

Civil Engineers • Land Surveyors • Planners • Landscape Architects

July 24, 2012

Ms. Mikki Rozdolski, Senior Planner Lee County Zoning Division PO Box 398 Fort Myers, Florida 33902-0398



ADD 2012-00064

RE:

Parcels F & G at the Colony Golf and Bay Club at Pelican Landing ADD2012-00064

2nd Submittal

Dear Ms. Rozdolski:

Per your request for additional information, we are resubmitting the above project. Enclosed herewith are the following:

- 1) Seven (7) copies of
 - a. Site Plan
 - b. Title Certificate
 - c. Sketch and Legal
 - d. Boundary Survey

Please note staff comments are listed below, followed by our response in bold.

1. Please provide the following information to satisfy Condition 18.b: A cumulative analysis of the total number of dwelling units, hotel units, commercial square footage and marina development that have received local Development Order approval.

Response: The Site Plan has been revised to include the requested information in #1 above.

2. Please provide the following on the Site Plan: open space calculations; parking space calculations; and a legend of the line types and remove the lines that are irrelevant for purposes of a Final Plan Approval.

Response: The Site Plan has been revised to include the requested information in #2 above.

3. The boundary survey shows that there is an existing sales center on the property; however, it does not match the building on the site plan in the same location. Will the existing building be replaced? Please clarify.

Response: The sales center depicted on the survey matches the existing location, however the parking is changing. Note, though that the sales center will be removed prior to final completion of this site. It has been removed from this FPA.

4. Will the sales center and access road from Coconut Road be removed prior to local development order CC? On the Site Plan, please depict what improvements will be removed prior to CC.

Ms. Mikki Rozdolski, Senior Planner

Parcels F & G at the Colony Golf and Bay Club at Pelican Landing, ADD2012-00064

2nd Submittal

July 24, 2012

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Response: The sales center will be removed prior to final CC for the entire site. It has been removed along with the access drive.

5. Interior to the site, the access road from Coconut Road does not meet the connection separation requirement to Via Veneto. Please consider realigning the access road to meet the connection separation requirement.

Response: This access has been removed as it will not be part of the final plan.

6. The setback for buildings adjacent to a wetland is 20 feet per the DRI. Buildings 6, 7, and 9 are less than 20 feet from the wetland. Please correct or include a deviation request and justification as part of this ADD.

Response: The wetland is located 100 ft to the west. The area along the property line is upland interface zone with no setback required. It has so been labeled.

7. The 1.98 acre lake must provide a planted littoral shelf that is in compliance with 10-418 of the Land Development Code. Will the current site plan be able to meet the lake bank slope requirement, the required planted littoral shelf, and the compensatory lake littorals (due to the bulkhead)? If not, please include a deviation request and justification as part of this ADD.

Response: The lake will have a littoral shelf and bank slope meeting the requirements. The DO has been submitted accordingly. No deviation is requested.

8. Please provide a legal description, boundary survey and title certificate per the email from Mike Harmon on June 26, 2012.

Response: The legal, boundary and title work have been revised and are included herein.

Please feel free to contact me if you have any questions.

Sincerely,

Michael Delate, P.E. Project Manager

MD: su

cc:

QGMA File

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COMMUNITY DEVELOPMENT

ADD 2012-00064

Marginian Swartz, P.A.

July 17, 2012

VIA ELECTRONIC DELIVERY

The Lee County Board of County Commissioners 2120 Main Street Fort Myers, Florida 33901



COMMUNITY DEVELOPMENT

Re: The Colony "Parcels F & G" -Title Opinion

Members of the Board:

ADD 2012-00064

Pursuant to your request, the following is an opinion of title setting forth only the fee simple owner, plats, mortgages and easements regarding the property legally described in the attached Exhibit "A" (the "Property"), effective as of July 13, 2012.

This opinion is based on review of an Ownership and Encumbrance Report prepared by First American Title Insurance Company and bearing File No.1062-2723352. Said Report was based on a search of the Public Records of Lee County, Florida from April 15, 1992 through June 25, 2012 at 8:00 a.m.

The current fee simple owner of the Property is WCI Communities, LLC, a Delaware limited liability company. *Note that this title opinion only discloses mortgages, plats and easements of record as of July 12, 2012 and no other encumbrances. Restrictive Covenants and Declarations are not included in this opinion.* Title to the Property is subject to the following mortgage, plats and specific easements:

- 1. Mortgage from WCI Communities, LLC to Wilmington Trust FSB, as collateral agent, recorded as Instrument No. 2012000128823 and UCC Financing Statement from WCI Communities, LLC to Wilmington Trust FSB, as collateral agent, recorded as Instrument No. 2012000128824;
- 2. Grant of Conservation Easement recorded in O.R. Book 2669, page 3613;
- 3. Temporary Access Easement recorded in O.R. Book 2775, page 3829;
- 4. Grant of Easement recorded in O.R. Book 2892, page 2637;
- 5. Broadband Service Easement recorded in O.R. Book 3203, page 1881;
- 6. Easement recorded in O.R. Book 3544, page 1221;
- 7. Easement recorded in O.R. Book 3861, page 4747;
- 8. Easement recorded in O.R. Book 3861, page 4744;
- 9. Easement recorded in O.R. Book 3951, page 3387;
- 10. Grant of Utility Easement recorded in O.R. Book 4103, page 3298;

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Phone: (813) 956-1148 • email: nmswartz@VERIZON.NET

- 11. Grant of Utility Easement recorded in O.R. Book 4103, page 3295;
- 12. Easement recorded in O.R. Book 4125, page 4632;
- 13. Grant of Easement recorded as Instrument No. 2006000175867;
- 14. Grant of Easement recorded as Instrument No. 2006000175868;
- 15. Access Easement recorded as Instrument No. 2009000202202

All the above documents are recorded in the Public Records of Lee County, Florida.

Taxes for the year 2011 have been paid in full.

I, the undersigned, further certify that I am an attorney-at-law, duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 17th day of July, 2012.

Sincerely,

Marginian Swartz, P.A.

Nicole Marginian Swartz, Esq. Attorney for WCI Communities, LLC COMMUNITY DEVELOPMENT ADD 2012-0064

EXHIBIT "A"

"PARCELS F & G"

BEING A PORTION OF LAND LOCATED IN SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE COCONUT ROAD RIGHT-OF-WAY AS SHOWN ON THE SPECIFIC PURPOSE SURVEY PREPARED BY JOHNSON ENGINEERING, INC. DATED DECEMBER 15, 1999 WITH A PROJECT NUMBER OF 19991898; THENCE RUN ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY SOUTH 89°43'06" EAST, FOR A DISTANCE OF 45.84 FEET, TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID SOUTH LINE SOUTH 89°43'06" EAST, FOR A DISTANCE OF 904.21 FEET TO THE INTERSECTION OF THE EXTENSION OF THE WEST LINE OF VIA VENETO RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 4408, PAGE 470 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND SAID SOUTH LINE OF COCONUT ROAD; THENCE RUN ALONG THE WESTERLY LINE OF SAID RIGHT-OF-WAY AND EXTENSION THEREOF FOR THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

- 1. SOUTH 00°17'49" WEST, FOR A DISTANCE OF 47.01 FEET;
- 2. THENCE RUN SOUTH 74°36'33" EAST, FOR A DISTANCE OF 58.19 FEET;
- 3. THENCE RUN SOUTH 50°54'15" EAST, FOR A DISTANCE OF 143.04 FEET;
- 4. THENCE RUN SOUTH 00°11'43" WEST, FOR A DISTANCE OF 82.19 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 5 OF THOSE LANDS RECORDED IN INSTRUMENT NUMBER 2009000192836 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID WESTERLY LINE FOR THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:
- 1. NORTH 89°47'57" WEST, FOR A DISTANCE OF 34.12 FEET;
- 2. THENCE RUN SOUTH 63°30'43" WEST, FOR A DISTANCE OF 230.57 FEET;
- 3. THENCE RUN SOUTH 47°26'14" WEST, FOR A DISTANCE OF 466.86 FEET;
- 4. THENCE RUN SOUTH 41°35'17" WEST, FOR A DISTANCE OF 46.90 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 48°24'38" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
- 5. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 28°01'16", SUBTENDED BY A CHORD OF 48.42 FEET AT A BEARING OF SOUTH 55°36'00" WEST, FOR AN ARC LENGTH OF 48.91 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS SOUTH 20°23'12" EAST, A DISTANCE OF 105.00 FEET THEREFROM;
- 6. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 105.00 FEET, THROUGH A CENTRAL ANGLE OF 54°28'46", SUBTENDED BY A CHORD OF 96.12 FEET AT A BEARING OF SOUTH 42°22'25" WEST, FOR AN ARC LENGTH OF 99.84 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 74°51'54" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
- 7. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF $14^{\circ}44'34''$, SUBTENDED BY A CHORD OF 25.66 FEET AT A BEARING OF SOUTH

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22°30'23" WEST, FOR AN ARC LENGTH OF 25.73 FEET TO THE END OF SAID CURVE;

8. THENCE RUN SOUTH 29°52'39" WEST, FOR A DISTANCE OF 22.93 FEET; THENCE RUN NORTH 34°45'41" WEST, FOR A DISTANCE OF 134.67 FEET; THENCE RUN NORTH 53°03'31" WEST, FOR A DISTANCE OF 119.51 FEET; THENCE RUN NORTH 19°08'07" WEST, FOR A DISTANCE OF 117.09 FEET; THENCE RUN NORTH 41°42'16" WEST, FOR A DISTANCE OF 86.54 FEET; THENCE RUN NORTH 00°49'46" WEST, FOR A DISTANCE OF 150.18 FEET; THENCE RUN NORTH 50°28'56" WEST, FOR A DISTANCE OF 47.03 FEET; THENCE RUN NORTH 20°07'09" WEST, FOR A DISTANCE OF 19.34 FEET; THENCE RUN NORTH 34°54'03" WEST, FOR A DISTANCE OF 30.82 FEET; THENCE RUN NORTH 23°07'05" EAST, FOR A DISTANCE OF 44.14 FEET; THENCE RUN NORTH 28°21'44" WEST, FOR A DISTANCE OF 88.04 FEET; THENCE RUN NORTH 39°18'43" EAST, FOR A DISTANCE OF 98.70 FEET; THENCE RUN NORTH 07°41'43" EAST, FOR A DISTANCE OF 98.70 FEET; THENCE RUN NORTH 10°04'01" WEST, FOR A DISTANCE OF 18.32 FEET TO THE POINT OF BEGINNING, CONTAINING 12.26 ACRES, MORE OR LESS.



PROPERTY DESCRIPTION

BEING A PORTION OF LAND LOCATED IN SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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NOTES:

- 1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF COCONUT ROAD, BEING SOUTH 89°43'06" EAST, PER THE LEE COUNTY RIGHT-OF-WAY MAP (JOHNSON ENGINEERING SPECIFIC PURPOSE SURVEY) HAVING A PROJECT NUMBER OF 19991898. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATEPLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983, NATIONAL GEODETIC SURVEY ADJUSTMENT OF 1990, AND ARE IN UNITED STATES SURVEY FEET.
- 2. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
- 3. THIS SKETCH & DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.



COMMUNITY DEVELOPMENT

ADD 2012-00064

NOT COMPLETE WITHOUT SHEETS 1-2 OF 2

REVISION: ADDED SPC AND TIE PER COUNTY COMMENTS (7/24/12, DLS)

DRAWN BY: DLS CHECKED BY: DLS JOB CODE: WCITCFG SCALE: N/A DATE: 5/7/12 FILE:

SHEET:

12-34-002SL2

1 of 2

Civil Engineers CERT. OF AUTH. EB 0005151

GradyMinor 3800 VIA DEL REY BONITA SPRINGS, FL 34134

www.GradyMinor.com

Land Surveyors

CERT. OF AUTH. LB 0005151

Planners

239.947.1144

239.690.4380

Landscape Architects BUSINESS LC 26000266

O. Grady Minor and Associates, P.A.

Bonita Springs

Fort Myers

SKETCH & DESCRIPTION

PARCELS F & G

A PORTION OF SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

NOT A SURVEY DATE SIGNED

DONALD L. SAINTENDY III, P.S.M

FL LICENSE #6761 FOR THE FIRM





