 1 of 2
Subject to conditions in Resolution # 2004-010
Date: 04/04/04

RECEIVED
MAR 17 2004

DCI 2004-00035

REVISIONS:
REVISED PER AIRPORT COMMISSION PLAN & SHOW 8-16-03
FOR SUBMITTAL TO AIRPORT COMMISSION
MEMBER AIR COUNTY (APPROVED) (ACTION) (DATE) (BY)

ZONING MASTER CONCEPT PLAN

AIRPORT TECHNOLOGY CENTER MFD
Sheet No. 04-010 (REV. 8-16-03) - Land Commission Plan

MORRIS - DEPREW ASSOCIATES, INC.
ENGINEERS - PLANNERS & ARCHITECTS, L.L.C.
200 Walnut Street, Fort Worth, Texas, 76102-2020
Phone: 817-339-8888 Fax: 817-339-8899



SEALED PROJECT
99155
CHECKED BY: SUR DESIGNED BY: AZ

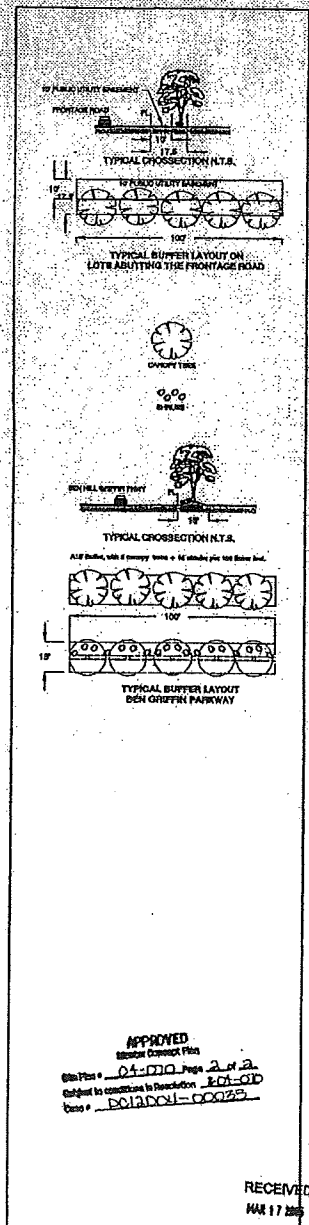
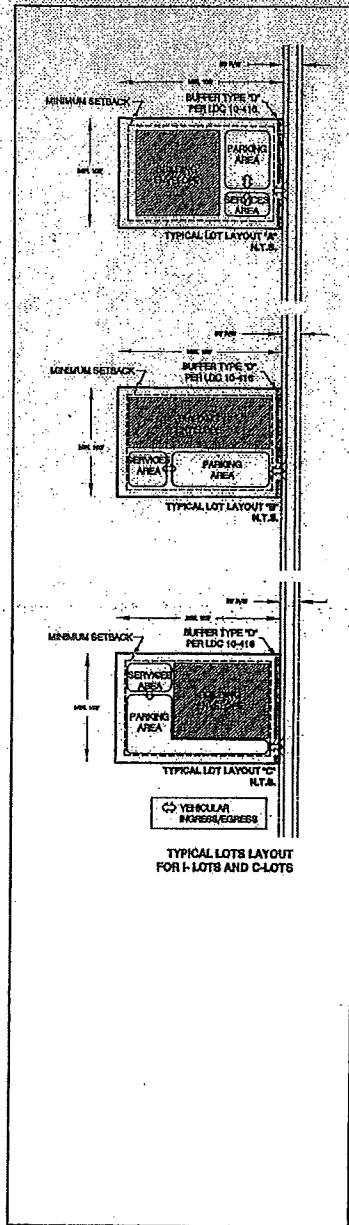
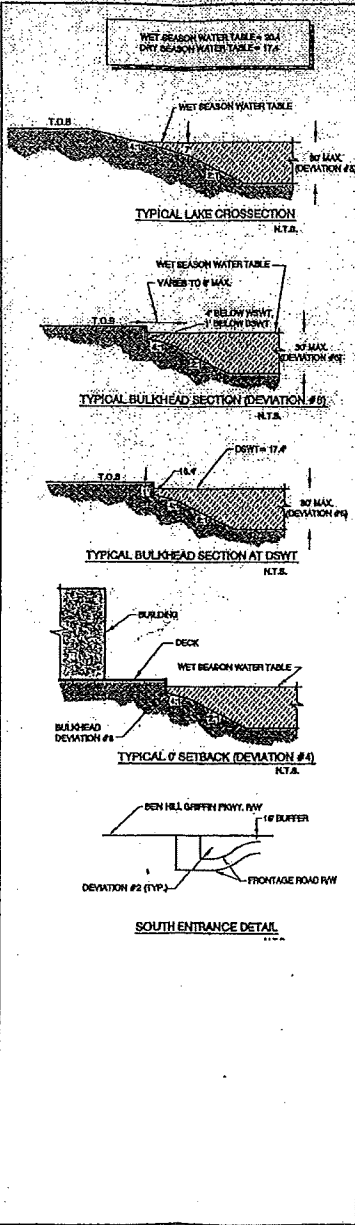
DATE: 5/13/04
SHEET: 1/2

OPEN SPACE:

THE REQUIRED MINIMUM OPEN SPACE SHALL BE PROVIDED PURSUANT TO LDC SECTION 10-416. OPEN SPACE PROVIDED BY EACH INDIVIDUAL LOT WITHIN A DEVELOPMENT AREA SHALL TOTAL THE OVERALL REQUIRED OPEN SPACE FOR THAT AREA PER LDC SECTION 34-414(c). NO LOT SHALL PROVIDE LESS THAN 10%.

Land Use	Area	% / acres Required Open Space	% / acres Provided Open Space
Frontage (C-lots = 91.10ac) (incl. infra. sfloc)	60.47 ± ac.	30% / 15.14 ± ac.	10% / 3.11 ± ac.
Interior (I-lots = 13.00ac) (incl. infra. sfloc)	30.83 ± ac.	20% / 6.17 ± ac.	10% / 1.50 ± ac.
Max. 25% Lake			5.00 ± ac.
N. Lake Open Space			0.90 ± ac.
S. Lake Open Space			0.50 ± ac.
Wetland Open Space			12.0 ± ac.
Total	81.30 ± ac.*	21.51 ± acres	23.31 ± acres **

* Total Developed Area
 ** 10.26 ± acres will be of indigenous composition.



ZONING MASTER CONCEPT PLAN - NOTES & DETAILS
 AIR-FORT TECHNOLOGY CENTER MFD
 2012001-0002, 10-416, 10-418, 10-419, 10-420, 10-421, 10-422, 10-423, 10-424, 10-425, 10-426, 10-427, 10-428, 10-429, 10-430, 10-431, 10-432, 10-433, 10-434, 10-435, 10-436, 10-437, 10-438, 10-439, 10-440, 10-441, 10-442, 10-443, 10-444, 10-445, 10-446, 10-447, 10-448, 10-449, 10-450, 10-451, 10-452, 10-453, 10-454, 10-455, 10-456, 10-457, 10-458, 10-459, 10-460, 10-461, 10-462, 10-463, 10-464, 10-465, 10-466, 10-467, 10-468, 10-469, 10-470, 10-471, 10-472, 10-473, 10-474, 10-475, 10-476, 10-477, 10-478, 10-479, 10-480, 10-481, 10-482, 10-483, 10-484, 10-485, 10-486, 10-487, 10-488, 10-489, 10-490, 10-491, 10-492, 10-493, 10-494, 10-495, 10-496, 10-497, 10-498, 10-499, 10-500, 10-501, 10-502, 10-503, 10-504, 10-505, 10-506, 10-507, 10-508, 10-509, 10-510, 10-511, 10-512, 10-513, 10-514, 10-515, 10-516, 10-517, 10-518, 10-519, 10-520, 10-521, 10-522, 10-523, 10-524, 10-525, 10-526, 10-527, 10-528, 10-529, 10-530, 10-531, 10-532, 10-533, 10-534, 10-535, 10-536, 10-537, 10-538, 10-539, 10-540, 10-541, 10-542, 10-543, 10-544, 10-545, 10-546, 10-547, 10-548, 10-549, 10-550, 10-551, 10-552, 10-553, 10-554, 10-555, 10-556, 10-557, 10-558, 10-559, 10-560, 10-561, 10-562, 10-563, 10-564, 10-565, 10-566, 10-567, 10-568, 10-569, 10-570, 10-571, 10-572, 10-573, 10-574, 10-575, 10-576, 10-577, 10-578, 10-579, 10-580, 10-581, 10-582, 10-583, 10-584, 10-585, 10-586, 10-587, 10-588, 10-589, 10-590, 10-591, 10-592, 10-593, 10-594, 10-595, 10-596, 10-597, 10-598, 10-599, 10-600, 10-601, 10-602, 10-603, 10-604, 10-605, 10-606, 10-607, 10-608, 10-609, 10-610, 10-611, 10-612, 10-613, 10-614, 10-615, 10-616, 10-617, 10-618, 10-619, 10-620, 10-621, 10-622, 10-623, 10-624, 10-625, 10-626, 10-627, 10-628, 10-629, 10-630, 10-631, 10-632, 10-633, 10-634, 10-635, 10-636, 10-637, 10-638, 10-639, 10-640, 10-641, 10-642, 10-643, 10-644, 10-645, 10-646, 10-647, 10-648, 10-649, 10-650, 10-651, 10-652, 10-653, 10-654, 10-655, 10-656, 10-657, 10-658, 10-659, 10-660, 10-661, 10-662, 10-663, 10-664, 10-665, 10-666, 10-667, 10-668, 10-669, 10-670, 10-671, 10-672, 10-673, 10-674, 10-675, 10-676, 10-677, 10-678, 10-679, 10-680, 10-681, 10-682, 10-683, 10-684, 10-685, 10-686, 10-687, 10-688, 10-689, 10-690, 10-691, 10-692, 10-693, 10-694, 10-695, 10-696, 10-697, 10-698, 10-699, 10-700, 10-701, 10-702, 10-703, 10-704, 10-705, 10-706, 10-707, 10-708, 10-709, 10-710, 10-711, 10-712, 10-713, 10-714, 10-715, 10-716, 10-717, 10-718, 10-719, 10-720, 10-721, 10-722, 10-723, 10-724, 10-725, 10-726, 10-727, 10-728, 10-729, 10-730, 10-731, 10-732, 10-733, 10-734, 10-735, 10-736, 10-737, 10-738, 10-739, 10-740, 10-741, 10-742, 10-743, 10-744, 10-745, 10-746, 10-747, 10-748, 10-749, 10-750, 10-751, 10-752, 10-753, 10-754, 10-755, 10-756, 10-757, 10-758, 10-759, 10-760, 10-761, 10-762, 10-763, 10-764, 10-765, 10-766, 10-767, 10-768, 10-769, 10-770, 10-771, 10-772, 10-773, 10-774, 10-775, 10-776, 10-777, 10-778, 10-779, 10-780, 10-781, 10-782, 10-783, 10-784, 10-785, 10-786, 10-787, 10-788, 10-789, 10-790, 10-791, 10-792, 10-793, 10-794, 10-795, 10-796, 10-797, 10-798, 10-799, 10-800, 10-801, 10-802, 10-803, 10-804, 10-805, 10-806, 10-807, 10-808, 10-809, 10-810, 10-811, 10-812, 10-813, 10-814, 10-815, 10-816, 10-817, 10-818, 10-819, 10-820, 10-821, 10-822, 10-823, 10-824, 10-825, 10-826, 10-827, 10-828, 10-829, 10-830, 10-831, 10-832, 10-833, 10-834, 10-835, 10-836, 10-837, 10-838, 10-839, 10-840, 10-841, 10-842, 10-843, 10-844, 10-845, 10-846, 10-847, 10-848, 10-849, 10-850, 10-851, 10-852, 10-853, 10-854, 10-855, 10-856, 10-857, 10-858, 10-859, 10-860, 10-861, 10-862, 10-863, 10-864, 10-865, 10-866, 10-867, 10-868, 10-869, 10-870, 10-871, 10-872, 10-873, 10-874, 10-875, 10-876, 10-877, 10-878, 10-879, 10-880, 10-881, 10-882, 10-883, 10-884, 10-885, 10-886, 10-887, 10-888, 10-889, 10-890, 10-891, 10-892, 10-893, 10-894, 10-895, 10-896, 10-897, 10-898, 10-899, 10-900, 10-901, 10-902, 10-903, 10-904, 10-905, 10-906, 10-907, 10-908, 10-909, 10-910, 10-911, 10-912, 10-913, 10-914, 10-915, 10-916, 10-917, 10-918, 10-919, 10-920, 10-921, 10-922, 10-923, 10-924, 10-925, 10-926, 10-927, 10-928, 10-929, 10-930, 10-931, 10-932, 10-933, 10-934, 10-935, 10-936, 10-937, 10-938, 10-939, 10-940, 10-941, 10-942, 10-943, 10-944, 10-945, 10-946, 10-947, 10-948, 10-949, 10-950, 10-951, 10-952, 10-953, 10-954, 10-955, 10-956, 10-957, 10-958, 10-959, 10-960, 10-961, 10-962, 10-963, 10-964, 10-965, 10-966, 10-967, 10-968, 10-969, 10-970, 10-971, 10-972, 10-973, 10-974, 10-975, 10-976, 10-977, 10-978, 10-979, 10-980, 10-981, 10-982, 10-983, 10-984, 10-985, 10-986, 10-987, 10-988, 10-989, 10-990, 10-991, 10-992, 10-993, 10-994, 10-995, 10-996, 10-997, 10-998, 10-999, 10-1000.

DCI 2004-00035

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 MAR 17 2004

MD
 MORRIS - DEFEW ASSOCIATES, INC.
 PROFESSIONAL ENGINEERS & ARCHITECTS
 2000 W. WASHINGTON AVENUE, SUITE 200, CHANDLER, AZ 85224
 (480) 948-8888

NO. PROJECT: 99153
 CHECKED BY: SJR
 DATE: 5/1/04
 212