

# GIS Tracking Sheet

Case No.:

DCI 2011-60026

Intake Date:

Project Name:

STRAP Number(s):

Planner Name:

Ext.

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## LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date:

INTAKE:

LEGAL SUFFICIENT

YES

NO

Initials:

If not, give brief explanation:

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## MAP UPDATE following FINAL ACTION

Date:

Hearing Examiner Decision

Board of County Commissioner's Resolution

Administrative Approval

Blue Sheet

Zoning Notes:

MAP UPDATED

12/20/11  
 YES

NO

Initials:

cf

If not, give brief explanation:

ZONE: MPO! 662290



239-533-8585

John E. Manning  
*District One*

A. Brian Bigelow  
*District Two*

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

Frank Mann  
*District Five*

Karen B. Hawes  
*County Manager*

Michael D. Hunt  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

November 22, 2011

**BANKS ENGINEERING**  
10511 SIX MILE CYPRESS PKWY  
FORT MYERS FL 33966

Re: SAVANNAH LAKES MPD  
BCCR11-10-01 Extension (F)  
DCI2011-00026

Dear BANKS ENGINEERING:

In accord with BCCR11-10-01, development permits meeting certain criteria are entitled to one 4-year extension from the existing/initial permit expiration date. Accordingly, the effectiveness of the Master Concept Plan identified in Zoning Resolution, Z-06-074, DCI2011-00026, SAVANNAH LAKES MPD, is hereby extended for the following:

APPROVAL OF A 4-YEAR EXTENSION FROM NOVEMBER 1, 2011 TO NOVEMBER 1, 2015 FOR SAVANNAH LAKES MPD.

No additional extensions under BCCR11-10-01 may be granted for the above-referenced development permit. All underlying conditions of the zoning resolution remain in full force and effect. Failure to comply with zoning conditions may result in enforcement action as provided under Florida law and local regulations.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under BCCR11-10-01, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development  
Division of Zoning

Pam Houck  
Director



Professional Engineers, Planners & Land Surveyors

November 2, 2011

Lee County Community Development  
1500 Monroe Street  
Fort Myers, Florida 33901

RECEIVED  
NOV 03 2011  
CJH  
COMMUNITY DEVELOPMENT

Reference: 16452724000250000  
PERMIT EXTENSION REQUEST  
SAVANNA LAKES  
DCI2006-00025 (Z-06-074)

DCI 2011-00026

To Whom It May Concern:

Please accept this letter as a request for a four (4) year extension for the Savanna Lakes Zoning as referenced above, pursuant to Lee County Resolution No. 11-10-01. The zoning was issued on November 11, 2007 which falls within the required date range of between January 2, 2006 and June 12, 2012.

Attached please find attached a check in the amount of \$200.00 for the requested extension. Please do not hesitate to contact me if you have any questions or require further information.

Sincerely,  
BANKS ENGINEERING

Jennifer M. Sheppard  
Permitting Coordinator



**LEE COUNTY**  
SOUTHWEST FLORIDA  
BOARD OF COUNTY COMMISSIONERS

239-533-8585

Bob Janes  
District One

A. Brian Bigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

Frank Mann  
District Five

Donald D. Stillwell  
County Manager

David Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

July 29, 2009

MR STEVEN C. HARTSELL  
PAVESE LAW FIRM  
1833 HENDRY STREET  
FORT MYERS FL 33901

Re: SAVANNA LAKES MPD  
Senate Bill 360 Extension (F)  
DCI2009-00025

Dear MR STEVEN C. HARTSELL:

In accord with Senate Bill 360 (SB360) and Lee County Resolution 09-06-22, development permits meeting certain criteria are entitled to one 2-year extension from the existing/initial permit expiration date. Accordingly, the effectiveness of the Master Concept Plan identified in Zoning Resolution Z-06-074, DCI2006-00025, SAVANNA LAKES MPD, is hereby extended for the following:

From an expiration date of November 1, 2009 to November 1, 2011.

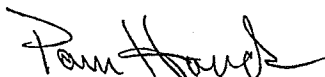
No additional extensions under SB360 may be granted for the above-referenced development permit. All underlying conditions of the zoning resolution remain in full force and effect. Failure to comply with zoning conditions may result in enforcement action as provided under Florida law and local regulations.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under SB360, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development  
Division of Zoning

  
Pam Houck  
Director

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

WHEREAS, Lennar Homes, Inc., filed an application on behalf of the property owners, Olivia's Savannah, LLC and Lennar Corporation, to reinstate the vacated Master Concept Plan (MCP) for Savanna Lakes (Resolution Z-99-049, as amended by Administrative Amendment, ADD2003-00129) in reference to Savanna Lakes MPD; and

WHEREAS, a public hearing was advertised and held on January 17, 2006 and February 16, 2007, before the Lee County Zoning Hearing Examiner, Richard A. Gescheidt, who gave full consideration to the evidence in the record for Case #DCI2006-00025; and

WHEREAS, a second public hearing was advertised and held on April 16, 2007, 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 reinstate the vacated Master Concept Plan (MCP) for Savanna Lakes (Resolution Z-99-049, as amended by Administrative Amendment, ADD2003-00129) to November 1, 2009, for a maximum of 10 years from the November 1, 1999 rezoning. As last amended in 2003, this Planned Development was approved for a Mixed Use Development consisting of 1,599 dwelling units and a maximum of 100,000 square feet of Commercial use, on 840 acres of land. The applicant indicates that they plan to connect to public potable water and sanitary sewer as part of the development. Development blasting is not a proposed development activity. The property is located in the Urban Community, Wetlands, and Conservation Lands (upland and wetlands) 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).

1. The development of this project must be consistent with the amended Master Concept Plan, stamped received December 6, 2003 (as attached in ADD2003-00129), except as modified by the conditions below.

Development must comply with all federal, state and Lee County regulations. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

**This reinstatement is effective to November 1, 2009.**

2. The following limits apply to the project and uses:

a. **Schedule of Uses:**

Administrative Offices  
ATM (Automatic Teller Machine)  
Automobile Service Station  
Banks and Financial Establishments  
Bed and Breakfast  
Business Services, Group I  
Car Wash  
Cleaning and Maintenance Services  
Clothing Stores, General  
Clubs, Country, Commercial, Fraternal, Membership, Organization, Private  
Consumption on Premises, a maximum of four in conjunction with Full Service  
Restaurants only  
Convenience Food and Beverage Store  
Cultural Facilities  
Day Care Center, Child, Adult  
Drive-through Facility for any Permitted Use  
Drugstore, Pharmacy  
Emergency Medical Service (Ambulance Station)  
Essential Services  
Essential Services Facilities - Group I  
Excavation/Water Retention  
Fences, Walls  
Fire Station  
Food and Beverage Services, Limited  
Food Stores, Group I  
Gift and Souvenir Shop  
Hardware Store  
Health Care Facilities, Groups I, II and III  
Heliport or Helistop  
Hobby, Toy and Game Shops  
Home Care Facility  
Hotel/Motel \*  
Household and Office Furnishings, All Groups  
Insurance Companies  
Laundry or Dry Cleaning, Group I  
Lawn and Garden Supply Stores  
Library  
Medical Office  
Nonstore Retailers, All Groups  
Parcel and Express Services  
Package Store  
Paint, Glass and Wallpaper

Parking Lot, Accessory, Commercial, Garage, Public Parking, Temporary  
 Personal Services, Groups I, II, III and IV  
 Pet Shop  
 Pharmacy  
 Place of Worship  
 Police or Sheriff's Station  
 Post Office  
 Real Estate Sales Office  
 Recreation, Commercial, Groups I, III, and IV  
 Recreational Facilities, Personal and Private  
 Religious Facilities  
 Rental or Leasing Establishments, Groups I, II and III  
 Repair Shops, Groups I, II, III and IV  
 Restaurant, Fast Food  
 Restaurant, Groups I, II, III and IV  
 Retail and Wholesale Sales, when clearly incidental and subordinate to a permitted  
 principal use on the same premises  
 Self Service Fuel Pumps  
 Signs, in accordance with Chapter 30 of LDC  
 Specialty Retail Shops, Groups I, II, III and IV  
 Storage, Open (Boat and RV Only)  
 Temporary Uses, as approved by the Director of Development Services)  
 Timeshare Units \*  
 Variety Store  
 Vehicle and Equipment Dealers, Groups I, II and III

- (1) Limited to those uses found in the Schedule of Uses, the following uses are limited as indicated below:

The uses denoted with an *asterisk* (\*) for residential areas are approved only if located within the Town Center, with a maximum of 20,000 square feet of commercial use.

Residential Area - Model Homes and Model Units, must be in compliance with Lee County LDC §34-1954.

Residential Area - Model Display Center, must be in compliance with Lee County LDC §34-1955, limited to one only to serve this project.

Residential Area - Real Estate Sales Office, limited to one only to serve this project.

Storage, Open (in either the residential or commercial areas) must be shielded behind a continuous visual screening at least eight feet in height when visible from any residential use, and six feet in height when visible from any street right-of-way or street easement.

- (2) The development is limited to not more than 1,477 dwelling units. (Accessory apartment units will count as full dwelling units) "Conversion" of dwelling units to commercial square footage may be accomplished consistent with Exhibit C attached to the 1992 Stipulation and Settlement Agreement, and can only be achieved through an amendment of this planned development that is heard at public hearing.
- (3) A maximum of 100,000 square feet of commercial uses and 75 hotel units are permitted if they are approved and constructed in compliance with Condition 13. Commercial development is further limited as follows:
- (a) Up to a maximum of 20,000 square feet can be located on the Town Center areas, indicated as Parcel T1. The remaining commercial square footage can be located on Parcels fronting along Milwaukee Boulevard labeled as Commercial tract.
  - (b) The Town Center area will not exceed 40,000 square feet and is proposed to be located on Parcel T1. A maximum of 20,000 square feet will be allocated to the residential community and a maximum of 20,000 square feet will be used for retail commercial uses.
  - (c) To stay below the Development of Regional Impact (DRI) thresholds, the project is further limited to the following parameters:
    - 75 motel units
    - 1,477 dwelling units
    - 20,000 square feet of office use
    - 80,000 square feet of retail use

2. b. **Site Development Regulations - RESIDENTIAL**

<b><u>RESIDENTIAL</u></b>	<i>SINGLE FAMILY DETACHED VILLAS</i>	<i>SINGLE FAMILY DETACHED REGULAR</i>	<i>ZERO-LOT-LINE DUPLEX (2 OR MORE UNITS PER BLDG) (2-FAM. ATTACHED TOWNHOUSE)</i>	<i>MULTIPLE-FAMILY HOUSING (3 OR MORE UNITS PER BUILDING)</i>	<i>ALL USES ALLOWED IN THE TOWN CENTER /CLUB HOUSE AREAS</i>
MINIMUM LOT AREA (SQUARE FOOTAGE)	5,000 SF	6,000 SF	2,000 SF /UNIT	10,000 SF	7,500 SF
MINIMUM LOT SIZE	40 'X 125'	60' X 100'	25' X 80'	100' X 100'	75' X 100'
MINIMUM CORNER LOT SIZE	50' X 125'	70' X 100'	40' X 80'	110' X 100'	85' X 100'
FRONT SETBACK FROM STREET	20 FEET	20 FEET	20 FEET	20 FEET	20 FEET



SIDE SETBACK FROM STREET	15 FEET	15 FEET	15 FEET	15 FEET	15 FEET
SIDE SETBACK	5 FEET	5 FEET	N/A	15 FEET	10 FEET
REAR SETBACK	5 FEET	5 FEET	5 FEET	20 FEET	10 FEET
SETBACK FROM WATERBODY	10 FEET	10 FEET	10 FEET	10 FEET	10 FEET
MIN. BUILDING SEPARATION	N/A	N/A	10 FEET	10 FEET	20 FEET
MAXIMUM BUILDING HEIGHT	35 FEET / 3 STORIES	35 FEET / 3 STORIES	35 FEET / 3 STORIES	35 FEET / 3 STORIES	45 FEET OR 3 STORIES, WHICHEVER IS THE LESSER AMOUNT
MAXIMUM LOT COVERAGE (%)	60%	60%	60%	60%	60%
				TOTAL MAXIMUM BUILDING SQUARE FOOTAGE	40,000 SQUARE FEET

- (1) Residential site development regulations are set forth in Condition 2.b. above, and further limited by the condition attached to Deviation 1.

c. **Site Development Regulations - COMMERCIAL**

MINIMUM LOT SIZE	10,000 SQUARE FEET
MINIMUM LOT WIDTH	100 FEET
MINIMUM LOT DEPTH	100 FEET
MINIMUM SETBACKS:	
STREET	VARIABLE ACCORDING TO THE FUNCTIONAL CLASSIFICATION OF THE STREET OR ROAD (LEE COUNTY LAND DEVELOPMENT CODE §34-2192)
SIDE	15 FEET
REAR	25 FEET
WATER	25 FEET
MAXIMUM LOT COVERAGE	60%
MAXIMUM BUILDING HEIGHT	THREE STORIES, OR 45 FEET, WHICHEVER IS THE LESSER AMOUNT

- (1) Commercial site development regulations are set forth in Condition 2.c. above, and further limited by the condition attached to Deviation 8.

3. Environmental Conditions

- a. Prior to local development order approval, all gopher tortoise habitat, as identified in Lee County LDC Appendix H, must be resurveyed per Lee County LDC §10-473(a). The survey report must be provided to the Division of Planning, Environmental Sciences Staff for review and approval.
- b. The type of gopher tortoise permit obtained from Florida Fish and Wildlife Conservation Commission (FWC) must be submitted with an appropriate management plan at time of development order submittal. If the applicant obtains a relocation permit, a detailed management plan per Lee County LDC §10-474 is required prior to development order approval. If an incidental take permit is obtained, all gopher tortoises and commensal species must be moved out of harm's way into a fenced upland preserve area during construction. An approved plan describing the method of moving the tortoises out of harm's way and for construction of the gopher tortoise fence is required prior to development order approval.
- c. Prior to development order approval, the developer must submit a detailed Alligator Management Plan to the Division of Planning, Environmental Sciences. At a minimum, provisions of the plan must include:
  - (1) The supplying of educational literature or lectures for residents concerning human/alligator interaction.
  - (2) The location and wording of warning signs to prevent feeding or harassment of alligators.
- d. General open space requirements will be met with a minimum of 345.0 acres, as shown on the approved MCP stamped received on December 6, 2003 attached to ADD2003-00129.

4. The following conditions are intended to help mitigate potential hurricane damage and loss of life, as well as to ensure compliance with the Lee County Comprehensive Plan objectives:

a. Hurricane Impact Mitigation

- (1) Prior to approval of a local development order for any area that includes residential units, the developer must:
  - (a) Establish a homeowners' or residents' association. The association must conduct an annual educational program, in conjunction with the staff of Emergency Management, which will provide literature, brochures and speakers for Hurricane Awareness Preparedness

Seminars describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.

- (b) Formulate an emergency hurricane notification and evacuation plan for the development. The plan will be subject to review and approval by the Lee County Office of Emergency Management.
- (c) The project will be subject to future, duly adopted evacuation or shelter mitigation requirements applicable to residential development within the County.

b. Emergency Medical Service and Fire Protection

- (1) The developer must provide emergency medical service and fire protection in accordance with Lee County LDC §2-383, *et seq.*, including Table 9.
- (2) If access to this development is through a security gate or similar device that is not manned 24 hours a day, the entry must be equipped with an override switch installed in a glass-covered box, or other device, for emergency vehicles to gain entry.

5. Model units and homes are permitted in compliance with the following conditions:

- a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and
- b. All model sites must be designated on the development order plans; and
- c. Prior to model home construction, the lots upon which model homes will be constructed must be shown on a preliminary plat. The preliminary plat must be filed concurrently with the local development order application. The model homes must comply with the setbacks set forth in the property development regulations for Savanna Lakes.
- d. Dry models are prohibited.

6. Prior to Certificates of Compliance or Certificates of Occupancy for vertical development, the developer, or his designee, must extend Milwaukee Boulevard from its terminus at the intersection of Homestead Road in a northwesterly direction approximately two miles to intersect the southerly terminus of Beth Stacey Boulevard. This roadway must be constructed to county standards, in accordance with the Lee County LDC based upon the functional classification of the road, as defined in Lee County LDC §10-1. If construction has begun and is proceeding in a reasonable manner, Certificates of Compliance or Certificates of Occupancy can be issued for non-retail use and no more than 30,000 square feet of retail development, subject to compliance with Condition 13 and, provided the Milwaukee Boulevard/Homestead Road intersection has been established.

7. Buildings or structures exceeding 35 feet in height may be permitted provided every required street, side, and rear setback is increased by one-half foot for every one foot by which the building or structure exceeds 35 feet in height.
8. Approval of this zoning request does not address access onto S.R. 82, since Lee County has no jurisdiction over that roadway. The developer must pursue this access approval with Florida Department of Transportation (FDOT). Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
9. Buffers must be provided in accordance with Lee County LDC §10-416(d) for the multi-family and commercial areas. No buffering is required for single-family conventional or attached or two-family units.
10. Development must comply with the requirements of the Lee County LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.
11. The developer may not use Charwood Avenue for construction vehicles larger than standard pickup trucks. Direct construction access to Charwood Avenue is prohibited. The developer must post signs at all construction entrances advising drivers that all concrete and fill trucks may not use Charwood Avenue. As part of the contract for each fill and concrete contractor, the developer must include written notice to the contractors advising of the Charwood Avenue use prohibition.
12. Approval of this rezoning does not give the developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the Lee County Comprehensive Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b), and comply with *Lehigh Corporation v. Lee County*, Case No. 85-5843 CA-EOF Settlement Agreement, and the 12<sup>th</sup> Amendment of the Platting Assurance Agreement. Exhibits D and E attached hereto.
13. In accordance with the 1992 Stipulation and Settlement Agreement (Exhibit D) and the 12<sup>th</sup> Amendment to the Platting Assurance Agreement (Exhibit E), this development is vested against compliance with the concurrency management standards for a total of 1,477 dwelling units. Notwithstanding, any other approval related to this project or conditions contained in this resolution, the developer may not obtain approval for development beyond the density or intensity attributable to the vested 1,477 dwelling units, unless the additional development complies with existing Lee County LDC regulations, including Lee County Concurrency Management Standards and the 12<sup>th</sup> Amendment to the Platting Assurance Agreement.
14. As indicated in the application, the development must connect to potable water and sanitary sewage utilities as part of the vertical development of this planned development.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §§34-695, 34-715 and 34-844 requirements to establish specific property development regulations for the residential uses, to allow the site development regulations set forth in Condition 2.b. above. This deviation is APPROVED, SUBJECT TO compliance with the drawings and depictions on Sheet 2 of the Master Concept Plan.
2. Deviation (2) seeks relief from the LDC §34-935(e)(4) requirement to provide a minimum building separation of one-half the sum of the heights or 20 feet, whichever is greater, to allow a 10-foot minimum building separation. This deviation is APPROVED, PROVIDED that the developer receives and submits letters of approval from the appropriate fire districts prior to development order approval.
3. Deviation (3) seeks relief from the LDC §34-2222(1) requirement to provide a 15-foot increase in the minimum lot width for corner lots, to allow a minimum increase of 10 feet for corner lots. This deviation is APPROVED, SUBJECT TO the provision of adequate vehicle visibility/sight distance in accordance with the provisions of the Lee County LDC.
4. Deviation (4) seeks relief from the LDC §10-285(a) requirement to provide a 660-foot minimum intersection separation distance on an arterial roadway, to allow a 400-foot intersection separation distance on Milwaukee Boulevard near Preston Street. This deviation is APPROVED.
5. Deviation (5) seeks relief from the LDC §10-328(a) requirement to provide a minimum 20-foot-wide maintenance easement along all watercourses, to eliminate the maintenance easement for areas that do not abut single-family lots and allow a 15-foot-wide maintenance easement for areas directly abutting single-family lots. This deviation is APPROVED, PROVIDED that the developer submits documentation of "no objection" from the South Florida Water Management District prior to development order approval.
6. Deviation (6) seeks relief from the LDC §30-152(2) requirement to provide a minimum 15-foot setback for identification signs from any right-of-way or easement, to allow a zero-foot setback. This deviation is APPROVED, PROVIDED that the location and construction of the identification signs are in accordance with Lee County LDC regulations for minimum driver safety sight distances.
7. Deviation (7) seeks relief from the LDC §10-415(b)(1) requirement to provide the satisfaction of 50 percent of the open space requirement through the preservation of indigenous native vegetation, to allow the use of lands controlled by the East County Water Control District that are subject to a conservation easement to satisfy this requirement. This deviation is APPROVED, SUBJECT TO the following conditions:
  - a. Prior to the issuance of a local development order, the developer/applicant must designate 10 acres of existing indigenous preservation within the highest quality native indigenous plant communities on-site. These areas include the pine flatwoods/palmetto prairie along the north property line and the pine

flatwoods/cabbage palm forest located in the center of the property. These areas will be located in Tract T-1

- b. The East County Water Control District conservation easement areas satisfy 183.65 acres of the indigenous preservation requirements on the site. If the conservation easement area ever contains less than 183.65 acres of existing indigenous vegetation, the developer or their designee must satisfy the indigenous preservation requirement through any combination set forth below:

existing indigenous community within the 840-acre site;  
on-site creation/restoration of an indigenous plant community;  
off-site mitigation per Lee County LDC §10-415(b)(3).

In no instance will the developer be required to provide additional indigenous if the amount of indigenous is reduced due to hurricanes, lightning strikes, drought, or other acts of God.

8. Deviation (8) seeks relief from the LDC §§34-844 and 34-1801 requirement to establish specific property development regulations for the commercial uses and the hotel/motel and time share units, to allow the property development regulations set forth in Condition 2 above. This deviation is APPROVED.
9. Deviation (9) seeks relief from the LDC §10-285(a) requirement to provide a 660-foot minimum intersection separation distance for arterial roadways, to allow a 450-foot separation distance on Milwaukee Boulevard near Homestead Road. This deviation is APPROVED as depicted for Parcels QQ and Z on the 2-page Master Concept Plan attached as Exhibit C.
10. Deviation (10) seeks relief from the LDC §30-152(2) requirement to provide a minimum 15-foot setback for identification signs from any right-of-way or easement, to allow a zero-foot setback. This deviation is APPROVED, PROVIDED the location and construction of the identification signs are in accordance with regulations for minimum driver safety sight distances.

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: Zoning Map (with the subject parcel indicated)  
Exhibit C: The Master Concept Plan  
Exhibit D: 1992 Stipulation and Settlement Agreement  
Exhibit E: 12<sup>th</sup> Amendment to the Platting Assurance Agreement

The applicant has indicated that the STRAP number for the subject property is: 16-45-27-24-00025.0000.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant is proposing no changes to the original approved Master Concept Plan; and
2. The Master Concept Plan is consistent, as conditioned in the recommended zoning action, with the current Lee County Comprehensive Plan, including but not limited to, density, intensity, and concurrency requirements; and
3. The development shown by the Master Concept Plan remains compatible with existing and approved uses in the surrounding area; and
4. The development, as conditioned in the recommended actions and shown by the Master Concept Plan will not, by itself or in conjunction with other development, place an unreasonable burden on essential public facilities; and
5. The criteria set forth in Lee County LDC §34-145(d)(2), which are applicable to this matter, are satisfied; and
6. The criteria listed in Lee County LDC §34-145(d)(1), which are applicable to this matter, are satisfied.
7. That the requested deviations enhance the achievement of the objectives of the planned development.
8. 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.

Commissioner Hall made a motion to adopt the foregoing resolution, seconded by Commissioner Mann. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Absent
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 16<sup>th</sup> day of April 2007.

ATTEST:  
CHARLIE GREEN, CLERK

BY: Marcia Wilson  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: [Signature]  
Robert P. Janes  
Chair

Approved as to form by:

[Signature]  
Dawn E. Perry-Lehnert  
County Attorney's Office



RECEIVED  
MINUTES OFFICE  
2007 APR 23 PM 2:08



**DESCRIPTION SKETCH**

(Not a Boundary Survey)

**RECEIVED**  
MAR 21 2006

**OVERALL BOUNDARY DESCRIPTION**

**PERMIT COUNTER**

A TRACT OF LAND IN SECTIONS 16, 17, 18, 19 AND 20, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 17, THENCE NORTH 89°19'08" EAST, ALONG THE NORTH SECTION LINE (BASIS OF BEARINGS), A DISTANCE OF 2,565.02 FEET; THENCE SOUTH 00° 40'52" EAST, A DISTANCE OF 100.00 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF A 100 FOOT CANAL; THENCE NORTH 89°19'08" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID CANAL, A DISTANCE OF 2,765.20 FEET, TO THE EAST SECTION LINE OF SAID SECTION 17; THENCE CONTINUE NORTH 88°27'33" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID CANAL A DISTANCE OF 1,244.61 FEET, TO THE WESTERLY RIGHT-OF-WAY LINE OF HOMESTEAD ROAD, (AKA RICHMOND AVENUE-PLAT, 100 FEET WIDE); THENCE SOUTH 00°45'52" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF HOMESTEAD ROAD, A DISTANCE OF 2,273.90 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,962.86 FEET AND A DELTA ANGLE OF 10°41'46"; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 366.43 FEET; THENCE THE FOLLOWING TWELVE (12) COURSES ALONG THE NORTHERLY AND WESTERLY BOUNDARIES OF BLOCK 80, UNIT 25 AND BLOCK 124, UNIT 38, SAID MIRROR LAKES: 1) SOUTH 73°58'57" WEST A DISTANCE OF 119.72 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 315.00 FEET AND A DELTA ANGLE OF 94°24'19"; 2) ALONG SAID CURVE AN ARC DISTANCE OF 519.02 FEET, TO A POINT OF A COMPOUND CURVE, HAVING A RADIUS OF 2,397.86 FEET, AND A DELTA ANGLE OF 04°55'47"; 3) ALONG SAID CURVE AN ARC DISTANCE OF 206.31 FEET, TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 120.00 FEET AND A DELTA ANGLE OF 68°29'32"; 4) ALONG SAID CURVE AN ARC DISTANCE OF 143.45 FEET, TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 315.00 FEET AND A DELTA ANGLE OF 78°14'00"; 5) ALONG SAID CURVE AN ARC DISTANCE OF 430.11 FEET, TO A POINT OF A COMPOUND CURVE, HAVING A RADIUS OF 2,707.86 FEET AND A DELTA ANGLE OF 06°29'41"; 6) ALONG SAID CURVE AN ARC DISTANCE OF 306.94 FEET, TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 137.94 FEET AND A DELTA ANGLE OF 89°59'08"; 7) ALONG SAID CURVE AN ARC DISTANCE OF 216.64 FEET, TO A POINT OF TANGENCY; 8) SOUTH 48°23'51" WEST, A DISTANCE OF 482.14 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 447.36 FEET AND A DELTA ANGLE OF 40°46'12"; 9) ALONG SAID CURVE AN ARC DISTANCE OF 318.33 FEET, TO A POINT OF TANGENCY; 10) SOUTH 89°10'03" WEST, A DISTANCE OF 237.32 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET AND A DELTA ANGLE OF 89°55'55"; 11) ALONG SAID CURVE AN ARC DISTANCE OF 156.96 FEET, TO THE POINT OF TANGENCY; 12) SOUTH 00°45'52" EAST, A DISTANCE OF 266.10 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF PARKDALE BOULEVARD (80 FEET WIDE); THENCE SOUTH 89°10'03" WEST, ALONG SAID RIGHT-OF-WAY LINE OF PARKDALE BOULEVARD, A DISTANCE OF 150.00 FEET, TO THE EAST LINE OF SAID SECTION 17; THENCE NORTH 00°45'52" WEST ALONG THE EAST LINE OF SAID SECTION 17 A DISTANCE OF 329.30 FEET, TO A POINT ON A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 310.00 FEET, A DELTA ANGLE OF 84°50'08", A CHORD OF 418.21 FEET, AND A CHORD BEARING OF NORTH 46°33'04" WEST; THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE NORTHERLY AND WESTERLY BOUNDARY OF BLOCK 132, UNIT 40, SAID MIRROR LAKES: 1) NORTHWESTERLY ALONG SAID NON TANGENT CURVE AN ARC DISTANCE OF 459.01 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,438.36 FEET AND A DELTA ANGLE OF 05°31'24"; 2) ALONG SAID CURVE AN ARC DISTANCE OF 235.06 FEET, TO A POINT OF TANGENCY; 3) NORTH 83°26'45" WEST A DISTANCE OF 260.00 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 310.00 FEET AND A DELTA ANGLE OF 90°00'00"; 4) THENCE ALONG SAID CURVE AN ARC DISTANCE OF 486.95 FEET, TO A POINT OF TANGENCY; 5) SOUTH 06°33'15" WEST, A DISTANCE OF 308.65 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF PARKDALE BOULEVARD (80-FOOT WIDE); THENCE NORTH 83°26'45" WEST, ALONG SAID RIGHT-OF-WAY LINE OF PARKDALE BOULEVARD, A DISTANCE OF 395.66 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,602.61 FEET AND A DELTA ANGLE OF 55°56'32"; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 1,564.75 FEET, TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A DELTA ANGLE OF 90°55'42"; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 47.61 FEET, TO A POINT OF TANGENCY; THENCE NORTH 51°28'40" WEST A DISTANCE OF 158.73 FEET, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF PARISH DRIVE (60-FOOT WIDE), TO A POINT ON A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,787.61 FEET, A DELTA ANGLE OF 00°58'22", A CHORD OF 30.35 FEET, AND A CHORD BEARING OF SOUTH 39°04'12" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 30.35 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 275.76 FEET AND A DELTA ANGLE OF 75°36'25";

CONTINUED ON SHEET 2 OF 5

CERTIFICATE OF AUTHORIZATION NO. LB 148

PREPARED BY: **HEIDT & ASSOCIATES, Inc.**  
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CIVIL ENGINEERING  
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LANDSCAPE ARCHITECTURE

Fort Myers Office  
3800 Colonial Boulevard #200  
Fort Myers, Florida 33912  
Phone: 239-482-7275  
FAX: 239-482-2103

<b>DESCRIPTION SAVANNA LAKES</b>	
Prepared For: <b>US HOME</b>	
<b>SHEET 1 OF 5</b>	Dwn. KAE    Ck. JNW    DWG: OVERALL_SKD Date: 02/03/06    Order No.: US2-SL-044 SECTION 16-20, TOWNSHIP 45S, RANGE 27E LEE COUNTY, FLORIDA

EXHIBIT A

**DCI 2006-00025**

# DESCRIPTION SKETCH

(Not a Boundary Survey)

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CONTINUED FROM SHEET 1 OF 5


PERMIT COUNTER

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF MARABOU DRIVE (60-FOOT WIDE) AND SAID CURVE AN ARC DISTANCE OF 363.89 FEET, TO A POINT OF TANGENCY; THENCE NORTH 65°48'34" WEST A DISTANCE OF 706.59 FEET, ALONG SAID NORTHERLY RIGHT-OF-WAY TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 90.00 FEET, A DELTA ANGLE OF 54°17'25", A CHORD OF 82.12 FEET, AND A CHORD BEARING OF NORTH 38°39'51" WEST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 85.28 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET, A DELTA ANGLE OF 150°05'54", A CHORD OF 125.60 FEET, AND A CHORD BEARING OF NORTH 86°34'06" WEST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 169.77 FEET TO A POINT OF TANGENCY; THENCE SOUTH 18°22'57" WEST, A DISTANCE OF 185.00 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF A 100-FOOT CANAL, AND ON A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,379.39 FEET, A DELTA ANGLE OF 19°12'53", A CHORD OF 460.43, AND A CHORD BEARING OF NORTH 81°13'30" WEST; THENCE WESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 462.59 FEET, TO A POINT OF TANGENCY; THENCE SOUTH 89°10'03" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CANAL, A DISTANCE OF 547.35 FEET, TO THE WEST LINE OF SAID SECTION 17; THENCE CONTINUING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID CANAL, NORTH 89°49'33" WEST, A DISTANCE OF 987.29 FEET; THENCE SOUTH 00°10'33" EAST, A DISTANCE OF 100.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF AFORESAID CANAL AND THE SOUTH LINE OF SAID SECTION 18; THENCE SOUTH 89°49'27" WEST, ALONG THE SOUTH LINE OF SAID SECTION 18, A DISTANCE OF 339.70 FEET; THENCE SOUTH 49°25'17" WEST, A DISTANCE OF 466.04 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 82 (200 FEET WIDE); THENCE NORTH 64°11'45" WEST, ALONG SAID RIGHT-OF-WAY LINE OF STATE ROAD NO. 82, A DISTANCE OF 2,209.41 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET AND A DELTA ANGLE OF 89°59'33"; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 47.12 FEET, TO A POINT OF TANGENCY AND THE EASTERLY RIGHT-OF-WAY LINE OF GRANT BOULEVARD (80 FEET WIDE); THENCE NORTH 25°48'15" EAST, ALONG SAID RIGHT-OF-WAY LINE OF GRANT BOULEVARD, A DISTANCE OF 300.00 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,077.25 FEET AND A DELTA ANGLE OF 19°47'52"; THENCE ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE AN ARC DISTANCE OF 372.23 FEET, TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET AND A DELTA ANGLE OF 103°25'08"; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 90.25 FEET, TO THE POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PARISH DRIVE; THENCE SOUTH 70°34'15" EAST A DISTANCE OF 255.33 FEET, ALONG SAID RIGHT-OF-WAY LINE, TO A POINT ON A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,387.25 FEET, A DELTA ANGLE OF 04°13'25", A CHORD OF 102.24 FEET, AND A CHORD BEARING OF NORTH 04°20'01" EAST; THENCE NORTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 102.26 FEET TO THE SOUTHWEST CORNER OF LOT 8, BLOCK 66, UNIT 18, SAID MIRROR LAKES; THENCE NORTH 56°58'17" EAST, A DISTANCE OF 158.89 FEET, TO A POINT ON A NON TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 29°58'03", A CHORD OF 25.85 FEET, AND A CHORD BEARING OF NORTH 17°10'57" WEST; THENCE THE FOLLOWING EIGHTEEN (18) COURSES ALONG THE EASTERLY BOUNDARIES OF BLOCKS 64 AND 66, UNIT 18, AND BLOCK 50, UNIT 16, SAID MIRROR LAKES: 1)NORTHERLY ALONG SAID NON TANGENT CURVE AN ARC DISTANCE OF 26.15 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,512.25 FEET AND A DELTA ANGLE OF 23°12'59"; 2)ALONG SAID CURVE AN ARC DISTANCE OF 612.77 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET AND A DELTA ANGLE OF 60°00'01"; 3) ALONG SAID CURVE AN ARC DISTANCE OF 26.18 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET AND A DELTA ANGLE OF 60°00'01"; 4)ALONG SAID CURVE AN ARC DISTANCE OF 26.18 FEET, TO A POINT OF TANGENCY; 5)NORTH 25°24'52" WEST, A DISTANCE OF 258.81 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 101.78 FEET AND A DELTA ANGLE OF 42°54'26"; 6)ALONG SAID CURVE AN ARC DISTANCE OF 76.22 FEET, TO A POINT OF TANGENCY; 7)NORTH 68°19'26" WEST, A DISTANCE OF 14.93 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET AND A DELTA ANGLE OF 61°33'10"; 8)ALONG SAID CURVE AN ARC DISTANCE OF 107.43 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 265.00 FEET AND A DELTA ANGLE OF 18°38'38"; 9)ALONG SAID CURVE AN ARC DISTANCE OF 86.23 FEET, TO THE POINT OF TANGENCY; 10)NORTH 25°24'52" WEST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 265.00 FEET AND A DELTA ANGLE OF 55°52'08"; 11)ALONG SAID CURVE AN ARC DISTANCE OF 258.40 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET AND A DELTA ANGLE OF 92°39'31"; 12)ALONG SAID CURVE AN ARC DISTANCE OF 161.72 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 265.00 FEET AND A DELTA ANGLE OF 25°32'55";

CONTINUED ON SHEET 3 OF 5

CERTIFICATE OF AUTHORIZATION NO. LB 148

PREPARED BY: **HEIDT & ASSOCIATES, Inc.**  
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LANDSCAPE ARCHITECTURE

Fort Myers Office  
3800 Colonial Boulevard #200  
Fort Myers, Florida 33912  
Phone: 239-482-7276  
FAX: 239-482-2103

DESCRIPTION SAVANNA LAKES	
Prepared For: <b>US HOME</b>	
SHEET 2 OF 5	Dwn: KAE Ck: JNW DWG: OVERALL_SKD Date: 02-03-08 Order No.: US2-SL-044
SECTION 16-20, TOWNSHIP 45S, RANGE 27E FLORIDA	

DCI 2006-00025

# DESCRIPTION SKETCH

(Not a Boundary Survey)

CONTINUED FROM SHEET 2 OF 5

13)ALONG SAID CURVE AN ARC DISTANCE OF 118.17 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 646.50 FEET AND A DELTA ANGLE OF 67°18'47"; 14)ALONG SAID CURVE AN ARC DISTANCE OF 759.53 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 215.00 FEET AND A DELTA ANGLE OF 33°06'32"; 15)ALONG SAID CURVE AN ARC DISTANCE OF 124.24 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, A DELTA ANGLE OF 48°28'43", A CHORD OF 82.11 FEET, AND A CHORD BEARING OF NORTH 44°16'13" EAST; 16)ALONG SAID CURVE AN ARC DISTANCE OF 84.61 FEET; 17)NORTH 21°43'59" WEST, A DISTANCE OF 65.46 FEET; 18)NORTH 36°51'28" WEST, A DISTANCE OF 198.49 FEET, TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF GRANT BOULEVARD (80 FEET WIDE); THENCE NORTH 53°08'32" EAST, ALONG SAID RIGHT-OF-WAY LINE OF GRANT BOULEVARD, A DISTANCE OF 341.86 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 997.03 FEET AND A DELTA ANGLE OF 53°43'20"; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 934.85 FEET, TO A POINT OF TANGENCY; THENCE NORTH 00°36'26" WEST, A DISTANCE OF 175.00 FEET, TO THE NORTH LINE OF SAID SECTION 18; THENCE NORTH 89°23'34" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 2,819.10 FEET, TO THE NORTHEAST CORNER OF SAID SECTION 18, AND THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING PRESERVATIONS & LAKE AREA:

- #1 (O.R. BOOK 2387 PAGES 2513-2515)
- #2 (O.R. BOOK 2387 PAGES 2516-2527)
- #3 (O.R. BOOK 2387 PAGES 2528-2531)
- #4 (O.R. BOOK 2530 PAGES 3370-3374)
- #5 (O.R. BOOK 2387 PAGES 2536-2538)

CONTAINING 839.49 MORE OR LESS.

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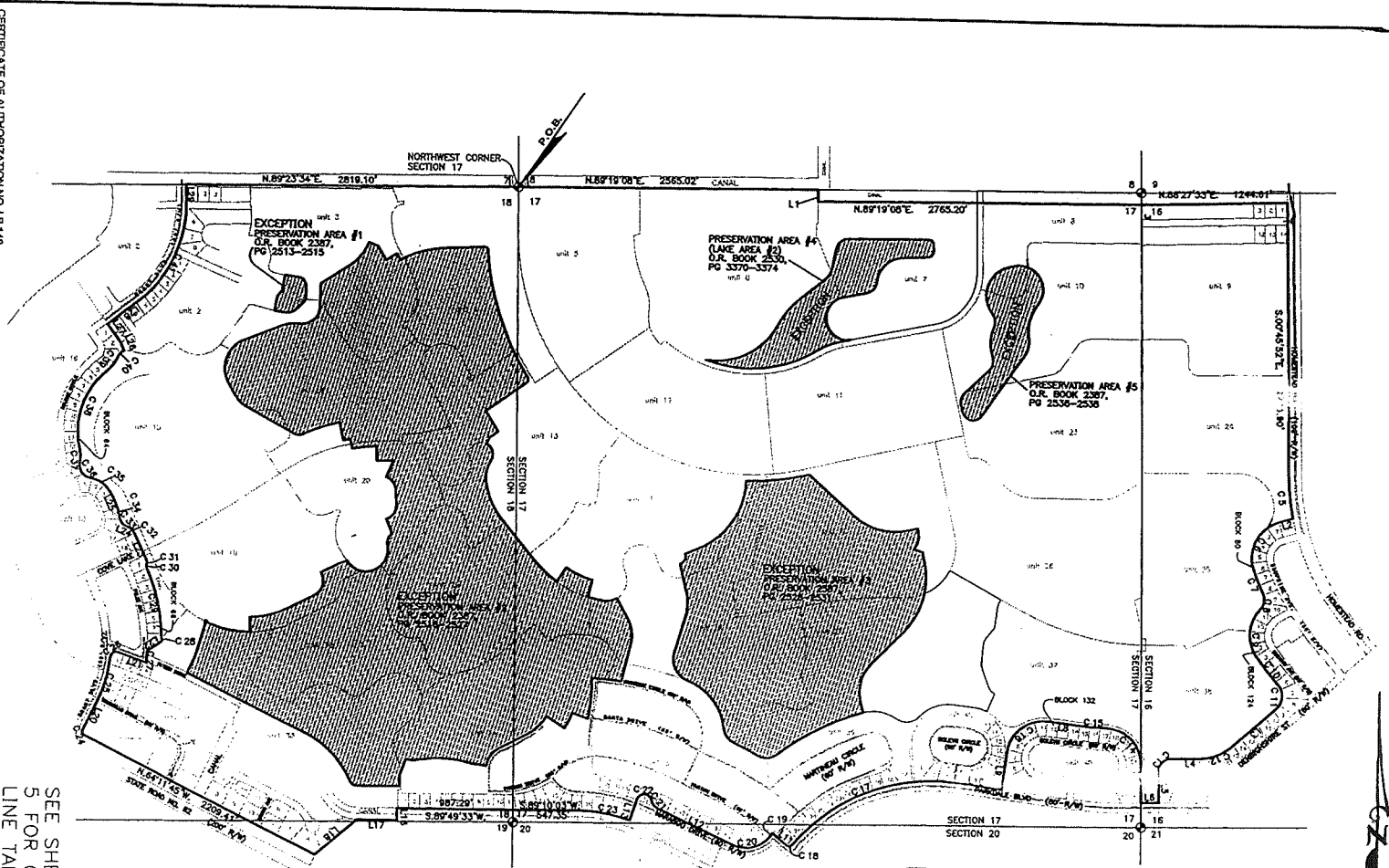
*James N. Wilkison* DATE: 2/6/06  
JAMES N. WILKISON PSM # LS4876  
FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

SEE SHEET 4 OF 5 FOR SKETCH OF DESCRIPTION

CERTIFICATE OF AUTHORIZATION NO. LB 148

 <p>PREPARED BY: <b>HEIDT &amp; ASSOCIATES, Inc.</b> Tampa ♦ Fort Myers</p> <p>CIVIL ENGINEERING PLANNING SURVEYING ENVIRONMENTAL PERMITTING LANDSCAPE ARCHITECTURE</p> <p>Fort Myers Office 3800 Colonial Boulevard #200 Fort Myers, Florida 33912 Phone: 239-482-7275 FAX: 239-482-2103</p>	<b>DESCRIPTION SAVANNA LAKES</b>	
	Prepared For: <b>US HOME</b>	
<b>SHEET 3 OF 5</b>	Dwn. KAE Ck. JNW DWG: OVERALL_SKD Date: 02/03/06 Order No.: US2-SL-044	SECTION 16-20, TOWNSHIP 45S, RANGE 27E LEE COUNTY, FLORIDA

**DESCRIPTION SKETCH**  
(Not a Boundary Survey)



ABBREVIATIONS

P.O.B	POINT OF BEGINNING
SEC.	SECTION
TWP.	TOWNSHIP
RNG.	RANGE
O.R.	OFFICIAL RECORDS

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DCI 2006-00025

NOT TO SCALE

SEE SHEET 5 OF 5 FOR CURVE AND LINE TABLES

CERTIFICATE OF AUTHORIZATION NO. LB 1148  
 PREPARED BY: **HEIDT & ASSOCIATES, Inc.**  
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 LANDSCAPE ARCHITECTURE  
 Fort Myers Office  
 3800 Coastal Boulevard #200  
 Fort Myers, Florida 33912  
 Phone: 239-482-7275  
 FAX: 239-482-2103

Prepared For: **US HOME**  
**DESCRIPTION SAVANNA LAKES**  
 SHEET 4 OF 5  
 Dwn. KAE    Cr. JNW    DWG. OVERALL-SND  
 Date: 02/03/06    Order No.: US2-SL-044  
 SECTION 16-20, TOWNSHIP 45S, RANGE 27E  
 LEE COUNTY, FLORIDA

# DESCRIPTION SKETCH

(Not a Boundary Survey)

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## OVERALL BOUNDARY CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
5	1962.86	10°41'46"	366.43	365.90	S.06°06'45"E.
6	315.00	94°24'19"	519.02	462.27	S.26°46'48"W.
7	2397.86	04°55'47"	206.31	206.25	S.22°53'15"E.
8	120.00	68°29'32"	143.45	135.06	S.08°53'37"W.
9	315.00	78°14'00"	430.11	397.47	S.04°01'24"W.
10	2707.86	06°29'41"	306.94	306.78	S.38°20'27"E.
11	137.94	89°59'08"	216.64	195.05	S.03°24'17"W.
12	447.36	40°46'12"	318.33	311.65	S.68°46'57"W.
13	100.00	89°55'55"	156.96	141.34	S.44°12'06"W.
14	310.00	84°50'08"	459.01	418.21	N.46°33'04"W.
15	2438.36	05°31'24"	235.06	234.97	N.86°12'26"W.
16	310.00	90°00'00"	486.95	438.41	S.51°33'15"W.
17	1602.61	55°56'32"	1564.75	1503.34	S.68°34'59"W.
18	30.00	90°55'42"	47.61	42.77	S.83°03'29"W.
19	1787.61	00°58'22"	30.35	30.35	S.39°04'12"W.
20	275.76	75°36'25"	363.89	338.06	S.76°23'14"W.
21	90.00	54°17'25"	85.28	82.12	N.38°39'51"W.
22	65.00	150°05'54"	170.28	125.60	N.86°34'06"W.
23	1379.39	19°12'53"	462.59	460.43	N.81°13'30"W.
24	30.00	89°59'33"	47.12	42.42	N.19°11'58"W.
25	1077.25	19°47'52"	372.23	370.38	N.15°54'19"E.
26	50.00	103°25'08"	90.25	78.49	N.57°42'57"E.
27	1387.25	04°13'25"	102.26	102.24	N.04°20'01"E.
28	50.00	29°58'03"	26.15	25.85	N.17°10'57"W.
29	1512.25	23°12'59"	612.77	608.59	N.13°48'25"W.
30	25.00	60°00'01"	26.18	25.00	N.04°35'05"E.
31	25.00	60°00'01"	26.18	25.00	N.04°35'05"E.
32	101.78	42°54'26"	76.22	74.45	N.46°52'05"W.
33	100.00	61°33'10"	107.43	102.34	N.37°32'51"W.
34	265.00	18°38'38"	86.23	85.85	N.16°05'35"W.
35	265.00	55°52'08"	258.40	248.28	N.53°20'56"W.
36	100.00	92°39'31"	161.72	144.66	N.34°57'14"W.
37	265.00	25°32'55"	118.17	117.19	N.01°23'56"W.
38	646.50	67°18'47"	759.53	716.60	N.19°29'01"E.
39	215.00	33°06'32"	124.24	122.52	N.36°35'08"E.
40	100.00	48°28'43"	84.61	82.11	N.44°16'13"E.
41	997.03	53°43'20"	934.85	900.98	N.26°18'07"E.

### LINE TABLE

LINE	LENGTH	BEARING
L1	100.00	S00°40'52"E
L2	119.72	S73°58'57"W
L3	482.14	S48°23'51"W
L4	237.32	S89°10'03"W
L5	266.10	S00°45'52"E
L6	150.00	S89°10'03"W
L7	329.30	N00°45'52"W
L8	260.00	N83°26'45"W
L9	308.65	S06°33'15"W
L10	395.66	N83°26'45"W
L11	158.73	N51°28'40"W
L12	706.59	N65°48'34"W
L13	185.00	S18°22'57"W

### LINE TABLE

LINE	LENGTH	BEARING
L16	100.00	S00°10'33"E
L17	339.70	S89°49'27"W
L18	466.04	S49°25'17"W
L20	300.00	N25°48'15"E
L21	255.33	S70°34'15"E
L22	158.89	N56°58'17"E
L23	258.81	N25°24'52"W
L24	14.93	N68°19'26"W
L25	100.00	N25°24'52"W
L26	65.46	N21°43'59"W
L27	198.49	N36°51'28"W
L28	341.86	N53°08'32"E
L29	175.00	N00°36'26"W

CERTIFICATE OF AUTHORIZATION NO. LB 148

PREPARED BY: **HEIDT & ASSOCIATES, Inc.**  
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CIVIL ENGINEERING  
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LANDSCAPE ARCHITECTURE

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3800 Colonial Boulevard #200  
Fort Myers, Florida 33912  
Phone: 239-482-7275  
FAX: 239-482-2103

### DESCRIPTION SAVANNA LAKES

Prepared For: **US HOME**

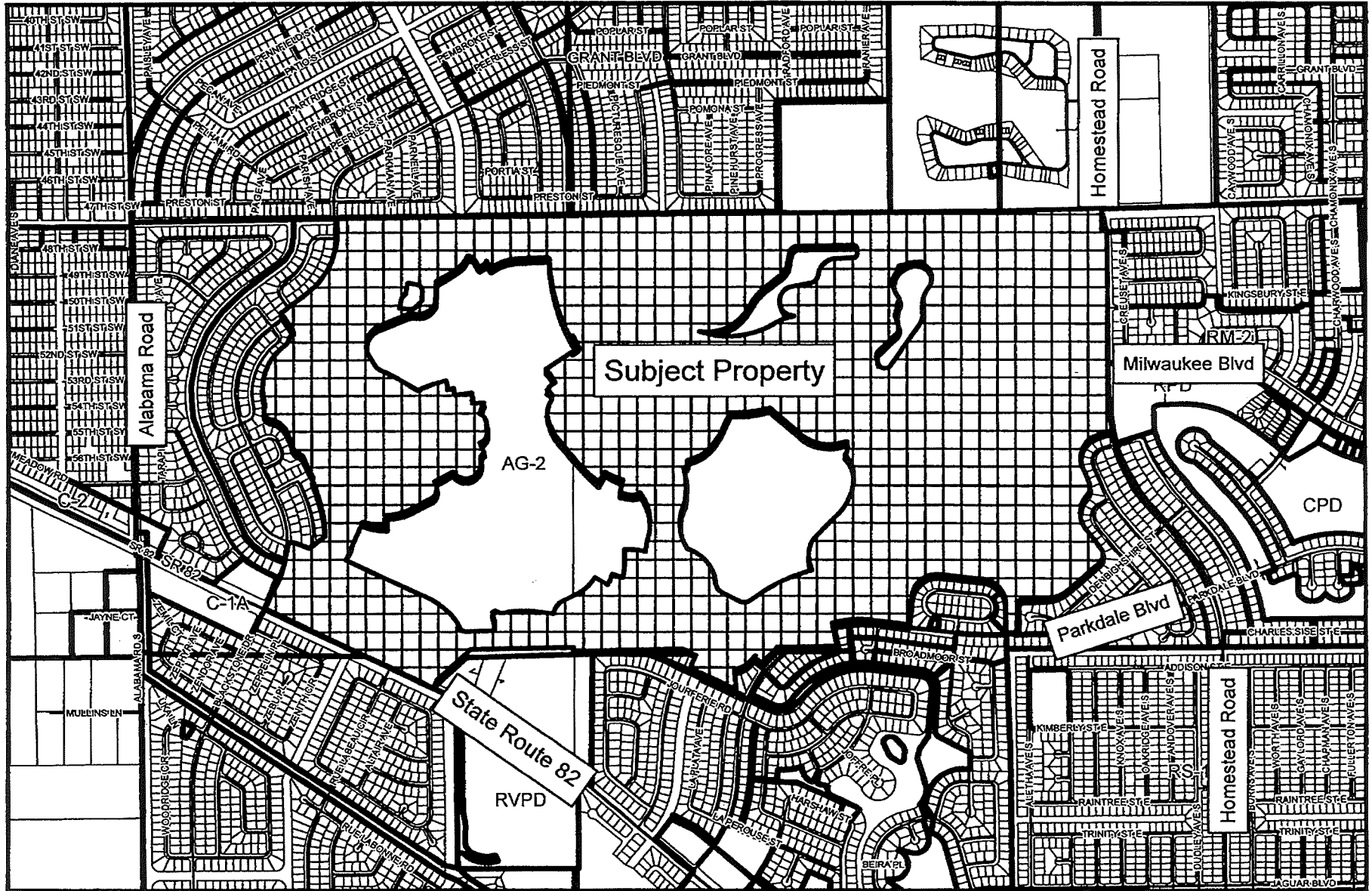
SHEET 5 OF 5

Dwn. KAE	Ck. JNW	DWG: OVERALL-SKD
Date: 02/03/06	Order No.: US-SL-044	
SECTION 16-20, TOWNSHIP 46S, RANGE 27E LEE COUNTY, FLORIDA		

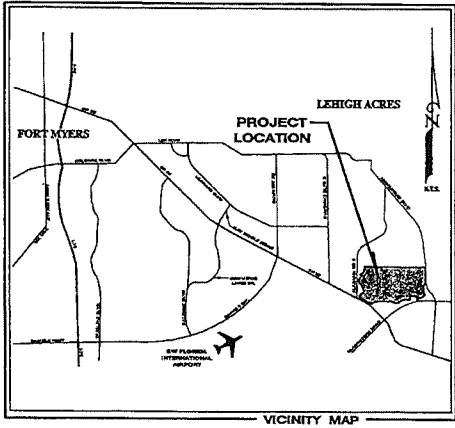
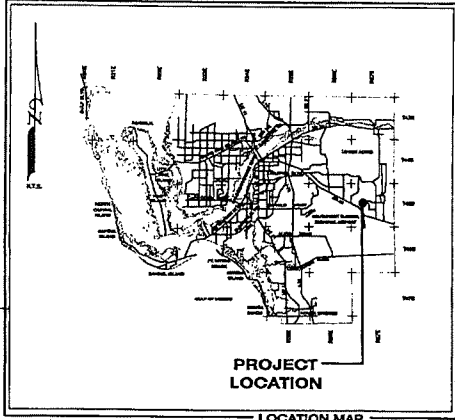
DCI 2006-00025

# Zoning Map

EXHIBIT B



P:\Savanna Lakes\Master Plan\Landplan\MCP\_CV.dwg, 12/5/2003 1:40:23 PM



# MASTER CONCEPT PLAN FOR SAVANNA LAKES

AN AMENDMENT TO SAVANNA LAKES MPD (Z-99-049)  
SECTION 16, 17, 18, 19, 20, TOWNSHIP 45 SOUTH, RANGE 27 EAST  
LEE COUNTY, FLORIDA

Approved as Exhibit C  
MCP Page 1 of 3  
Resolution # Z-06-074

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	MASTER CONCEPT PLAN
3	MASTER CONCEPT PLAN NOTES

*Registered Firm*  
**LENNAR/US-HOME**  
10481 BEN C. PRATT SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33912  
PHONE: (239) 278-1177

**RECEIVED**  
DEC 05 2003  
COMMUNITY DEVELOPMENT

*Registered Firm*  
Engineering Business Certificate of Authorization No.: 148  
**HEIDT & ASSOCIATES, Inc.**  
Tampa • Fort Myers

CIVIL ENGINEERING  
PLANNING  
SURVEYING  
ENVIRONMENTAL PERMITTING  
LANDSCAPE ARCHITECTURE

Fort Myers Office  
3800 COLONIAL BLVD, #200  
FORT MYERS, FLORIDA 33912  
PHONE: 239-482-7276  
FAX: 239-482-2103

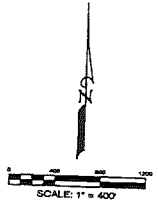
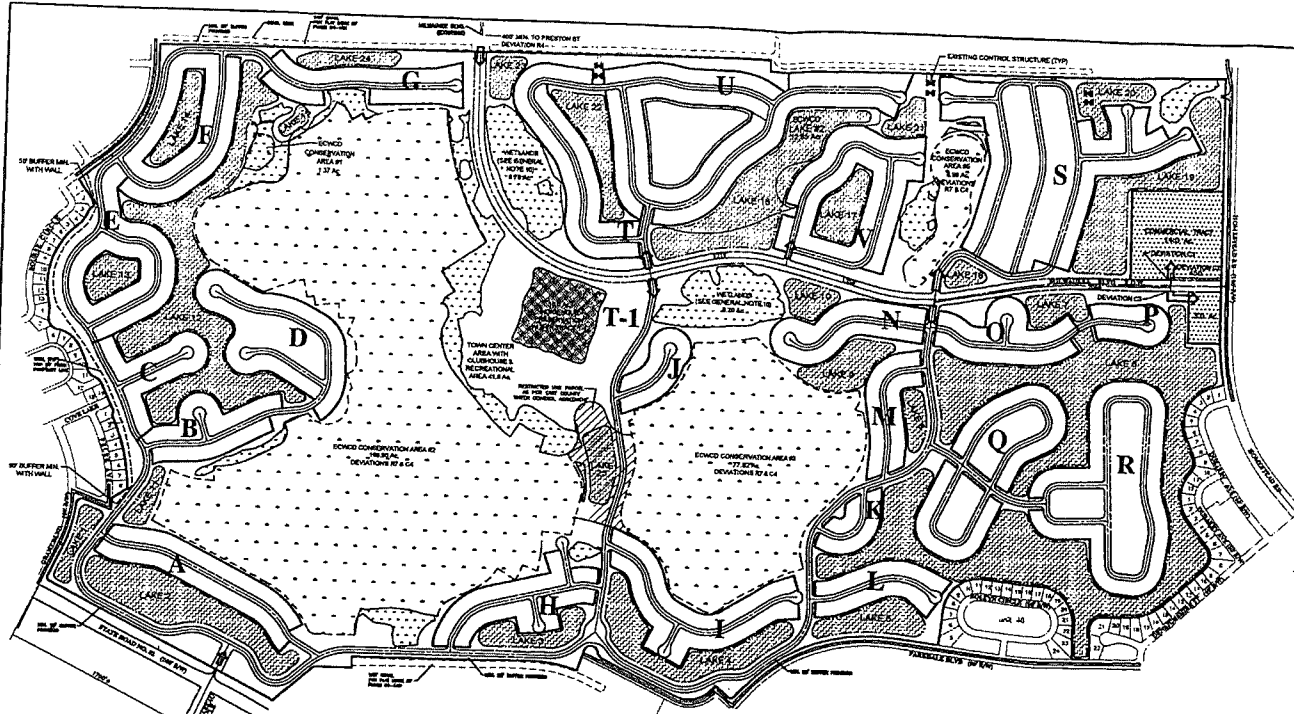
ADD 2003-00129  
**APPROVED**  
Amendment to  
Master Concept Plan  
Subject to Case # ADD2003-00129  
Date 12-17-03

SIZE OF PARCELS  
839.5 AC.

**RECEIVED**  
MAR 21 2008  
ZONING

DESIGNED BY R. BEACH	DRAWN BY R. MCCORMICK	CHECKED BY R. MOSHER
DATE 10-20-03	SCALE US2-SL-007	TITLE MCP-CV
SHEET 1 OF 3		

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**LEGEND**

- LAKE NUMBER
- PROPOSED LAKE
- EDWICK CONSERVATION AREA
- CONSERVATION AREA
- RESIDENTIAL TRACT DESIGNATION
- RESTRICTED USE PARCEL
- COMMERCIAL TRACT
- INDIVIDUAL PRESERVATION AREA

Approved as Exhibit C  
MCP Page 2 of 3  
Resolution # Z-06-074

SEQUENCE	AREA
1	14.7 AC.
2	11.0 AC.
3	8.8 AC.
4	26.8 AC.
5	18.8 AC.
6	12.2 AC.
7	12.1 AC.
8	18.8 AC.
9	12.2 AC.
10	2.8 AC.
11	4.2 AC.
12	1.7 AC.
13	11.7 AC.
14	2.8 AC.
15	2.8 AC.
16	2.8 AC.
17	2.8 AC.
18	2.8 AC.
19	2.8 AC.
20	2.8 AC.
21	2.8 AC.
22	2.8 AC.
23	2.8 AC.
24	2.8 AC.
25	2.8 AC.
TOTAL	262.8 AC.

**LAND USE TABLE**

LAKES	= 178.4 AC.
EDWICK CONSERVATION AREAS	= 286.1 AC.
CONSERVATION AREAS	= 612.0 AC.
RESIDENTIAL TRACTS (A-V)	= 362.8 AC.
SPINE ROADS	= 24.4 AC.
MELANCKE BLVD. R.O.W.	= 18.8 AC.
RECREATION AREA (T-1)	= 41.8 AC.
COMMERCIAL TRACTS	= 17.2 AC.
COMMON AREA/OPEN SPACE	= 134.8 AC.
PERIMETER BUFFERS	= 21.8 AC.
TOTAL	= 1074.8 AC.

\* INCLUDES 12.8 AC. EDWICK LAKE #2  
\* INCLUDES 10 AC. INDIVIDUAL PRESERVE AREA

RECEIVED  
DEC 05 2003

COMMUNITY DEVELOPMENT  
**APPROVED**  
Amendment to  
Master Concept Plan  
Subject to Case # ADD 2003-00129  
Date 12/17/03

ADD 2003-00129

**PROVIDED OPEN SPACE**

EDWICK CONSERVATION AREAS	= 138.1 AC.*
EDWICK LAKE #2	= 12.8 AC.
ADDITIONAL CONSERVATION AREAS	= 612.0 AC.*
RESTRICTED USE AREA	= 2.8 AC.
INDIVIDUAL PRESERVATION AREA	= 10.0 AC.*
PERIMETER BUFFER AREA	= 21.8 AC.
TOTAL	= 387.8 AC.

OPEN SPACE REQUIRED FOR RESOLUTION 10-20-03 = 387.2 AC.  
INDIVIDUAL PRESERVATION REQUIRED = 18.8 AC.  
\* INDIVIDUAL PRESERVE PROVIDED = 18.1 AC.

RECEIVED  
MAR 21 2005  
ZONING

REVISED 10-20-03 - ADDED OPEN SPACE	
HEDY & ASSOCIATES, INC. 230 W. 10th St. Lincoln, NE 68502 TEL: 402-441-1111 FAX: 402-441-1112 www.hedy.com	MASTER CONCEPT PLAN - ZONING AMENDMENT SAVANNA LAKES PREPARED BY: LENNAR / US HOME DATE: 12/17/03 SHEET 2 OF 3 SHEETS





IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT, IN AND FOR  
LEE COUNTY, FLORIDA CIVIL ACTION

LEHIGH CORPORATION,  
Plaintiff,

vs.

Case No. 91-2482 CA

LEE COUNTY, A POLITICAL  
SUBDIVISION OF THE  
STATE OF FLORIDA,

Let. No. (COUNT NO.)

C920557

Defendant.

STIPULATION AND SETTLEMENT AGREEMENT

This Agreement made as of 9<sup>th</sup> day of June, 1992 between  
Lehigh Corporation, a Florida corporation, ("Lehigh") and Lee County,  
a political subdivision of the State of Florida (the "County").

RECITALS

A. Lehigh is a corporation organized and existing under the  
laws of the State of Florida and the developer of Lehigh Acres,  
located in unincorporated Lee County, Florida; and

B. The County is the local government with jurisdiction over  
Lehigh Acres.

C. On September 27, 1990, Lehigh filed three Applications for  
Determination of Concurrency Vesting with the County, to wit:

Application File No. C-90-4882, (hereinafter "Application #1")

Application File No. C-90-4883, (hereinafter "Application #2")

Application File No. C-90-4884, (hereinafter "Application #3")

(3154D/F)

D. By letter dated February 18, 1991, the County notified Lehigh that the property covered by Application #1 was ineligible for vesting from the Lee County concurrency management regulations. No final determination was made with regard to Orange Villas, Section 26/44/27, Plat Book 1356, Pages 1147-1176 or Beacon Square, Section 5/45/27, recorded September, 1983 in Plat Book 1689, Pages 3846-3870.

E. On May 16, 1991, Lehigh filed a Request for Appeal of an Administrative Interpretation with respect to Application #1 (the "Administrative Appeal"). The Administrative Appeal is pending before the Lee County Hearing Examiner as of the date hereof (Case Number ADM-91-10).

F. By letter dated November 3, 1990, the County notified Lehigh that Lehigh and its successors in interest may complete development of property covered by Application #2 without compliance with the Lee County Concurrency Management Regulations. By letter dated January 6, 1992, the County issued a Certificate of Concurrency Exemption with respect to property included in Application #2.

G. Pursuant to letters dated November 9, November 14 and December 17, 1990, the County notified Lehigh that certain property included in Application #3 was vested for the purposes of concurrency. Other property included in Application #3 was found ineligible for concurrency vesting. On November 7, 1991, the County issued a Certificate of Concurrency Exemption with respect to the property included in Application #3. Both Certificates of Exemption are valid for three years from the date of issuance.

H. The property included in Application #3 which was deemed exempt from the Lee County Concurrency Management Regulations included all of Section 30, Township 43 South, Range 27 East, lying south of State Road 80, less out parcels ("Section 30"). Section 30 consists of 458 acres. Approximately 400 of those acres are zoned RM-2, which allows the construction of up to 14 residential units per acre or a maximum of 5,600 units.

I. On November 28, 1990 Lehigh filed a Request for Appeal of an Administrative Interpretation with respect to the property denied vesting pursuant to Application #3. The matter was heard before the Lee County Hearing Examiner on January 28, 1991. The Hearing Examiner denied the Appeal in a decision rendered in February, 1991. On April 2, 1991, Lehigh filed a Petition for Writ of Certiorari and/or Complaint for Declaratory Relief and/or Complaint to Enforce Final Judgment against the County in the Circuit Court of the Twentieth Judicial Circuit In and For Lee County, Florida, thereby challenging the denial of concurrency vesting with respect to such property (the "Judicial Appeal"). The Judicial Appeal is pending as of the date of this Agreement.

J. Lehigh and the County desire to amicably resolve the Administrative Proceeding and the Judicial Proceeding.

(3154D/F)

NOW THEREFORE, In consideration of the foregoing recitals, Lehigh and the County hereby agree and stipulate as follows:

1. Lehigh and its successors in interest may complete development of the property described in Exhibit "A" attached hereto and depicted in white (uncolored) on Exhibit "B" (the "Exempt Property") without compliance with the Lee County Concurrency Management Regulations. Such property shall remain subject to all other local land development regulations adopted pursuant to the Lee County Comprehensive Plan as may be amended from time to time, however, such regulations shall not effect the densities or intensities of use previously established in the Stipulation and Settlement Agreement dated December 27, 1988. The Certificate of Concurrency Exemption ("Certificate of Exemption") excuses the exempt property from compliance with the level of service standards set forth in the Lee County Concurrency Management Ordinance No. 89-33, as amended, and as may be further amended from time to time (the "Concurrency Ordinance"). Pursuant to Section 8.K. of the Concurrency Ordinance, the Certificate of Exemption is valid for three (3) years from the date of this Agreement. Three (3) years from the date of this Agreement, Lehigh or its successors in interest may renew the Certificate of Exemption, thereby extending the right to develop the exempt property as property exempt from the Lee County Concurrency Management Regulations.

2. The property described in Exhibit "B" attached hereto and depicted in red on Exhibit "E", is ineligible for concurrency vesting and shall be subject to all Lee County Land Development Regulations including concurrency. However, the County shall issue permits for the construction of single family residential units on the property described in Exhibit "B" which has been platted prior to 1971, notwithstanding the level of service standards set forth in the Lee County Comprehensive Land Use Plan.

3. Lehigh will consent to a reclassification of the status of Section 30 as follows: the section shall no longer be deemed vested and exempt from Lee County Concurrency Management Regulations.

In conjunction with the reclassification of Section 30, the County will establish a transferable credit based upon eight (8) residential units per acre or 3,200 residential units (the "transfer credit") which may be developed on certain property, as hereinafter described, previously denied concurrency vesting but located closer to existing infrastructure improvements than Section 30. In exchange, Lehigh will waive all claims of vesting with respect to the remaining 2,400 residential units previously found to be exempt from the Lee County Concurrency Management Regulations.

With respect to residential lots that were determined to be ineligible for vesting pursuant to Application #1, the County shall continue its current policy of issuing permits for construction

of single family residential dwelling units notwithstanding the level of service standards set forth in the Lee County Comprehensive Land Use Plan.

4. In consideration of the former exempt status of Section 30, which shall hereafter be subject to all Lee County land development regulations including concurrency, Lehigh and its successors in interest are and shall be entitled to develop certain property exempt from the Concurrency Management Regulations to the extent of the Transfer Credit, subject to the following:

a) The Transfer Credit shall not exceed a total of 3,200 residential units or the equivalent thereof, as provided under subparagraph b.) below, and Lehigh hereby waives any further rights in connection with the previous status of Section 30.

b) Lehigh or its successors in interest may convert all or any portion of the Transfer Credit from residential units to other uses ("Residential Unit Equivalents"), based upon the conversion table attached hereto as Exhibit "C".

c) Lehigh and its successors in interest may from time to time assign the Transfer Credit or any portion thereof to any property described on Exhibit "D" attached hereto and depicted in orange on Exhibit "F" (the "Eligible Property"), subject to the procedures provided for in subparagraph d.) below.

d) Whenever the Transfer Credit or any portion thereof is assigned to a specific parcel, Lehigh or its successor in interest shall provide written notice to the County of its intention to assign the Transfer Credit. The Notice shall include: (i) a legal description of the Eligible Property to which the Transfer Credit is being assigned (the "Receiving Parcel"); (ii) the number of residential units or Residential Unit Equivalents assigned from the Transfer Credit; (iii) a copy of a recorded instrument restricting the Receiving Parcel to the density of uses assigned; and (iv) an accounting which reflects all assignments of the Transfer Credit and which sets forth the remaining balance of the Transfer Credit, i.e., the number of remaining residential units or Residential Unit Equivalents eligible for assignment. Upon the County's receipt of this Notice, the Receiving Parcel shall be exempt from compliance with the level of service standards set forth in the Lee County Comprehensive Land Use Plan.

e) The assignment of the Transfer Credit in accordance with this paragraph shall not confer rights upon the Receiving Parcel beyond those permitted by existing zoning and further, shall not exempt the property from compliance with the Lee County Comprehensive Land Use Plan and other Lee County Land Development Regulations with the exception of concurrency.

5. The Certificate of Concurrency Exemption issued pursuant to this Agreement shall not be affected by platting,

(3154D/F)

replatting or rezoning of the Exempt Property, provided the density and/or intensity of land use is not increased thereby. The density and/or intensity of land uses of Receiving Parcels shall be limited as set forth in Paragraph 4.e. of this Agreement.

6. In the event the County hereafter undertakes a Sector Plan for Lehigh Acres or any portion thereof, Lehigh shall cooperate with the County by providing any information and staff support that it is reasonably capable of providing, using its existing in-house capacity. In addition, Lehigh shall contribute money to the County to defray the cost of professional services necessary to develop the Sector Plan, in an amount equal to fifty percent (50%) of the amount expended by the County, up to a maximum reimbursement by Lehigh of \$20,000. The scope and contents of such Sector Plan shall be at the sole discretion of the County. Alternately, at the County's sole discretion and upon notice to Lehigh, the service, support and reimbursement that Lehigh has committed to in this Section may be redirected to such other study or project that relates to the planning, traffic conditions or general aesthetics at Lehigh Acres.

7. This Stipulation and Settlement Agreement supersedes all previous certifications, determinations and agreements with respect to concurrent status for the property described in Exhibits "A", "B" and "D" and depicted in Exhibits "E" and "F" attached hereto. However, the Stipulation and Settlement Agreement entered into by the parties on December 27, 1988, as it pertains to density and intensity of use is not superseded hereby and is hereby ratified and shall remain in full force and effect.

8. Lehigh and the County hereby ratify and affirm that the settlement of the Administrative Proceeding and the Judicial Proceeding is in the public interest and the interests of the parties hereto.

9. This Agreement shall be deemed incorporated in any subsequent Concurrency Ordinance or Comprehensive Plan hereafter adopted and/or amended by the County.

AGREED ON this 9<sup>th</sup> day of June, 1992.

Ellen Wyskocil  
WITNESS

Det E. Allison  
WITNESS

LEHIGH CORPORATION

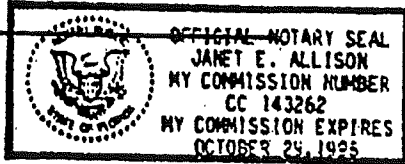
By: William Livingston  
William Livingston, President  
Address: 201 E. Joel Boulevard  
Lehigh Acres, FL 33936

STATE OF FLORIDA )  
 ) SS.  
COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 2nd day of June, 1992, by William Livingston, who is personally known to me or who has produced as identification and who did not take an oath.

My Commission Expires:

Janet E. Allison  
Notary Public



BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

By: Doug St. Certy  
Doug St. Certy, Chairman

ATTEST:  
CHARLIE GREEN, CLERK

By: Charlie Green  
Deputy Clerk

Approved as to form:

By: Lawrence Green  
Lee County Attorney

EXHIBIT "A"  
 "VESTED PROPERTY"  
 NOT COLORED ON EXHIBIT "E"

<u>REMARKS</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE.</u>	<u>PLAT BOOK</u>	<u>PAGE</u>	<u>REC. DATE</u>
	1	44 S	27 E	15	3-4	4/61
	11	44 S	27 E	15	13	4/61
	12	44 S	27 E	15	14	4/61
	13	44 S	27 E	15	15	4/61
	14	44 S	27 E	15	16	4/61
	17	44 S	27 E	15	20-21	4/61
	19	44 S	27 E	15	26-27	4/61
	24	44 S	27 E	15	35	4/61
	25	44 S	27 E	15	36-37	4/61
	26	44 S	27 E	15	38-39	4/61
	27	44 S	27 E	15	40-41	4/61
	28	44 S	27 E	15	42-43	4/61
	29	44 S	27 E	15	44-45	4/61
	32	44 S	27 E	15	46	4/61
	36	44 S	27 E	15	54-55	4/61
MEADOWBROOK EST.	22&27	44 S	27 E	18	163-167	5/64
LAKWOOD TERRACE	26	44 S	27 E	15	116-122	4/62
CARLTON PARK	32&33	44 S	27 E	20	1-4	8/64
UNITS 1&3 GLF.VW.E.	34	44 S	27 E	20	13-14	7/69
GOLFVIEW PARK	34	44 S	27 E	20	5-6	8/64
COUNTRY CLUB EST.	34	44 S	27 E	15	104-115	4/62
	1	44 S	26 E	15	58	4/61
	2	44 S	26 E	15	59	4/61
	11	44 S	26 E	15	60	4/61
	12	44 S	26 E	15	61	4/61
	13	44 S	26 E	15	62	4/61
EAST 1/2	14	44 S	26 E	15	63	4/61
	16	44 S	26 E	18	152-154	4/64
LEHIGH PARK	21	44 S	26 E	15	66	4/61
LEHIGH PARK	22	44 S	26 E	15	64-65	4/61
EAST 1/2	23	44 S	26 E	15	67	4/61
WEST 1/2 LEHIGH PK.	23	44 S	26 E	15	64	4/61
	24	44 S	26 E	15	68	4/61
	25	44 S	26 E	15	69-73	4/61
	26	44 S	26 E	15	75	4/61
NW 1/4	26	44 S	26 E	15	74	4/61
SOUTH 1/2	27	44 S	26 E	15	77	4/61
NORTH 1/2	27	44 S	26 E	15	76	4/61
SOUTH 1/2	28	44 S	26 E	15	78	4/61
EAST 1/2 OF NE 1/4	28	44 S	26 E	15	79	4/61



<u>REMARKS</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE.</u>	<u>PLAT BOOK</u>	<u>PAGE</u>	<u>REC. DATE</u>
SOUTH 1/2	29	44 S	26 E	15	80	4/61
SOUTH 1/2	30	44 S	26 E	15	81	4/61
LEHIGH ESTATES	31	44 S	26 E	15	82-83	4/61
LEHIGH ESTATES	32	44 S	26 E	15	83-88-89	4/61
LEHIGH ESTATES	33	44 S	26 E	15	85-87-88	4/61
	35	44 S	26 E	15	91	4/61
	1	45 S	26 E	15	93	4/61
	2	45 S	26 E	15	94	4/61
	3	45 S	26 E	15	95	4/61
LEHIGH ESTATES	4	45 S	26 E	15	84-85-86	4/61
LEHIGH ESTATES	5	45 S	26 E	15	83-84-86	4/61
LEHIGH ESTATES	9	45 S	26 E	15	85	4/61
	10	45 S	26 E	15	96	4/61
	11	45 S	26 E	15	97	4/61
	12	45 S	26 E	15	98	4/61
	13	45 S	26 E	15	99	4/61
	14	45 S	26 E	15	100	4/61
	1	45 S	27 E	15	169-185	12/62
	2	45 S	27 E	15	186-205	12/62
TWIN LAKES EST.	3	45 S	27 E	15	206-221	12/62
WILLOW LAKE ADD. 1	4	45 S	27 E	18	155-162	5/64
	10	45 S	27 E	18	1-17	9/63
	11	45 S	27 E	15	148-168	12/62
	12	45 S	27 E	15	222-241	6/63
	13	45 S	27 E	18	18-35	9/63
	14	45 S	27 E	15	128-147	12/62
SOUTHEAST 1/4	36	43 S	27 E	15	101	4/61
	4	45 S	26 E	15	100	4/61
	9	45 S	26 E	15	100	4/61
	15	45 S	27 E	18	36-52	1/64
	21	45 S	27 E	18	53-69	1/64
	22	45 S	27 E	18	70-86	1/64
	23	45 S	27 E	20	20-36	7/69
	24	45 S	27 E	18	87-105	1/64
	25	45 S	27 E	18	106-122	1/64
	26	45 S	27 E	20	37-53	7/69
NORTH OF S.R. 82	27	45 S	27 E	18	123-137	1/64
NORTH OF S.R. 82	28	45 S	27 E	20	54-63	7/69
NORTH OF S.R. 82	29	45 S	27 E	20	64-66	7/69
NORTH OF S.R. 82	35	45 S	27 E	20	67-71	7/69
NORTH OF S.R. 82	36	45 S	27 E	18	138-147	1/64
SOUTHWEST 1/4	2	44 S	27 E	20	15-19	7/69
ADDITION 2	5	45 S	27 E	18	148-151	1/64
ADDITION 2	6	45 S	27 E	18	148-151	1/64

<u>REMARKS</u>	<u>SEC.</u>	<u>TWP.</u>	<u>RGE.</u>	<u>PLAT BOOK</u>	<u>PAGE</u>	<u>REC. DATE</u>
UNITS 1 - 14	3	44 S	26 E	26	1-20	7/71
UNITS 1 - 5	19	44 S	26 E	26	21-26	7/71
UNITS 1 - 8	20	44 S	26 E	26	27-35	7/71
UNITS 1 - 5	21	44 S	26 E	26	36-41	7/71
UNITS 8 - 15	29	44 S	26 E	26	42-50	7/71
UNITS 2 - 5	30	44 S	26 E	26	51-55	7/71
UNIT 1 - SOUTHWOOD	7	45 S	27 E	26	59-95	7/71
UNIT 31 - SOUTHWOOD	8	45 S	27 E	26	59-95	7/71
PARKWOOD SUB.	31	44 S	27 E	26	56-58	7/71
PARCELS IN SECTIONS 1,2,11,12,13,14,23, 24,25,26,27,28,29, 34,35 & 36		44 S	26 E	26	96-216	8/71
PARCELS IN SECTIONS 1,2,3,10,11,12,13 & 14		45 S	26 E	26	96-216	8/71
GREENBRIAR SUBDIVISION IN SEC. 3,4,5,6,7,8&9		44 S	27 E	27	1-82	11/71
PARKWOOD II	31	44 S	27 E	28	80-84	5/73
SOUTH OF S.R. 82	36	45 S	27 E	28	62-73	5/73
AMBERWOOD (W.L.E.)	4	45 S	27 E	28	74-79	5/73
PARKWOOD III	31	44 S	27 E	28	91-95	6/73
PARKWOOD IV	6	45 S	27 E	28	96-100	6/73
PARKWOOD V	6	45 S	27 E	28	101-105	6/73
PARKWOOD VI	6	45 S	27 E	28	106-110	6/73
PARKWOOD VII	6	45 S	27 E	28	111-115	6/73
	9	45 S	27 E	27	177-184	6/73
	16	45 S	27 E	27	167-176	6/73
MIRROR LAKES SEC. 16, 17,18,19 & 20		45 S	27 E	27	83-160	6/73
	16	44 S	26 E	27	185-193	6/73
LYNNBROOK PINES	28	44 S	26 E	34	95-99	3/82
WINDEMERE	8	44 S	27 E	34	81-86	1/82

EXHIBIT "B"

"NON-VESTED PROPERTY"

COLORED RED ON EXHIBIT "E"

1. NE 1/4 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 26 EAST.
2. SE 1/4 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 26 EAST.
3. NE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 26 EAST.
4. W 1/2 OF THE SE 1/4 OF THE SW 1/4, SOUTH OF THE CALOOSAHATCHEE RIVER, IN SECTION 19, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
5. ALL OF THE NW 1/4 LYING NORTH OF S.R. 80, OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
6. ALL OF THE NW 1/4 OF THE NE 1/4, LYING NORTH OF S.R. 80, OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
7. W 1/2 OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
8. W 1/2 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
9. SE 1/4 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
10. SW 1/4 OF THE NE 1/4 OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
11. SW 1/4 OF THE NW 1/4 OF THE NE 1/4 OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
12. NE 1/4 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
13. S 1/2 OF THE NE 1/4 OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
14. NE 1/4 OF THE NE 1/4 OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 27 EAST.
15. ALL OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
16. ALL OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LYING NORTH OF ABLE CANAL, LESS COUNTY PARK.

17. NORTHERLY PART OF THE W 1/2 OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LYING SOUTH OF ABLE CANAL.
18. W 1/2 OF THE NE 1/4 OF SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
19. SE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
20. SW 1/4 OF THE SE 1/4 OF SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
21. S 1/2 OF THE SW 1/4 OF SECTION 4, TOWNSHIP 45 SOUTH RANGE 27 EAST.
22. SW 1/4 OF THE SE 1/4 OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
23. W 1/2 OF THE NE 1/4 OF SECTION 9, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
24. W 1/2 OF THE SE 1/4, LESS THE WEST 125 FEET, OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
25. W 1/2 OF THE SE 1/4, EAST OF BETH STACEY BOULEVARD, OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
26. S 1/2 OF THE N 1/2 OF THE NW 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
27. N 1/2 OF THE S 1/2 OF THE NW 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
28. N 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
29. S 1/2 OF THE NW 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
30. S 1/2 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
31. N 1/2 OF THE NE 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
32. W 1/2 OF THE SW 1/4 OF THE NW 1/4 OF SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
33. NE 1/4 OF THE SW 1/4 OF THE NW 1/4 OF SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
34. S 1/2 OF THE NW 1/4 OF THE NW 1/4 OF SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST.

**EXHIBIT "C"**

**"CONVERSION TABLE"**

THE FOLLOWING TABLE CONVERTS SINGLE FAMILY UNITS TO MULTI-FAMILY, OFFICE SPACE, OR COMMERCIAL SPACE. THESE CONVERSIONS ARE BASED ON AVERAGE WEEKDAY TRIP END GENERATION RATES FOR EACH USE BASED ON TRIP GENERATION, 3RD. EDITION, PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS.

**LAND USE CONVERSIONS:**

- 1 SINGLE FAMILY UNIT = 1.48 MULTI-FAMILY UNITS**
- 1 SINGLE FAMILY UNIT = 576.0 GROSS SQUARE FEET OF OFFICE SPACE**
- 1 SINGLE FAMILY UNIT = 186.0 GROSS LEASABLE SQUARE FEET OF COMMERCIAL SPACE**

THESE CONVERSIONS ASSUME THAT THE OFFICE SPACE OR COMMERCIAL SPACE IS DEVELOPED IN PROJECTS WHICH HAVE AN AVERAGE OF 50,000 TOTAL SQUARE FEET OF SPACE. THE CONVERSION TO COMMERCIAL SPACE HAS BEEN ADJUSTED TO ACCOUNT FOR 44 PERCENT PASS-BY TRIPS, IN ACCORDANCE WITH PROCEDURES OUTLINED IN TRIP GENERATION.

**EXHIBIT "D"**  
**"ELIGIBLE PROPERTY"**  
**COLORED ORANGE ON EXHIBIT "F"**

1. ALL OF SECTION 10, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
2. BLOCKS 11, 14, 35, AND 38, OF SECTION 15, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
3. BLOCKS 1, 24, 25, AND 48, OF SECTION 23, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
4. ALL OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LYING NORTH OF ABLE CANAL, LESS COUNTY PARK.
5. NORTHERLY PART OF THE WEST HALF OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LYING SOUTH OF ABLE CANAL.
6. LOTS 1 AND 21, BLOCK 7, UNIT 2, SECTION 33, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
7. LOTS 1 AND 22, BLOCK 2, UNIT 1, SECTION 33, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
8. BLOCKS 1 AND 2, UNIT 12, LEELAND HEIGHTS SUBDIVISION, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
9. BLOCK 57, UNIT 10, LEELAND HEIGHTS SUBDIVISION, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
10. LOTS 15 AND 16, BLOCK 15, UNIT 3, LEELAND HEIGHTS SUBDIVISION, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
11. BLOCK 22, UNIT 3, LEELAND HEIGHTS SUBDIVISION, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
12. BLOCK 3, UNIT 1, LEELAND HEIGHTS SUBDIVISION, SECTION 32, TOWNSHIP 44 SOUTH, RANGE 27 EAST.
13. BLOCKS 88, 91, 92, 93, AND 100, UNIT 11, SECTION 25, TOWNSHIP 44 SOUTH, RANGE 26 EAST.
14. W 1/2 OF THE SW 1/4 OF THE NW 1/4, OF SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
15. NE 1/4 OF THE SW 1/4 OF THE NW 1/4, OF SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
16. S 1/2 OF THE NW 1/4 OF THE NW 1/4, OF SECTION 3, TOWNSHIP 45 SOUTH, RANGE 27 EAST.

17. N 1/2 OF THE NE 1/4 OF THE NE 1/4 OF THE SE 1/4, OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
18. S 1/2 OF THE SW 1/4, SECTION 4, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
19. SW 1/4 OF THE SE 1/4, SECTION 4, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
20. W 1/2 OF THE NE 1/4, SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
21. SW 1/4 OF THE SE 1/4, SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
22. SE 1/4 OF THE SW 1/4, SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
23. THE UNDEVELOPED TRACT IN THE NW 1/4, SECTION 5, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
24. W 1/2 OF THE SE 1/4, EAST OF BETH STACEY BOULEVARD, SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
25. S 1/2 OF THE N 1/2 OF THE NE 1/4 OF THE NE 1/4, SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
26. N 1/2 OF THE S 1/2 OF THE NW 1/4 OF THE NE 1/4, SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
27. N 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4, SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
28. S 1/2 OF THE NW 1/4 OF THE SW 1/4 OF THE NE 1/4, SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
29. S 1/2 OF THE SW 1/4 OF THE NE 1/4, SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
30. W 1/2 OF THE SE 1/4, SECTION 15, TOWNSHIP 45 SOUTH, RANGE 27 EAST.
31. TRACTS "A" AND "B", AND BLOCKS 1, 2, AND 3, MIRROR LAKES ESTATES, SECTION 15, TOWNSHIP 45 SOUTH, RANGE 27 EAST.

37.50R

CA

This instrument prepared by:

Lee County Attorney's Office  
Post Office Box 398  
Fort Myers, Florida 33902

3628885

AGREEMENT

TWELFTH AMENDMENT  
SUBDIVISION PLATTING ASSURANCE AGREEMENT  
OF JUNE 23, 1971

Agreement entered into on July 13, 1994, between the Lehigh Corporation, (formerly known as Lehigh Acres Development, Inc.), a Florida Corporation, with its principal office in Lehigh Acres, Florida (hereinafter "the Developer"), and Lee County, a Political Subdivision of the State of Florida, acting by and through its Board of Commissioners (hereinafter "the County").

RECITALS

WHEREAS, The Developer entered into a Subdivision Platting Assurance Agreement (hereinafter referred to as the Basic Agreement) with the County on June 23, 1971; and

WHEREAS, the Basic Agreement was thereafter amended by a First Amendment dated September 22, 1971, by a Second Amendment dated May 16, 1973; by a Third Amendment dated June 13, 1973; by a Fourth Amendment dated June 13, 1973; by a Fifth Amendment dated June 13, 1973; by a Sixth Amendment dated July 9, 1975; by a Seventh Amendment dated December 27, 1978; by an Eighth Amendment dated November 20, 1979; by a Ninth Amendment dated October 10, 1980; by a Tenth Amendment dated January 13, 1982; and by an Eleventh Amendment dated December 28, 1983, (the Basic Agreement as amended by the eleven amendments is hereinafter referred to as the Basic Agreement, as amended); and

WHEREAS, pursuant to the Basic Agreement as amended, Developer executed and delivered its corporate bond to the County dated June 23, 1971 in the penal sum of \$17,208,769.00 which penal sum was from time to time increased to the total aggregate amount of \$23,661,865.00 (the "Corporate Bond") conditioned upon the full performance by Developer of the undertakings, covenants, and conditions contained in the Basic Agreement, as amended ("Developer's Obligations"), including, inter alia the completion

RECORDED VERIFIED - CHARLIE GREEN, CLERK  
BY: G. SHERWOOD, D.C.



by Developer within a specified time, all the improvements (the "Improvements") in certain platted areas in Lehigh Acres all as contained and described in the Basic Agreement as amended and Exhibits attached thereto; and

WHEREAS, to guarantee Developer's obligations, Developer as principal, and General Insurance Company of America as surety, did execute and deliver to the County, a surety bond dated June 23, 1971 in the penal sum of \$1,000,000.00, conditioned upon the full performance by Developer of the Basic Agreement as amended (the "Surety Bond"); and

WHEREAS, Developer's obligations were further guaranteed by a written guaranty (the "Guaranty") executed by Land Resources Corporation, a Pennsylvania Corporation; and

WHEREAS, Developer has completed all of Developer's obligations with the exception of the improvements in platted areas described on Exhibit "A" hereto (the "Undeveloped Plats"); and

WHEREAS, Developer desires to further amend the Basic Agreement as amended to cancel the Corporate Bond, the Surety Bond, and to release the Guaranty; and

WHEREAS, Developer desires to cancel its obligation with regard to the completion of the improvements to the Undeveloped Plats set forth in Exhibit "A"; and

WHEREAS, County desires the Developer and its successors to comply with Lee County land development regulations to the extent such regulations do not compromise Developer's entitlement to certain densities and intensities of use in the platted areas subject to the Basic Agreement, as amended.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration the parties agree as follows:

1. The Developer will place the Undeveloped Plats described in Exhibit "A" in moratoria. More specifically, Developer may not offer to sell, or sell individual homesite lots or homes to homesite purchasers until Developer has either constructed or posted adequate assurance of completion consistent with Lee County land development regulations to assure the completion of roads and infrastructure in the subject Undeveloped Plats. Furthermore, Lee County will not issue building permits for homesites or other development, other than roads and infrastructure within the Undeveloped Plats, unless the developer has either constructed or posted adequate assurance of completion

of any development improvements. The foregoing does not preclude sales by the Developer to other land development companies or developer builders nor shall it preclude sales of any portion of the Undeveloped Plats that are not dependent upon further improvements for access or drainage. The nature and amount of assurance and the requirements for such assurance will be in accordance with applicable Lee County land development regulations at the time of development.

2. Developer is under no obligation to replat undeveloped plats. However, the Developer or its successors may at any time apply to replat any portion of the Undeveloped Plats set forth in Exhibit "A". Replatting of properties contemplated by this Agreement will trigger full compliance with all Lee County land development regulations except as provided in Paragraph 6 below.

3. In the event Developer hereafter wishes to complete the improvements to Undeveloped Plats without replatting, Developer or its successors must comply fully with all assurance of completion requirements set forth in the Lee County land development regulations. In addition, the Developer must construct the roadways such that the structural cross sections are in accordance with County standards in effect at time of construction. Developer must further comply with Lee County's other infrastructure standards and completion requirements to the extent that compliance is workable within the physical constraints of Undeveloped Plats. These constraints may include, but are not necessarily limited to, the width of road rights-of-way, road layouts and drainage design. Prior to the commencement of construction on any roads or infrastructure subject to the Platting Assurance Agreement, the Developer must submit plans to the Department of Community Development for review. The Developer must either construct the improvements or post the assurance required by the Department to assure completion of the development improvements. No other development may occur on these plats until the Department confirms in writing that the roads and infrastructure have been completed or appropriate assurances of completion have been provided. Once complete, all development improvements will be inspected and approved by the Department of Community Development. Roads will be further processed consistent with the Lee County Road Maintenance Acceptance Policy.

4. Developer represents and warrants that to the best of Developer's knowledge, and based on a review of Developer's records and with the exception of eighteen (18) lots in Meadowbrook Estates and two (2) lots in Mirror Lakes, Developer owns all land within the Undeveloped Plats.

5. The County accepts no liability for the Developer's decision

to abandon its plans to develop the property in the Undeveloped Plats. Moreover, the Developer shall indemnify and hold harmless the County for any and all costs, expenses and, including litigation costs and attorney's fees arising out of or in connection with claims against the County made by any owner of property within the Undeveloped Plats based on the Developer's decision to forego construction of roads or infrastructure while the Undeveloped Plats are in moratoria.

6. In the event Undeveloped Plats are replatted and reconfigured by the Developer or its successors in interest, the Developer or its successors in interest must comply with all County land development regulations which do not compromise the densities or intensities of use protected under the Basic Agreement, as amended. In addition, all replatted portions of Undeveloped Plats must submit Traffic Impact Statements (TIS) in compliance with the TIS guidelines for local development orders for projects with less than 300 peak hour trips regardless the number of peak hour trips generated by the specific development. The Developer or their successors shall submit a TIS for the replat of single family or duplex areas. The above requirements are not applicable for commercial or multi-family projects which must comply with all TIS requirements of the County Land Development Code consistent with the traffic generated by the use. Developer or its successors in interest will be responsible for all site-related traffic impacts, including but not limited to turn lanes and signals, as warranted by the TIS. Developer or its successors must comply with the County wetland protection and protected species regulations. County will have the discretion to limit or waive the protected species surveys depending on the conditions which exist on the site.

7. The provisions of this Agreement will inure to the benefit of, and be binding upon any successor to whom Developer conveys any portion of the Undeveloped Plats.

8. The Corporate Bond, Surety Bond and the Guaranty are hereby canceled and released with the understanding that all property subject to the subdivision platting assurance agreement which is replatted will obtain a Development Order in accordance with the Lee County land development regulations and property to be developed without replatting will specifically comply with all assurance of completion requirements for roads and infrastructure set forth in the County Land Development Regulations.

9. Except as herein amended, all other terms and conditions of the Basic Agreement, as amended, and all previous settlement agreements between the parties hereto will remain in full force and effect.

01100100100

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: Ruth Ferguson  
Deputy Clerk

By: Ray Judah  
Chairman

LEHIGH CORPORATION

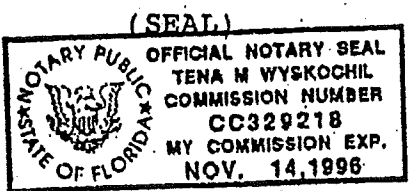
Tena M. Wyskochil  
Witness

By: William Livingston  
William Livingston, President

Tena M. Wyskochil  
Witness

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was acknowledged before me this 19th day of July, 1994 by William Livingston, President, Lehigh Corporation, on behalf of that entity. He is personally known to me or has produced personally known identification.



Tena M. Wyskochil  
Notary Public

TENA M. WYSKOCHIL  
Printed Name of Notary Public

My Commission Expires: NOV. 14, 1996

APPROVED AS TO FORM & CONTENT:

By: Dannabrie Collins  
Lee County Attorney's Office  
(6766)

EXHIBIT "A"

The following plats are entirely undeveloped:

1. Windemere Plat Book 34, Pages 81 - 86
2. Parkwood V Plat Book 28, Pages 101 - 105
3. Parkwood VI Plat Book 28, Pages 106 - 110
4. Parkwood VII Plat Book 28, Pages 111 - 115
5. Lynbrook Pines Plat Book 34, Pages 95 - 99

Additionally, the highlighted portions of the plats listed below have not been developed:

Section 19, Township 44S, Range 27E:

West 8th Street Plat Book 15, Pages 26 & 27  
Lots 12 and 13 of each block; 1 through 11 inclusive and  
Lot 5, Block 12

Section 25, Township 44S, Range 26E:

Second Street West Plat Book 15, Page 70  
Plat Book 26, Page 144  
Lots 11 through 20 inclusive, Block 65  
Lots 1 through 10 inclusive, Block 66

First Street West Plat Book 15, Page 70  
Plat Book 26, Page 144  
Lots 12 through 14, Block 66

Section 26, Township 44S, Range 26E:

7th Street West Plat Book 26, Page 155  
Lots 5 through 10, Block 85  
Lots 1 and 2, Block 84

Unice Avenue Plat Book 26, Page 155  
Lots 1 through 4, Block 86

Terry Avenue Plat Book 26, Page 155  
Lots 13 through 16, Block 86

Mirror Lakes  
Sections 16, 17, 18, 19 & 20  
Twsp. 45 South, Range 27 East

- Unit 2 of Mirror Lakes subdivision as shown in Plat Book 27, Page 89, less and except Blocks 6 and 11.
- Unit 3 of Mirror Lakes subdivision as shown in Plat Book 27, Page 90.
- Unit 4 of Mirror Lakes subdivision as shown in Plat Book 27, Page 91.
- Unit 5 of Mirror Lakes subdivision as shown in Plat Book 27, Page 92.
- Unit 6 of Mirror Lakes subdivision as shown in Plat Book 27, Page 93.
- Unit 7 of Mirror Lakes subdivision as shown in Plat Book 27, Page 94.
- Unit 8 of Mirror Lakes subdivision as shown in Plat Book 27, Page 95.
- Unit 9 of Mirror Lakes subdivision as shown in Plat Book 27, Page 96.
- Unit 10 of Mirror Lakes subdivision as shown in Plat Book 27, Page 97.
- Unit 11 of Mirror Lakes subdivision as shown in Plat Book 27, Page 98.
- Unit 12 of Mirror Lakes subdivision as shown in Plat Book 27, Page 99.
- Unit 13 of Mirror Lakes subdivision as shown in Plat Book 27, Page 100.
- Unit 14 of Mirror Lakes subdivision as shown in Plat Book 27, Page 101.
- Unit 15 of Mirror Lakes subdivision as shown in Plat Book 27, Page 102.
- Unit 19 of Mirror Lakes subdivision as shown in Plat Book 27, Page 106.
- Unit 20 of Mirror Lakes subdivision as shown in Plat Book 27, Page 107.

Mirror Lakes  
Sections 16, 17, 18, 19 & 20  
Twsp. 45 South, Range 27 East

Unit 21 of Mirror Lakes subdivision as shown in Plat Book 27, Page 108.

Unit 22 of Mirror Lakes subdivision as shown in Plat Book 27, Page 109.

Unit 23 of Mirror Lakes subdivision as shown in Plat Book 27, Page 110.

Unit 24 of Mirror Lakes subdivision as shown in Plat Book 27, Page 111.

Unit 25 of Mirror Lakes subdivision as shown in Plat Book 27, Page 112, less and except Blocks 80, 81 and 82.

Unit 26 of Mirror Lakes subdivision as shown in Plat Book 27, Page 113.

The replat of Unit 27 of Mirror Lakes subdivision as shown in Plat Book 41, Page 83.

Unit 31 of Mirror Lakes subdivision as shown in Plat Book 27, Page 118, less and except Blocks 93 and 94.

Unit 33 of Mirror Lakes subdivision as shown in Plat Book 27, Page 120.

Lots 1 through 9 of Block 106, Unit 34 of Mirror Lakes subdivision as shown in Plat Book 27, Page 121.

Unit 37 of Mirror Lakes subdivision as shown in Plat Book 27, Page 124.

Block 122, Unit 38 of Mirror Lakes subdivision as shown in Plat Book 27, Page 125.

Block 202, Unit 55 of Mirror Lakes Subdivision as shown in Plat Book 27, Page 142.

Block 170, Unit 48, Lots 1-7 and Lots 24-26 of Mirror Lakes Subdivision as shown in Plat Book 27, Page 135.

Block 237, Unit 63, Lot 17 of Mirror Lakes Subdivision as shown in Plat Book 27, Page 150.

County of Lee,  
State of Florida

I, Charlie Green, Clerk of the Circuit Court in and for said County and State do hereby certify that the foregoing is a true and correct copy of Agreement as filed in this office on July 6 1994 and recorded in Book 2020 Page 3172-3174 of the Public Records of Lee County, Florida. Witness my hand and official seal this 20th day of July A.D. 1994

CHARLIE GREEN, Clerk  
*Gertrude A. Stewart*

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