kwiktag® 022 583 923

GIS Tracking Sheet

Case No.: DCI 2004-00054

Intake Date: 7-26-04

Project Name: River Hall (fka Hawk's Haven RPD)

STRAP Number(s): See attached list

Planner Name: Tony

Ext. 8325

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 3/19/2005.

ArcGIS INTAKE: DC104054

LEGAL SUFFICIENT ☑ YES ☐ NO Initials: LGM

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date: 10 APRIL 06

☐ Hearing Examiner Decision ☑ Board of County Commissioner's Resolution

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes: Z-05-051, DCI2004-00054, 19SEPT05, RIVER HALL (fka HAWKS HAVEN RPD), REZONE 1978.44 ACRES FROM RPD AND AG-2 TO RPD/CPD TO ADD 181 ACRES, 401 DWELLING UNITS, AN ELEMENTARY SCHOOL & A TOWN CENTER; CONDS.

MAP UPDATED ☑ YES ☐ NO Initials: AJJJ

If not, give brief explanation:

CREATED CPD: 501303, ~~RPD 002280~~

& RPD: 002280

S:\WRITERS\Murphyge\gistracking.wpd

25-43-26-00-00121.0000

DCI2004-00054 RIVER HALL RPD/CPD (FKA HAWK'S HAVEN)

5/12/2005

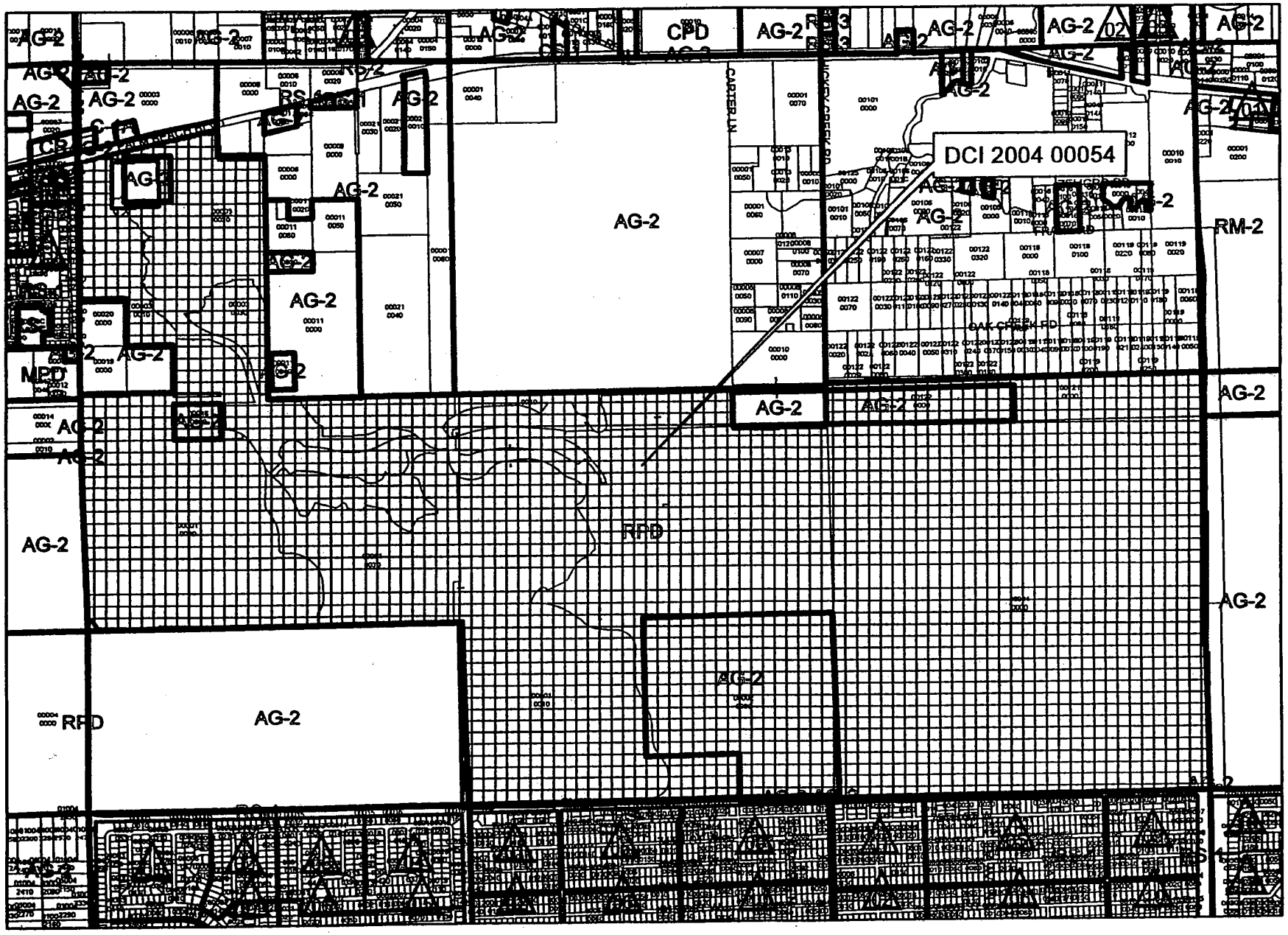


EXHIBIT B

N
W E
S

2,200 1,100 0 2,200 Feet

EXHIBIT PH-3.C.1

DCI2004-00054

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

RECEIVED
MAY 23 2005
PERMIT COUNTER

CPD

DESCRIPTION
Parcel in
Section 27, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Section 27, Township 43 South, Range 26 East, Lee county, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W ½) of said Section 27 for 1322.39 feet to the Southeast corner of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27 and the POINT OF BEGINNING.

From said Point of Beginning continue S00°51'17"E along said East line for 897.03 feet; thence run S89°08'43"W for 678.49 feet to an intersection with the Northwesterly line of Conservation Easement CE-5, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run N50°41'11"W leaving said Northwesterly line for 752.69 feet; thence run N00°49'17"W for 199.39 feet to an intersection with the Northerly line of Conservation Easement CE-2, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run N56°53'01"E leaving said Northerly line for 164.06 feet to a point on a non-tangent curve and intersection with the Westerly right of way line of a Proposed Road described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run northwesterly along an arc of curve to the right of radius 550.00 feet (delta 31°54'17") (chord bearing N28°46'55"W) (chord 302.32 feet) for 306.26 feet to a point of tangency; thence run N12°49'46"W along said Westerly right of way line for 146.41 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 641.66 feet to an intersection with the West line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

Containing 27.05 acres, more or less.

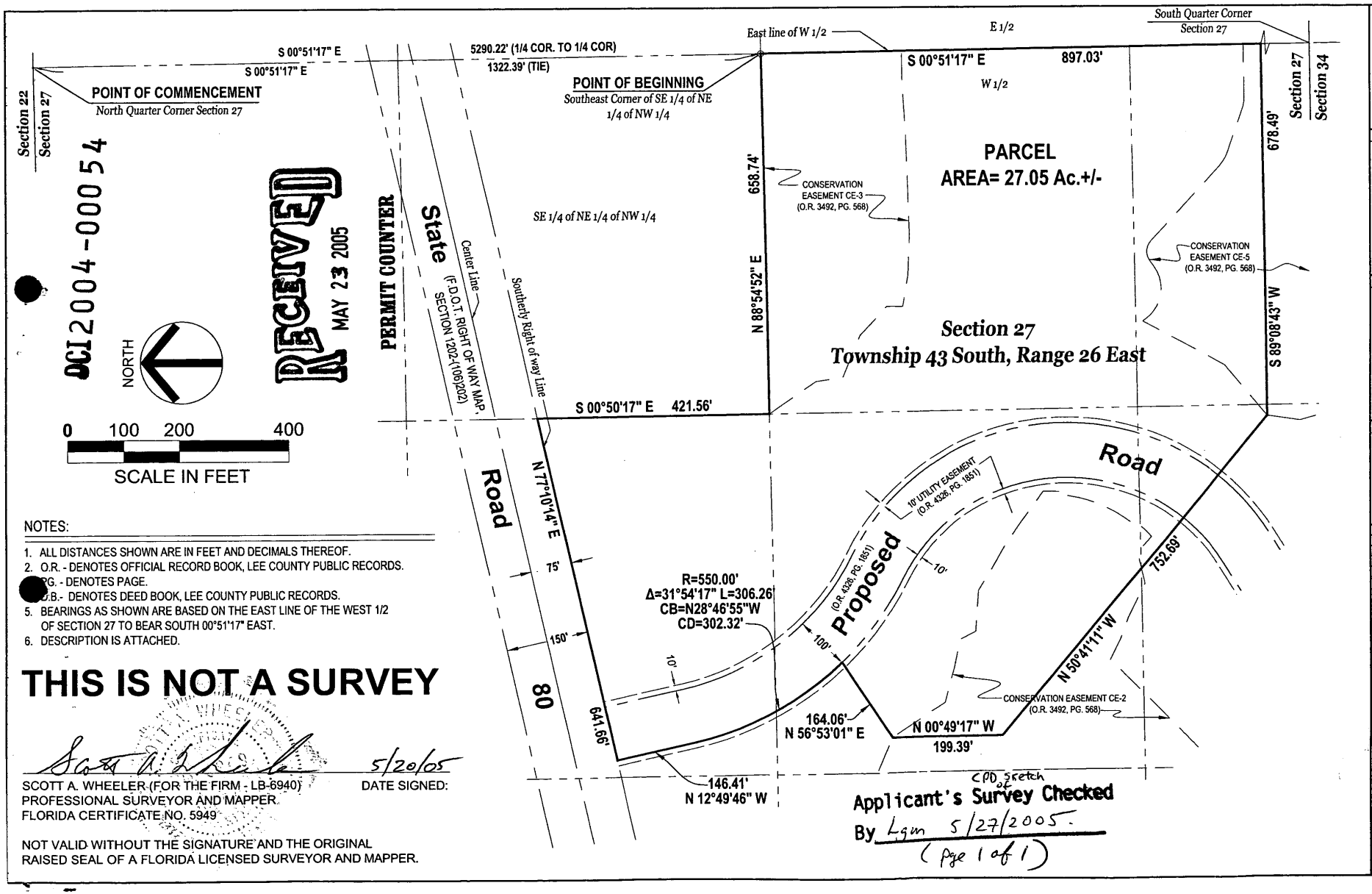
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

CPD
Applicant's Legal Checked
by Lgm 5/27/2005.
(Page 1 of 1)

Scott A. Wheeler 5/20/05
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\21988 - Hawks Haven\DESC\21988SK20desc.doc

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169



DCI2004-00054

RECEIVED MAY 23 2005

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B.- DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE EAST LINE OF THE WEST 1/2 OF SECTION 27 TO BEAR SOUTH 00°51'17" EAST.
6. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

Scott A. Wheeler 5/20/05

SCOTT A. WHEELER (FOR THE FIRM - LB-6940) DATE SIGNED:
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

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

CPD sketch of Applicant's Survey Checked By Lgm 5/27/2005.
(Page 1 of 1)

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

SCOTT A. WHEELER NO. 5949 STATE OF FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

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

FILE NAME	21988SK26.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\SURVEYING\SKETCH
PLOT DATE	FRI, 5-20-2005 - 2:46 PM
PLOT BY	BRANDON HARDY
DRAWING DATA	
SURVEY DATE	05-20-2005
DRAWN BY	PTO/BWH
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

EXHIBIT PH-3.D.2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
21988 27-43-26	2 OF 2

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

RECEIVED
JAN 0 6 2006
PERMIT COUNTER

DESCRIPTION
RPD

Parcel in
Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE ¼) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W)(chord 28.95 feet) for 28.97 feet to and intersection with the West line of the Northwest Quarter (NW ¼) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW ¼) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27 for 1,318.66 feet to the Southeast corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction, being designated as POINT "A"; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW ¼) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 1,378.61 feet; thence run S12°49'46"E for 146.41 feet to a point of curvature; thence run southeasterly along an arc of curve to the left of radius 550.00 feet (delta 31°54'17") (chord bearing S28°46'55"E)(chord 302.32 feet) for 306.26 feet;

RPD
Applicant's Legal Checked
by bm 1/09/2006

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

DCI 2004 00054

JAN 0 6 2006
PERMIT COUNTER

DESCRIPTION (Cont.)

thence run S56°53'01"W for 164.63 feet; thence run S00°49'17"E for 199.08 feet; thence run S50°41'11"E for 752.69 feet; thence run N89°08'43"E for 678.49 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 2,523.31 feet to an intersection with the North line of the South 50 feet of the former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE ¼) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.62 feet the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW ¼) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW ¼) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels.

From the point designated as POINT "A" run N00°50'10"W along the East line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) Southwest Quarter (SW ¼) of the of said Section 27 for 660.23 feet to the Southeast Corner of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 ; thence run N00°48'16"W along the East line of said Fraction for 659.60 to the Southwest Corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 and the POINT OF BEGINNING.

From said Point of Beginning run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the Northeast Corner of said Fraction; thence run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the POINT OF BEGINNING.

AND

LESS and EXCEPT the following described parcel.

From the point designated as POINT "B" run S88°44'46"W along the South line of the Southeast Quarter (SE ¼) of said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25; thence run S89°12'44"W along the South line of

RPD
Applicant's Legal Checked
by Lsm 1/09/2006
(Page 2 of 3)

DESCRIPTION (Cont.)

the Southwest Quarter (SW ¼) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.
From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE ¼) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1951.39 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

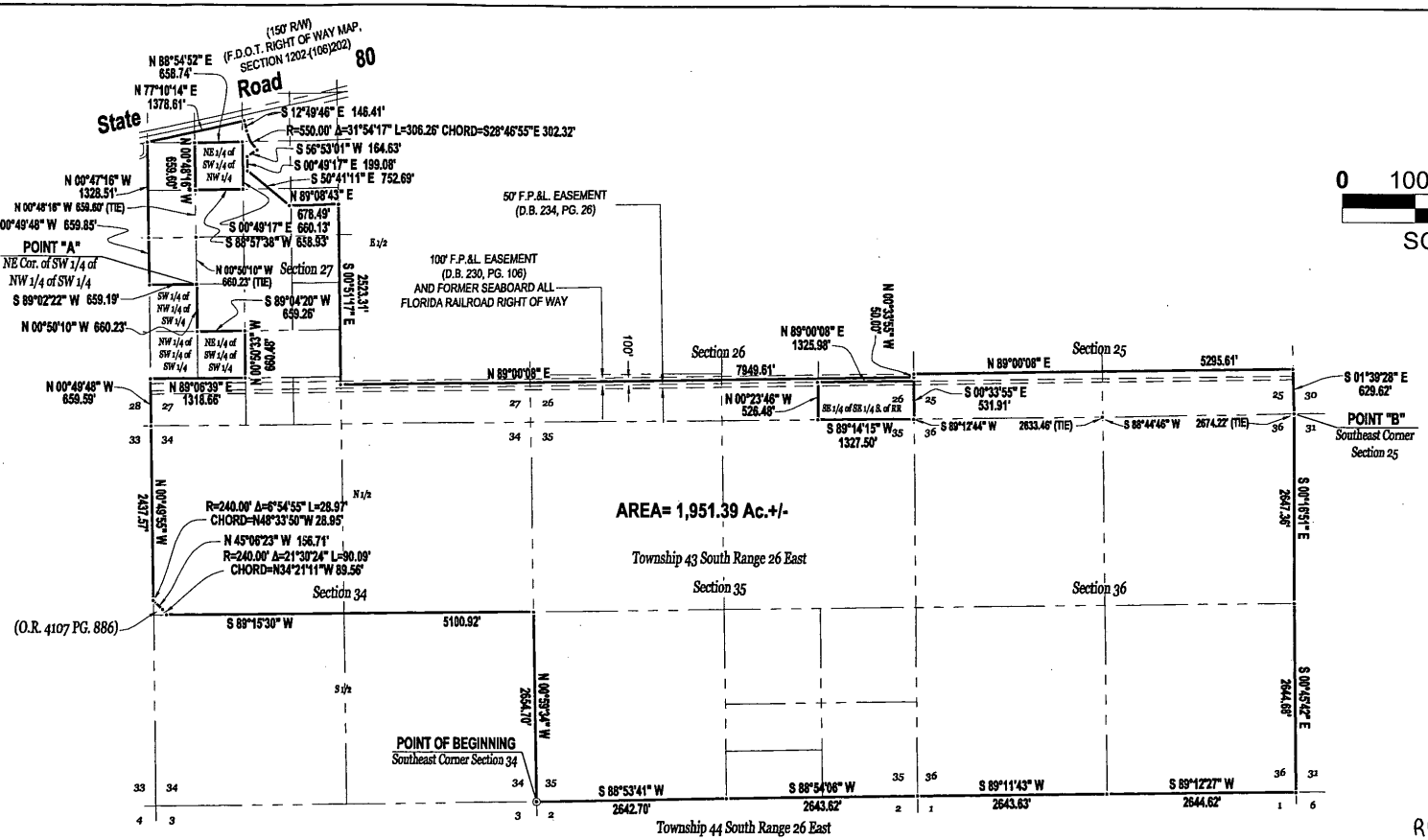
RPD
Applicant's Legal Checked
by Lgm 1/09/2006
(Page 3 of 3)

1/6/06
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\21988 - Hawks Haven\DESC\21988SK27desc.doc

RECEIVED
JAN 06 2006
PERMIT COUNTER

DCI 2004-00054



THIS IS NOT A SURVEY

Scott A. Wheeler 1/6/06

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

DATE SIGNED:

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

RECEIVED
JAN 0 6 2006
PERMIT COUNTER

DCI 2004-00054

RPD Sketch of
Applicant's Legal Checked
by jgm 1/09/2006
(Page 1 of 1)

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B.- DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 34 TO BEAR NORTH 00°49'55" WEST.
6. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3186
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

SCOTT A. WHEELER CERTIFICATE NO. 5949 STATE OF FLORIDA REGISTERED PROFESSIONAL SURVEYOR AND MAPPER

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

FILE NAME	21988SK27.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\SURVEYING\SKETCH
PLOT DATE	FRI, 1-6-2006 - 11:48 AM
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	01-06-2005
DRAWN BY	PTO
CHECKED BY	SAW
SCALE	1"=2000'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
21988 25-43-26	4 OF 4

OVERALL
CPD/RPD

EXHIBIT A.5

RECEIVED
MAR 16 2005
ZONING

Legal Description

Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:
Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet tot he East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W) (chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,316.66 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along the Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run

Overall
Applicant's Legal Checked
by LGM 3/19/2005
(Page 1 of 3)

DCI 2004-00054

N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet to the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels:

From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 858.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "B" run S88°44'46" along the South line of the Southeast Quarter (SE 1/4) for said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.

From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to

Overall
Applicant's Legal Checked
by Lim 3/19/2005
(Page 2 of 3)

DCI 2004-00054

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MAR 16 2005
ZONING

an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

Overall
Applicant's Legal Checked
by Lgm 3/19/2005.
(Page 3 of 3)

DCI 2004-00054

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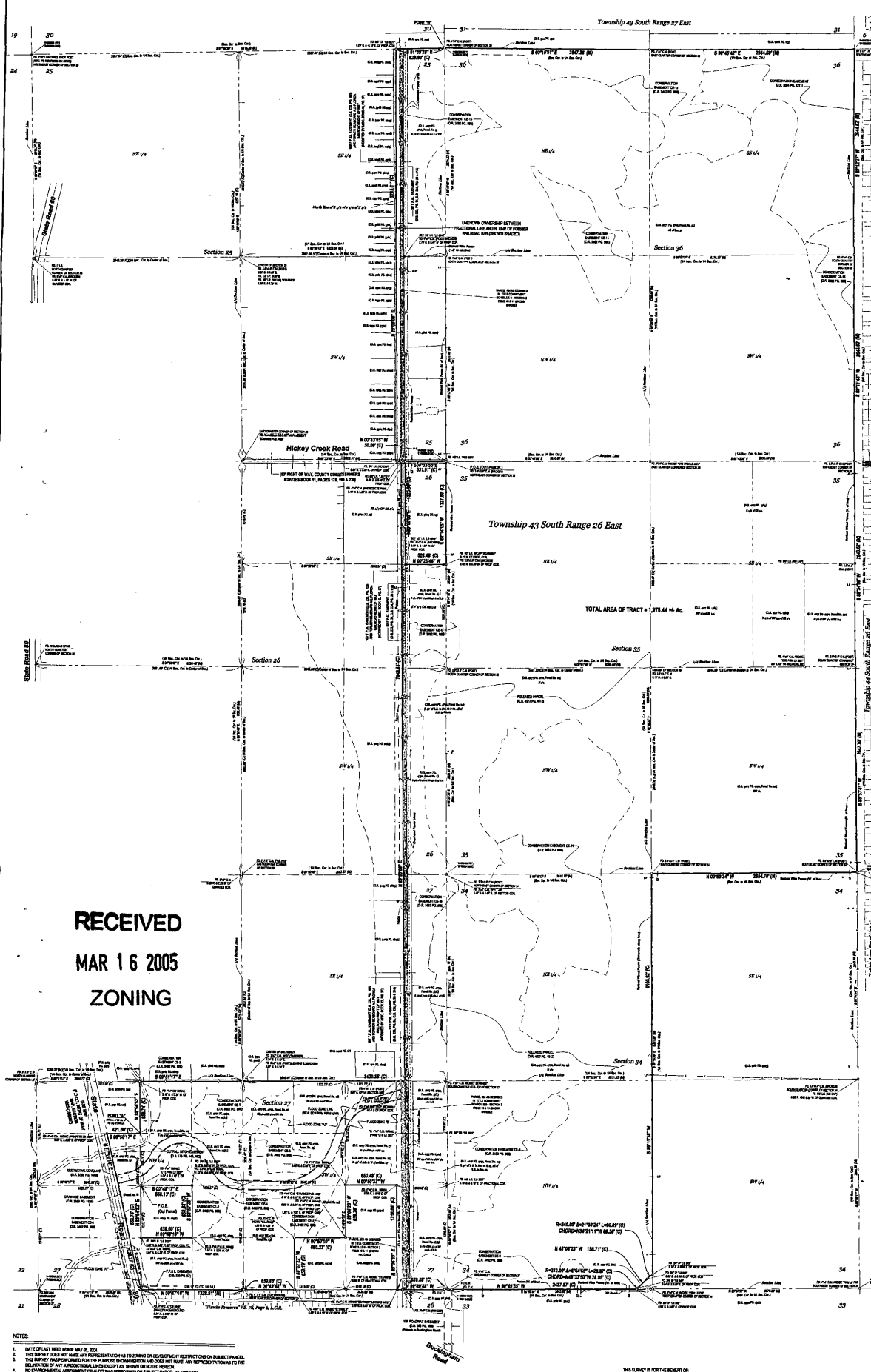
ZONING



DESCRIPTION (AS-PROVIDED)

Parcel 6:

Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run N00°53'54"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,664.70 feet to the East Quarter Corner of said Section 34; thence run S89°19'50"W along the North line of the South Half (S 1/2) of said Section 34 for 5,103.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 1107, at Page 906, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N04°13'11"W) (chord 89.98 feet) for 90.08 feet to a point of tangency; thence run N14°58'22"W along said Easterly line for 136.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 340.00 feet (delta 04°54'51") (chord bearing N44°25'50"W) (chord 28.86 feet) for 28.87 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'53"W along said West line for 2,437.31 feet to the Southwest Corner of said Section 27; thence run N00°49'49"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 664.59 feet to the Northwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N89°58'28"E along the South line of the North half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,318.86 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°47'27"W along the East line of said Fraction for 660.44 feet to the Northeast Corner of said Fraction; thence run N89°54'26"W along the North line of said Fraction for 658.28 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°47'27"W along the East line of said Fraction for 660.22 feet to the Northeast Corner of said Fraction; thence run N00°52'23"W along the North line of said Fraction for 658.18 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'49"W along said West line for 815.80 feet to the West Quarter Corner of said Section 27; thence run N00°47'49"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,326.31 feet to an intersection with the Southerly right of way line of State Road 80, (100 foot wide); thence run N77°16'14"E along said Southerly right of way line for 2,633.21 feet to an intersection with the West line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'11"E along said West line for 2,633.21 feet to the Southwest Corner of said Section 27; thence run S00°50'11"E along said West line for 421.66 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run N89°16'28"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E 1/2) of said Section 27; thence run S00°51'17"E along said West line for 1,422.33 feet to an intersection with the North line of the South 15 feet of said former Seaboard All Florida Railroad right of way (100 foot wide); thence run N89°49'28"E along said North line for 2,644.81 feet to an intersection with the West line of the Southeast Quarter (SW 1/4) of said Section 27; thence run N00°25'56"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 foot wide); thence run N89°50'28"E along said right of way line for 5,288.81 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°36'31"E along said East line of the Southeast Quarter (SE 1/4) of said Section 36 being designated as POINT "B"; thence run S00°49'15"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,642.36 feet to the East Quarter Corner of said Section 36; thence run S00°42'42"E along the East Line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,664.88 feet to the Southeast Corner of said Section 36; thence run S00°52'17"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.42 feet the South Quarter Corner of said Section 36; thence run S89°11'42"W along the South line of the Southeast Quarter (SW 1/4) of said Section 36 for 2,643.45 feet to the Southeast Corner of said Section 35; thence run S00°54'58"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2643.63 feet to the South Quarter Corner of said Section 35; thence run S89°54'41"W along the South line of the Southeast Quarter (SW 1/4) of said Section 35 for 2,642.79 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels.

From the point designated as POINT "A" run S89°54'52"W along the North line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 658.74 feet to the Northwest Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S89°57'28"W along the South line of said Fraction for 658.28 feet to the Southwest Corner of said Fraction; thence run N00°49'18"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N89°54'26"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "F" run S89°49'49"W along the South line of the Southeast Quarter (SE 1/4) of said Section 25 for 2,675.22 feet to the South Quarter Corner of said Section 25, run S88°12'41"W along the South line of the Southeast Quarter (SW 1/4) of said Section 25 for 2,633.48 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.

From said Point of Beginning run S00°51'11"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,337.00 feet to the Southeast Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°22'48"W along the West line of said Fraction for 536.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 foot wide); thence run N89°49'28"E along said Southerly right of way line for 1,333.66 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°33'08"E along said East line for 811.81 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,878.44 Acres, more or less.

Bearings hereinbefore mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the said line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'53"W.

LEGEND:

(C)	CALCULATED
C.L.	CENTER LINE
CONC.	CONCRETE
C.M.	CONCRETE MONUMENT
COR.	CORNER
(D)	DEED
D.B.	DEED BOOK
F.D.	FOUND
I.P.	IRON PIPE
I.R.	IRON ROD
LB	LICENSED BUSINESS
L.C.R.	LEE COUNTY RECORDS
(M)	MEASURED
(P)	PLAT
PG.	PAGE
P.B.	PLAT BOOK
P.K.	PARKER-KALON
P.R.M.	PERMANENT REFERENCE MONUMENT
PROP.	PROPERTY
R/W	RIGHT OF WAY
SEC.	SECTION
	FOUND NAIL AS NOTED
	SET 1/2" IRON ROD WITH CAP STAMPED LB8640
	SET 4"x4" CONC. MONUMENT STAMPED LB8640
	SET P.K. NAIL WITH DISC STAMPED LB8640
	FOUND CONC. MONUMENT AS NOTED
	FOUND IRON PIPE OR IRON ROD AS NOTED
	DRAINAGE INLET
	DRAINAGE MANHOLE
	45 MITERED END SECTION
	LIGHT POLE
	CONCRETE POWER POLE
	WOOD POWER POLE
	GUY POLE
	GUY ANCHOR
	GAS LINE MARKER
	FIBER OPTIC LINE MARKER
	TELEPHONE RISER
	4" WELL
	FIRE HYDRANT
	WATER VALVE

NOTES:

1. DATE OF LAST FIELD WORK: MAY 05, 2004.
2. THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELIMITATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.
4. NO ENVIRONMENTAL AGREEMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL, BY THIS FIRM.
5. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
6. BEARINGS HEREINABOVE MENTIONED ARE STATE PLANE FOR THE FLORIDA WEST ZONE (1983/90 ADJUSTMENT) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 34 TO BEAR N00°49'53"W.
7. IMPROVEMENTS OTHER THAN THOSE SHOWN IF ANY WERE NOT LOCATED.
8. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
9. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN.
10. THIS SURVEY IS PREPARED IN ACCORDANCE WITH A TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT No. 1N0000802, EFFECTIVE DATE: OCTOBER 1, 2003 AT 11:00 PM.
11. ACCORDING TO THE F.I.R.M. (COMMUNITY PANEL 125124 0325B, EFFECTIVE DATE: SEPTEMBER 19, 1984), THE SUBJECT PARCEL IS LOCATED IN FLOOD ZONE AE (EL 6) AND ZONE B.

THIS SURVEY IS FOR THE BENEFIT OF:

I HEREBY CERTIFY: THAT A SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 61G17-6 F.A.C. CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES. ABSTRACT NOT REVIEWED. SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

SCOTT A. WHELER
PROFESSIONAL SURVEYOR AND MAPPER FLORIDA
CERTIFICATE NO. 5916
DATE SIGNED:

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

PROJECT SURVEYOR

STATE OF FLORIDA
SCOTT A. WHELER
No. 5916
PROFESSIONAL SURVEYOR AND MAPPER

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

FILE NAME	21868BDY.DWG
LAYOUT	LAYOUT1
LOCATION	(-12189.0000,0.0,0.0,0.0,1.0000)
PLOT DATE	FR - 3-4-2005 - 8:40 AM
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	05-07-2004
DRAWN BY	YTG
CHECKED BY	SAW
SCALE	1"=400'
FIELD BOOK	BOOK: 04-11-22, 29-41 - 45, 51-0-6
PLAN NO.	
10-05-2006	ADD DEAN PARCEL TO BOUNDARY

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FEB 25 2005
BY

BOUNDARY SURVEY

PROJECT / FILE NO.	SHEET NUMBER
21868 25-43-26	1 OF 1

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3189
FLORIDA CERTIFICATES OF AUTHORIZATION ENGINEERING 7995 - SURVEYING LB-6949

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0139
FAX (813) 764-8398

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 25, 26, 27, 34, 35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

DCI 2004-00054 EXHIBIT 6-A

RESOLUTION NUMBER Z-05-051

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

WHEREAS, Hawk's Haven Developers, L.L.C., filed an application on behalf of the property owner, Levitt and Sons at Hawk's Haven, L.L.C., and The School District of Lee County, to rezone a 1,978.44± acre parcel from Residential Planned Development (RPD) and Agricultural (Ag-2) to Residential Planned Development/Commercial Planned Development (RPD/CPD) in reference to River Hall (f/k/a Hawks' Haven RPD); and

WHEREAS, a public hearing was advertised and held on June 15, 2005, before the Lee County Zoning Hearing Examiner Diana Parker, who gave full consideration to the evidence in the record for Case #DCI2004-00054; and

WHEREAS, a second public hearing was advertised and held on September 19, 2005, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone a 1,978.44± acre parcel from RPD and AG-2 to RPD/CPD, to add 181 acres, 401 dwelling units, an elementary school site, and a town center consisting of a maximum of 45,000 square feet of commercial uses to the Hawk's Haven RPD, Zoning Resolution #Z-99-056. The request consists of a total of 1,999 dwelling units (single- and multi-family) with a golf course, a public school, and a maximum of 15,000 square feet of office and 30,000 square feet of retail uses. Maximum building heights are 45 feet (three stories) for residential uses, 35 feet (two stories) for commercial uses, and 60 feet (three stories) for recreational uses. No development blasting is requested. The property is located in the Rural (1,647.55 acres), Suburban (79.47 acres), and Wetlands (251.42 acres) Future Land Use Categories. The legal description is set forth 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. Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "RIVER HALL: Formerly known as Hawk's Haven", stamped received January 6, 2006, last revised January 3, 2006, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

   a. SCHEDULE OF USES

   RESIDENTIAL, GOLF & AMENITY SITES

   Accessory Uses and Structures
   Administrative Office
   Agricultural Uses - See Conditions 3.h and 8.
   Club - country and private
   Consumption on Premises - limited to the clubhouse/amenity areas. No outdoor seating unless approved as a special exception (public hearing required).
   Dwelling Units - maximum of 1,999 units to be comprised of single-family (R-1 or RMF-1), two-family attached (RMF-1), townhouse (RMF-1), multiple-family (RMF-1), zero-lot-line units (RMF-1)

   Densities may not be shifted between future land use categories unless a new public hearing occurs and the allocation of density complies with provisions of Policy 5.1.11 of the Lee Plan.
   Entrance Gates and Gatehouse
   Essential Services
   Essential Services Facilities, Group I
   Excavation, Water Retention - No blasting and removal of excavated material off site is not permitted.
   Fences and Walls
   Golf Course - 36 holes, golf maintenance facility, cart barn and related accessory uses to a golf course. (See Condition 23 for additional requirements)
   Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
   Golf Driving Range
   Golf Training Facility
   Model Home and Model Unit - must be in compliance with LDC §34-1954
   Model Display Center, must be in compliance with LDC §34-1955, limited to one which must be located in the sales center area shown on the MCP and must only serve this project.
   Parking Lot, Accessory
   Parks, Group I
   Real Estate Sales Office - limited to sales of lots, homes or units within the development, and must be located in the clubhouse, amenity or model

unit sites.
Recreational Facilities - Private, On-site only
Residential Accessory Uses - In compliance with LDC §622(c)42 and LDC Article VII Division 2.
Signs, in compliance with LDC Chapter 30
Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and 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. (See Condition 22 fo additional requirements)
Temporary Uses

TOWN CENTER (CPD)

Maximum 15,000 sf office and maximum 30,000 sf retail within the Town Center CPD parcel only.
Accessory Uses and Structures
Administrative Office
Agricultural Uses - See Condition 3.h and 8.
Banks and Financial Establishments, Group I
Business Services, Group I
Consumption on Premises - Indoor only in conjunction with a Restaurant use only. No outdoor seating unless approved as a special exception (public hearing required).
Day Care Center, Adult & Child
Drive-though in connection with any approved use except drugstore/pharmacy
EMS, Fire or Sheriff's Station
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention - No blasting; Removal of excavated material off site not permitted.
Food Stores, Group I (may sell food and non-food products)
Hardware Store
Laundry or Dry Cleaning, Group I
Parking lot, accessory
Personal Services, Group I
Pharmacy/Drugstore - limited to one with a multi-occupancy complex only and no drive-through.
Place of Worship, Religious Facilities
Real Estate Sales Office
Repair Shop, Group I
Restaurant, Groups I, II, III
Specialty Retail Shops, Group I
Temporary Uses

ELEMENTARY SCHOOL SITE

Public Schools and Related Accessory Uses

b. SITE DEVELOPMENT REGULATIONS

Minimum Lot Area and Dimensions - Single-Family

Width:	45 feet
Depth:	120 feet
Lot Size:	5,400 sf

Minimum Lot Area and Dimensions - Multi-Family

Width:	75 feet
Depth:	100 feet
Lot Size:	10,000 sf

Minimum Lot Area and Dimensions - Commercial

Width:	200 feet
Depth:	100 feet
Lot Size:	20,000 sf

Minimum Setbacks

Single Family

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	5 feet, See Condition 2.b.i.
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the LDC

Maximum Lot Coverage - 60 percent

2.b.i. Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setback of each lot. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Two-Family Attached and Zero Lot Line

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	0/5 feet, See Condition 2.b.ii.

Rear - 15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings: 15 feet

Maximum Lot Coverage - 60 percent

2.b.ii. Side opposite zero-lot-line or two-family attached structure. Structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may not be located within the required 5-foot side setbacks; or prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Townhouse & Multi-family

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - N/A
Rear- 15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Clubhouse, Amenity & Golf Maintenance Buildings

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 15 feet
Rear- 15 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Commercial

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 15 feet
Rear - 20 feet
Water Body - 20 feet
Accessory - Per the LDC

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 45 percent

Maximum Height

45 feet/3 stories for Residential uses
35 feet/3 stories for Commercial uses
35 feet/3 stories for Recreational/Amenity sites on the perimeter of the subject property

Recreational/Amenity sites on the interior of the project may be 60 feet/three stories

c. GOLF DRIVING RANGE:

If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and be shielded and directed away from adjacent residential areas.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Prior to local development order approval, the location of the American Alligator Management Plan signage must be delineated on the development order plans for Division of Environmental Sciences' review and approval. Warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19, 1999 incorporated into this resolution of approval as Exhibit D. Any revisions to the Tortoise Management Plan are subject to Environmental Sciences' review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999, must be revised for Division of Environmental Sciences' review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer in accordance with LDC Appendix H, or commit to a detailed relocation management plan. The developer demonstrates it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. The developer must submit a detailed Scrub Jay Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999 and incorporated into this resolution of approval as Exhibit D. The finalized Scrub Jay Management Plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. The developer must submit a detailed Sandhill Crane Management Plan to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

f. Open space must be provided in accordance with the MCP. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

g. The developer must provide a minimum of 465 acres of indigenous preservation areas in substantial compliance with the MCP. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract to be developed.

h. The developer must barricade all indigenous preservation areas to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.

i. Prior to local development order approval, the plans for any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences' Staff review and approval.

j. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. The developer must schedule an on-site preconstruction meeting with Division of Environmental Sciences' Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

4. The following recommendations are presented in order to mitigate future hurricane damage and loss of life, as well as to ensure compliance with Lee Plan objectives.

a. The developer must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who 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. The developer must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or any portions thereof, is through a security gate or similar device that is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC §34-1749.

d. The developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

a. The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,648 dwelling units may be constructed in the Rural designated areas of the project.

b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation, at the time of rezoning, the available Rural allocation must be determined by the Planning Division prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table 1 (b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table 1 (b). Adequate data and analysis to support this amendment must be submitted by the applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1 (b) allocations will not be permitted until Table 1 (b) is amended accordingly.

6. The following conditions are included to address the golf course:

a. The developer of the golf course must use fertilizers with a low leaching potential (slow release). The fertilizers must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan that includes an integrated pest management (IPM) program and a nutrient management program so that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. Turf managed areas (including fairways, tees, and greens) within 35 feet of wetlands or preserve areas are prohibited. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state *to* use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, as amended.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, and that requires relatively low fertilizer use.

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identification of the locations for the ground water monitoring and testing on a map(s); testing and recording requirements. The developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and if the pollution is caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until the developer submits a revised management plan. If mitigation is necessary to address the pollution, the developer must implement a mitigation plan approved by Lee County.

7. 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 constructing model homes within this project, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for River Hall (f/k/a Hawk's Haven) or the LDC, whichever applies. Should setback problems arise after construction of a model

home, it will be the responsibility of the owner/developer to resolve the setback problem.

d. Hours of operation for model units and real estate sales within the model units are limited to Monday through Sunday, 8 a.m. through 8 p.m.

8. AGRICULTURAL USES: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

a. Bona fide agricultural uses that are in existence at the time the application for this project was filed, and as shown on Exhibit E attached hereto, may continue until approval of a local development order for the area of the project containing those uses.

b. Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c. Prior to issuance of a local development order, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

i. Termination of all agricultural use on any portion of the property included in the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:

(1) the date the agricultural uses ceased;

(2) the legal description of the property subject to the development order approval;

(3) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow any such uses on the property unless and until the property is re-zoned to permit such uses; and,

(4) that the affidavit constitutes a covenant between the owner and the county that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of the county at the owner's expense.

ii. Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include of a copy of the request to terminate the tax exemption provided to the Property Appraiser.

9. Construction traffic is prohibited on Hickey Creek Road.

10. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

11. Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The developer must pursue this access approval with the 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.

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 Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

13. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

14. The developer is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the developer provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

15. If the developer constructs structures other than conventional single-family homes within 100 feet of the "outparcels," the developer must provide a 25-foot-wide enhanced vegetative buffer completely around the outparcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to vertical construction and it must be installed according to the following density and size:

a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2-1/2 inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees, may be used to meet the requirements of this enhanced buffer.

b. 33 shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions. If these "outparcels" come under the control of the developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

16. Vehicle access from the northern boundary of the subject property over and across Hickory Creek Road is prohibited.

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

18. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

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

20. Upon passage of this Zoning Resolution, Zoning Resolution #Z-99-056 and Administrative Amendment ADD2004-00067 are null and void.

21. The school site is limited to a public school operated by the School District of Lee County.

22. Outdoor storage areas must be in compliance with §34-3001, *et seq*, of the Lee County LDC, with the additional requirements as outlined on page 2 of 2 of the attached MCP, including a 200-foot perimeter setback and enhanced buffer.

23. A plan showing landscaping in accordance with page 2 of 2 of the approved MCP must be submitted and approved prior to the issuance of a development order for the golf course maintenance facility and amenity center.

24. Signage referencing the town center is prohibited within 50 feet of the right-of-way of Palm Beach Boulevard (State Road 80).

25. BUFFERS.

a. A Type "B" buffer must be added to the MCP for the "Town Center" portion bordering agriculturally-zoned property to the east, in accordance with the LDC.

This buffer will not include the existing conservation areas shown on the approved MCP.

b. A Type "D" buffer must be added to the MCP on the "spine" Road for the commercial Town Center portion of the property, in accordance with the LDC.

26. The MCP must be amended to include a 2nd full access that crosses the existing 50-foot-wide canal to the south to connect into 75th Street West in Lehigh Acres. The developer may show the access at any location along the southern boundary of the property except where the MCP shows conservation easements. The developer is not obligated to construct this access until Lee County has issued a certificate of occupancy for 1,598 homes within the project. Responsibilities regarding improvements to 75th Street West or other abutting Lehigh roads will be determined at the time the access is approved for construction. The County will work with the developer to obtain approval to bridge the 50-foot-wide canal.

27. 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.

The developer may obtain the necessary development orders when the project meets Lee County Concurrency requirements. This approval may require either road improvements or a reduction in requested intensity and density.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-385(d)(3)a requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the "spine" road where no homes exist. This deviation is APPROVED.

2. Deviation (2) Withdrawn.

3. Deviation (3) seeks relief from the LDC §10-329(d)(4) requirement to provide lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25 percent of the shoreline of lake banks. This deviation is APPROVED.

4. Deviation (4) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot setback from bodies of water, to allow 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A.1: Legal description of the overall property
Exhibit A.2: Legal description of the CPD property
Exhibit A.3: Legal description of the RPD property
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan stamped Received January 6, 2006, last revised January 3, 2006
Exhibit D: Protected Species Management Plan for Schulman Parcel (American Alligator Management Plan; Gopher Tortoise Management Plan; and Scrub Jay Management Plan)
Exhibit E: Affidavit of bona fide agricultural uses

The applicant has indicated that the STRAP numbers for the property are: 25-43-26-00-00121.0000, 26-43-26-00-00011.0000, 26-43-26-00-00011.0010, 27-43-26-00-00003.0010, 27-43-26-00-00003.0020, 27-43-26-00-00016.0000, 34-43-26-00-00001.0010, 34-43-26-00-00001.0020, 36-43-26-00-00001.0000, 35-43-26-00-00001.0010, 35-43-26-00-00001.0000, 35-43-26-00-00002.0000.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

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

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

DULY PASSED AND ADOPTED this 19th day of September 2005.

ATTEST:
CHARLIE GREEN, CLERK

BY: Michele B. Cooper
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Tammara Hall, Chairwoman

Approved as to form by:

_____
Dawn E. Perry-Lehnert
County Attorney's Office

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Legal Description

Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:
Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet tot he East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W) (chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,316.66 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along the Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run

N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet to the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels:

From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 858.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "B" run S88°44'46" along the South line of the Southeast Quarter (SE 1/4) for said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.

From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to

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an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

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DC12004-00054

Barraco and Associates, Inc.

www.barraco.net

Civil Engineers, Land Surveyors and Planners

RECEIVED MAY 23 2005 PERMIT COUNTER

DESCRIPTION
Parcel in
Section 27, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Section 27, Township 43 South, Range 26 East, Lee county, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W ½) of said Section 27 for 1322.39 feet to the Southeast corner of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27 and the POINT OF BEGINNING.

From said Point of Beginning continue S00°51'17"E along said East line for 897.03 feet; thence run S89°08'43"W for 678.49 feet to an intersection with the Northwesterly line of Conservation Easement CE-5, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run N50°41'11"W leaving said Northwesterly line for 752.69 feet; thence run N00°49'17"W for 199.39 feet to an intersection with the Northerly line of Conservation Easement CE-2, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run N56°53'01"E leaving said Northerly line for 164.06 feet to a point on a non-tangent curve and intersection with the Westerly right of way line of a Proposed Road described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run northwesterly along an arc of curve to the right of radius 550.00 feet (delta 31°54'17") (chord bearing N28°46'55"W) (chord 302.32 feet) for 306.26 feet to a point of tangency; thence run N12°49'46"W along said Westerly right of way line for 146.41 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 641.66 feet to an intersection with the West line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

Containing 27.05 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

Applicant's Legal Checked
by Lgm 5/27/2005.

5/20/05
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 3949

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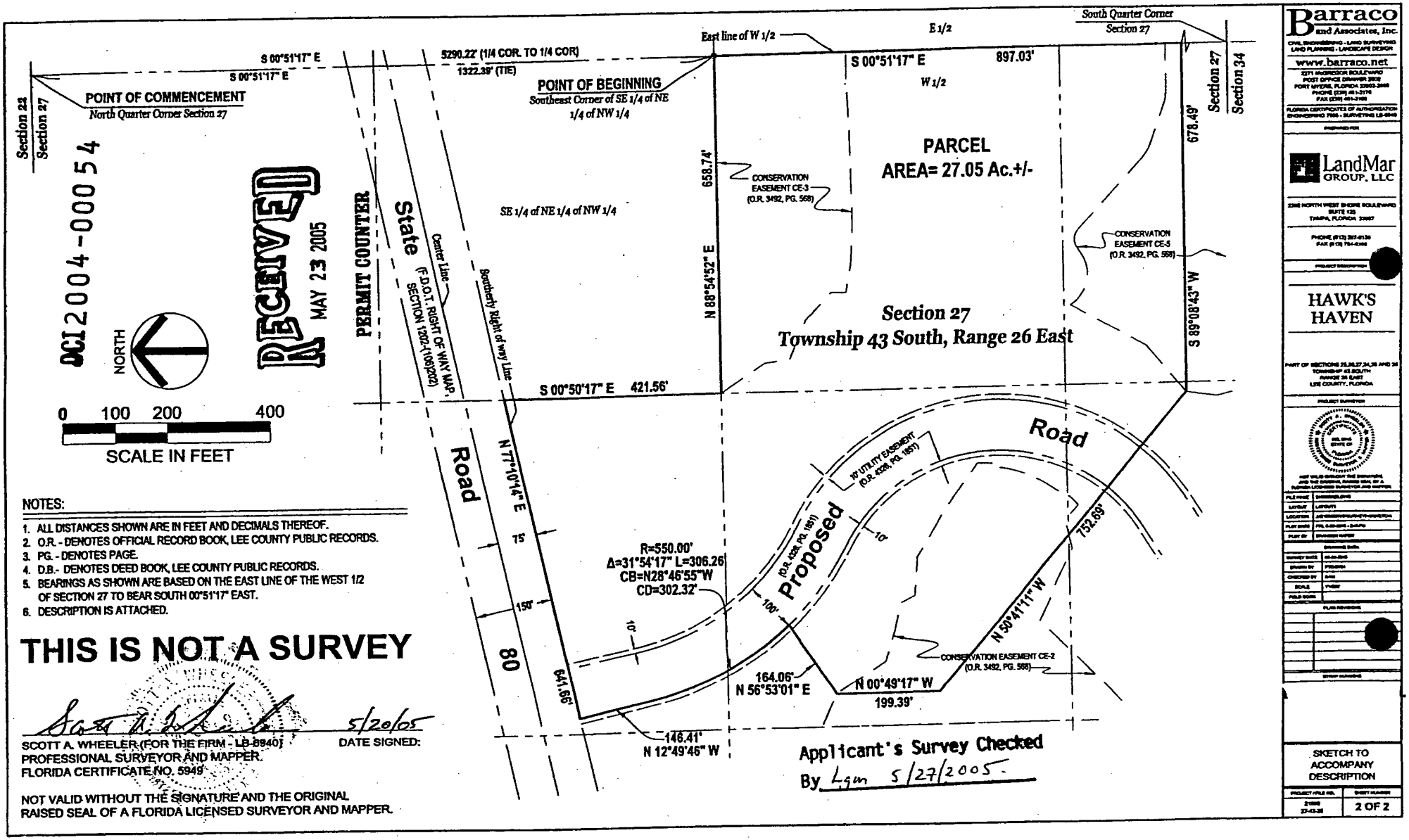

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B.- DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE EAST LINE OF THE WEST 1/2 OF SECTION 27 TO BEAR SOUTH 00°51'17" EAST.
6. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

5/20/05
DATE SIGNED:

SCOTT A. WHEELER (FOR THE FIRM - LB 6940)
PROFESSIONAL SURVEYOR AND MAPPER.
FLORIDA CERTIFICATE NO. 5949

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

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

DESCRIPTION
RPD

Parcel in
Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE ¼) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W)(chord 28.95 feet) for 28.97 feet to and intersection with the West line of the Northwest Quarter (NW ¼) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW ¼) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27 for 1,318.66 feet to the Southeast corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction, being designated as POINT "A"; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW ¼) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 1,378.61 feet; thence run S12°49'46"E for 146.41 feet to a point of curvature; thence run southeasterly along an arc of curve to the left of radius 550.00 feet (delta 31°54'17") (chord bearing S28°46'55"E)(chord 302.32 feet) for 306.26 feet;

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Civil Engineers, Land Surveyors and Planners

DESCRIPTION (Cont.)

thence run S56°53'01"W for 164.63 feet; thence run S00°49'17"E for 199.08 feet; thence run S50°41'11"E for 752.69 feet; thence run N89°08'43"E for 678.49 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 2,523.31 feet to an intersection with the North line of the South 50 feet of the former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE ¼) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.62 feet the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW ¼) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW ¼) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels.

From the point designated as POINT "A" run N00°50'10"W along the East line of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) Southwest Quarter (SW ¼) of the of said Section 27 for 660.23 feet to the Southeast Corner of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 ; thence run N00°48'16"W along the East line of said Fraction for 659.60 to the Southwest Corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 and the POINT OF BEGINNING.

From said Point of Beginning run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the Northeast Corner of said Fraction; thence run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the POINT OF BEGINNING.

AND

LESS and EXCEPT the following described parcel.

From the point designated as POINT "B" run S88°44'46"W along the South line of the Southeast Quarter (SE ¼) of said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25; thence run S89°12'44"W along the South line of

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DESCRIPTION (Cont.)

the Southwest Quarter (SW ¼) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.
From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE ¼) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

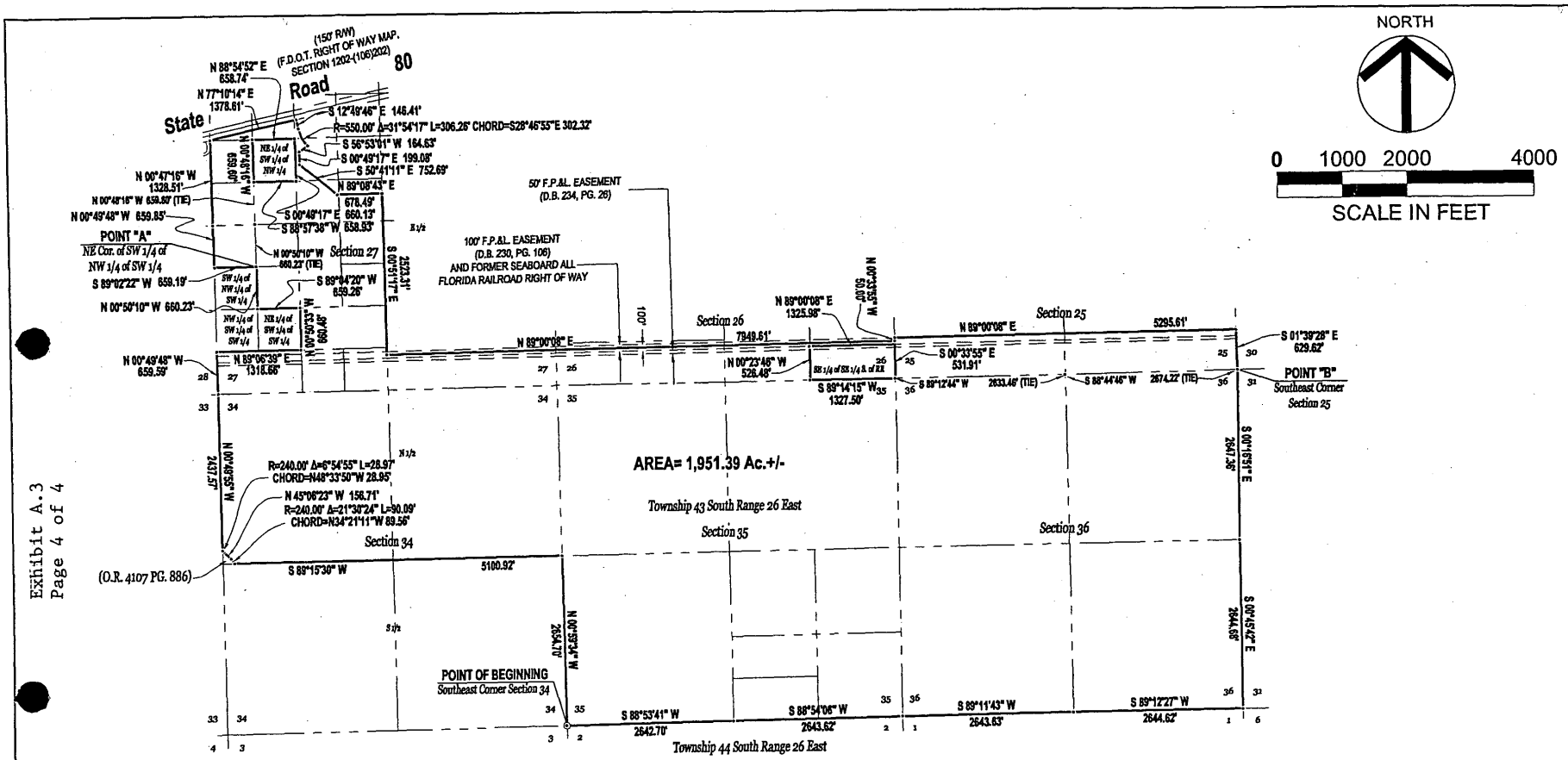
Containing a Total Area of 1951.39 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

1/6/06

Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\21988 - Hawks Haven\DESC\21988SK27desc.doc



THIS IS NOT A SURVEY

Scott A. Wheeler 1/6/06

SCOTT A. WHEELER (FOR THE FIRM - LB-6940) DATE SIGNED:
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

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

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B.- DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 34 TO BEAR NORTH 00°49'55" WEST.
6. DESCRIPTION IS ATTACHED.

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LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7988 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	21966SK37.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21966\DWG\SURVEY PROJECTS\
PLOT DATE	FRI. 1-6-2006 - 11:46 AM
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	01-06-2006
DRAWN BY	PTO
CHECKED BY	SAW
SCALE	1"=2000'
FIELD BOOK	—

PLAN REVISIONS

STRAP NUMBERS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
21966 25-43-26	4 OF 4

Exhibit A.3
Page 4 of 4

Exhibit C
Page 1 of 2

Page 1 of 2
Z-05-051

RECEIVED
JAN 06 2006
PERMIT COUNTER
DCI 2004-00054

OPEN SPACE CALCULATIONS:

ENTIRE PROJECT

TOTAL DEVELOPMENT	1,978.44 ACRES
OPEN SPACE PROVIDED	1,175.00 ACRES
INDIGENOUS OPEN SPACE PROVIDED	465.04 ACRES

RPD

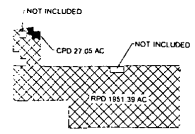
TOTAL RPD DEVELOPMENT	1,951.39 ACRES
OPEN SPACE REQUIRED (40%)	780.56 ACRES
OPEN SPACE PROVIDED LAKES = 293.75 AC (25% OF 1,175.00 AC.) INDIGENOUS OPEN SPACE = 457.98 AC RECREATIONAL OPEN SPACE / GOLF COURSE = 408.94 AC OTHER OPEN SPACE 7.27 AC	1,167.95 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 780.56) INDIGENOUS OPEN SPACE PROVIDED	390.28 ACRES 457.98 ACRES

CPD

TOTAL RPD DEVELOPMENT	27.05 ACRES
OPEN SPACE REQUIRED (20%)	5.41 ACRES
OPEN SPACE PROVIDED INDIGENOUS OPEN SPACE = 7.05 AC	7.05 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 5.41) INDIGENOUS OPEN SPACE PROVIDED	2.71 ACRES 7.05 ACRES

NOTES:

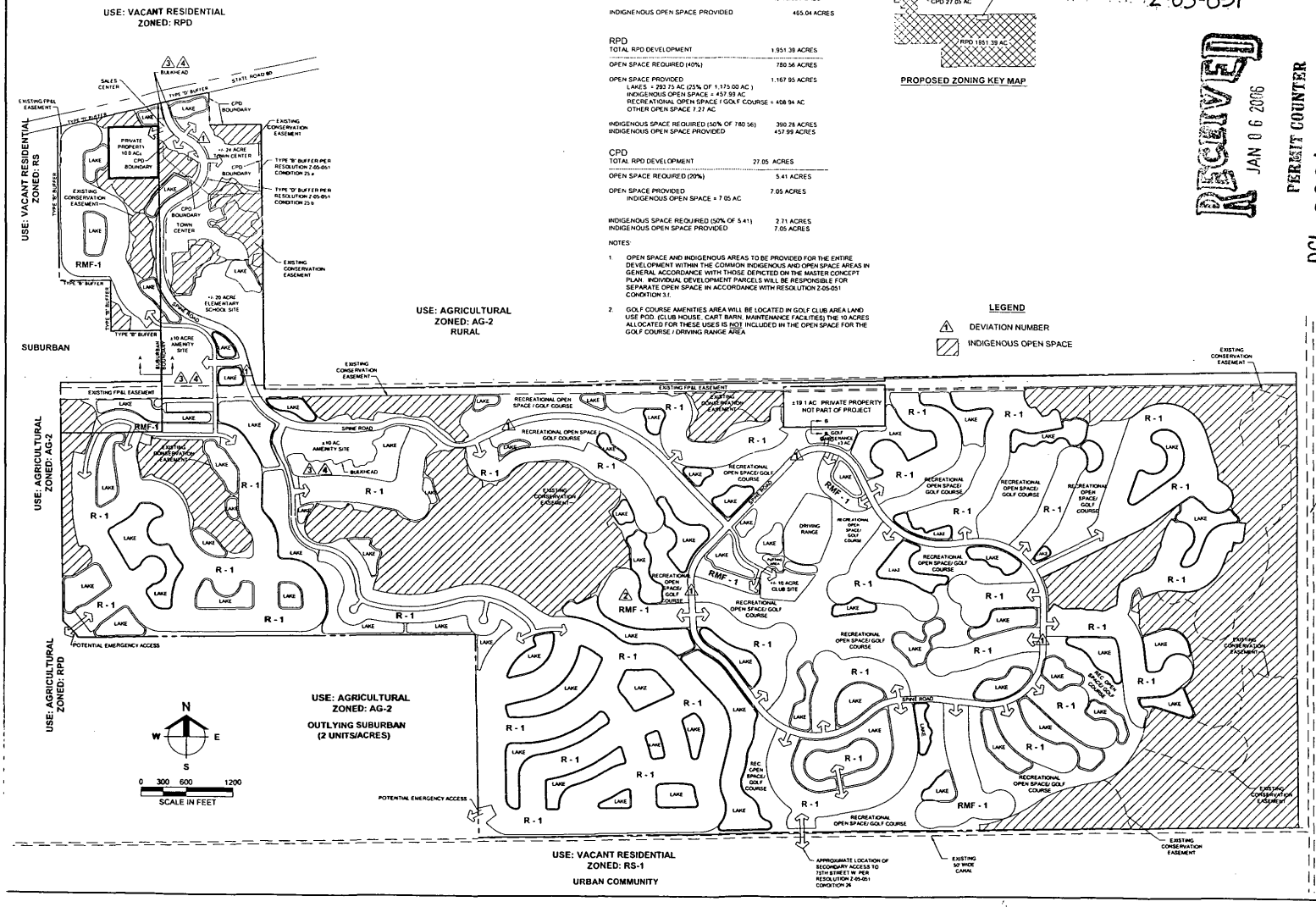
1. OPEN SPACE AND INDIGENOUS AREAS TO BE PROVIDED FOR THE ENTIRE DEVELOPMENT WITHIN THE COMMON INDIGENOUS AND OPEN SPACE AREAS IN GENERAL ACCORDANCE WITH THOSE DEPICTED ON THE MASTER CONCEPT PLAN. INDIVIDUAL DEVELOPMENT PARCELS WILL BE RESPONSIBLE FOR SEPARATE OPEN SPACE IN ACCORDANCE WITH RESOLUTION Z-05-051 CONDITION 3.f.
2. GOLF COURSE AMENITIES AREA WILL BE LOCATED IN GOLF CLUB AREA LAND USE POD. (CLUB HOUSE, CART BARN, MAINTENANCE FACILITIES) THE 10 ACRES ALLOCATED FOR THESE USES IS NOT INCLUDED IN THE OPEN SPACE FOR THE GOLF COURSE / DRIVING RANGE AREA



PROPOSED ZONING KEY MAP

LEGEND

- DEVIATION NUMBER
- INDIGENOUS OPEN SPACE



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POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
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FILE NAME	21988ZO2A.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\ZONING\REZONE\1
PLOT DATE	THU 1-5-2006 - 2:01 PM
PLOT BY	TOM HOLMLUND
DESIGN BY	TOM HOLMLUND

CROSS REFERENCED DRAWINGS

BASEPLAN = 21988Z00.DWG

PLAN REVISIONS	
5-17-05	ADD CPD BOUNDARY
1-3-2006	COUNTY COMMENTS

PLAN STATUS

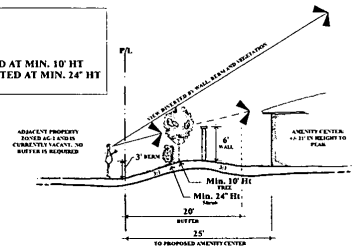
APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

MASTER CONCEPT PLAN
EXHIBIT C

PROJECT / FILE NO	SHEET NUMBER
21988	1 OF 2

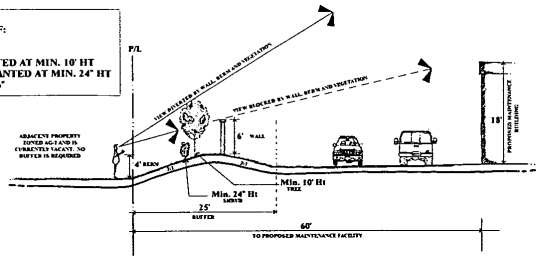
Exhibit C
Page 2 of 2
Approved as Exhibit C
MCP Page 2 of 2
Resolution # Z-05-051

PROPOSED
25' BUFFER CONSISTING OF:
3' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT AND MAINTAINED AT 36"



PROPOSED BUFFER FOR AMENITY CENTER (SECTION A-A)
NTS

PROPOSED
25' BUFFER CONSISTING OF:
4' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT AND MAINTAINED AT 36"



PROPOSED BUFFER FOR GOLF COURSE MAINTENANCE FACILITY (SECTION B-B)
NTS

DCI 2004-00054

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PERMIT COUNTER

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PHONE (239) 461-3170
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FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 · SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

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FILE NAME	21988ZS28.DWG
LAYOUT	LAYOUT 1
LOCATION	J:\21988\DWG\ZONING\REZONE1\
PLOT DATE	THU, 1-5-2006 - 2:01 PM
PLOT BY	TOM HOLMLUND
DESIGN BY	AUTHOR

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS

APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

TYPICAL
SECTIONS
EXHIBIT C

PROJECT / FILE NO	SHEET NUMBER
21988	2 OF 2

RECEIVED
MAY 19 1999
PERMIT COUNTER

Protected Species Management Plan

For

Schulman Parcel

Sections 27,34,35,36, Township 43 South, Range 26 East

Prepared for:

Lee County Department of Community Development
Division of Planning / Environmental Sciences
1500 Monroe St.
P.O. Box 398
Ft. Myers, FL 33902-0398

Prepared By:

Consul-Tech Engineering, Inc.
24831 Old 41 Rd.
Bonita Springs, FL 34135

99 03-066 03 Z 01.01
PROJECT # 12
PROJECT TYPE

CONSUL-TECH ENGINEERING, INC.

- Consulting Engineers
- Land Planners
- Land Surveyors
- Transportation Engineers
- Environmental Engineers
- Construction Managers
- GPS & GIS Consultants
- Forensic Engineers

Respond To:

Bonita Springs
24831 Old 41 Road
Bonita Springs, FL 34135
(941) 947-0266
FAX (941) 947-1323
E-mail: bonita@consul-t.com

Other Offices:

Corporate/Pompano Beach
(954) 785-8400
FAX (954) 785-5923
E-mail: corp@consul-t.com

Ft. Pierce
(561) 467-9085
FAX (561) 467-9350
E-mail: pierce@consul-t.com

Jacksonville
(904) 276-3100
FAX (904) 276-3102
E-mail: jackson@consul-t.com

Miami
(305) 599-3141
FAX (305) 599-3143
E-mail: mia@consul-t.com

Orlando
(407) 843-0094
FAX (407) 423-0085
E-mail: orl@consul-t.com

Pembroke Pines
(954) 436-5786
FAX (954) 436-7742
E-mail: pines@consul-t.com

South Dade
(305) 248-9444
FAX (305) 248-3644
E-mail: cei@consul-t.com

April 13, 1999

Ms. Betsi Newton-Hiatt
Ms. Kim Trebatoski
Lee County Department of Community Development
Division of Planning / Environmental Sciences
P.O. Box 398
Fort Myers, Florida 33902

Re: Protected Species Management Plan
1775 Acre Schulman Parcel
CTE # 98-0408

Dear Ms. Newton & Ms. Trebatoski

Please accept this protected species management plan for the above referenced project as resubmittal for our rezoning application. Please note that these plans are based on best available information. As new information or agency input becomes available, it may become necessary to revise some management policies. Management details will be finalized and provided at the time of development order submittal.

In the meantime, we would appreciate any suggestions you may have which might contribute to the success and longevity of listed species on this parcel. Should you have any comments or question regarding this management plan, please feel free to contact me at (941) 947-0266.

Sincerely,

CONSUL-TECH ENGINEERING, INC.

Matthew Goff
Environmental Scientist

99-03-066.03 Z 01.01

Gopher Tortoise Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Gopher tortoise *(Gopherus polyphemus)* burrows were found in several pine flatwoods, palmetto prairie, and rangeland habitats on the property (please see location maps provided with Protected Species Survey Report). Management practices shall follow established guidelines as referenced in Florida Game and Freshwater Fish Commission Nongame Wildlife Program Technical Report No. 4: Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations Found on Lands Slated for Large-Scale Development in Florida.The following items will address preservation of this species onsite:

1) Certain areas are to be preserved onsite in areas where gopher tortoises currently reside. Preserve location and acreage are available on the attached Master Concept plan (MCP). A permanent management commitment for the preserve area will be ensured by the filing of a conservation easement pursuant to F.S. 704.06.

2) A take permit from the Florida Game and Freshwater Fish Commission will be sought to collect and relocate gopher tortoises from areas to be impacted to the onsite preserve areas. This permit will negate density requirements for preservation areas.

3) Collection and relocation of gopher tortoises from areas to be impacted will occur as per Florida Game and Freshwater Fish Commission guidelines taking into consideration nesting periods or other requirements. Capture of tortoises shall occur via the bucket trapping method, whereupon a five-gallon bucket will be buried at the burrow entrance. The bucket will be covered with a thin piece of paper overlain with soil and shall have a hole of no less than one inch at the bottom to insure proper drainage. Each bucket will be monitored at least once per day for at least 28 days. Buckets will be checked and tortoises/commensals released in the morning to allow for thermal considerations. Captured animals will be immediately released into the preserve area and evenly distributed throughout the site at either inactive or 'starter' burrows.

4) Each burrow will be destroyed after removal of gopher tortoises. Relocation will occur as close to construction dates as possible to prevent repatriation to areas slated for development. During construction, a wire fence shall be set two feet above and below the ground surrounding the preserve area to prevent tortoises from entering construction areas postrelocation. Excavation will be conducted by individuals experienced in such work.

5) Every effort will be made to prevent entombment of gopher tortoises as per Lee County requirements.

6) Land usage abutting preserve acreage shall be designated as golf course / low density housing to the greatest extent practicable (please refer to MCP). Efforts such as informational signing will be utilized to avoid / minimize impacts to the preserve.

99-03-066.03 Z 01.01

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Additionally, a scrub jay specific spring survey was conducted between March22 - April 2, 1999 in order to better qualify jay utilization of the subject parcel. The results of these surveys demonstrate the following: 1) there appears to be no scrub jay nesting on-site, however, 2) territorial boundaries from two separate jay families do extend onto the subject parcel.

CTE staff realize that, according to the Florida Game and Freshwater Fish Commission (FGFWFC): Non-Game Wildlife Program's Technical Report No. 8: Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay, further surveys during foraging seasons (autumn) are required to accurately assess the scrub jay's habitat utilization on the site. Information regarding autumn acorn caching activities shall be integrated into the management strategy as it becomes available. The following activites are currently being planned to promote

Preservation measures shall be exclusively on-site. The following items will be used to address preservation of this species on-site:

1) Establishment of on-site satellite refuge. A refuge of approximately 80 acres is currently being planned in the southeast corner of Section 36 (please refer to Master Concept Plan for specific location). The preserve area is composed primarily of Type I habitat. Smaller areas of Type II habitat and wetlands occur within the preserve area as an artifact of site configuration This area shall serve as an outlying forage zone and dispersal corridor for scrub jays in the vicinity of the subject parcel. Current preserve area is strategically located so as to provide a continuous lanscape with the adjacent Hickey Creek Mitigation Park and maximal distance from major highways and other forms of human disturbance.

2) Commitment to the preserve area shall be demonstrated via the granting of a permanent conservation easement to the State of Florida.

3) Preserve area shall be managed in perpetuity to provide those habitat requirements essential to the well-being of scrub jay families. Final management activities to be provided in the development order submittal will address the following issues; A) financial responsibility, B) fire management program, C) placement of informational signage, D) prohibited property owner activities, E)preserve area fencing, F) appropriate landscaping considerations, G)preserve area monitoring.

99-03-066.03 Z 01.01

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Two American alligators *(Alligator mississippiensis)* were observed in the central herbaceous wetland areas located in Sections 35 and 36 on the property (please see location maps provided with Protected Species Survey Report). The following items will address preservation of this species onsite:

1) Available habitat (i.e. holds water year-round) for American Alligators on the subject site is currently restricted to two small artificial ponds. Construction of numerous lakes and deep-water areas on the subject site is anticipated (please see Master Concept Plan). These areas should significantly increase both the quality and quantity of habitat. Educational material such as signage and informational pamphlets will be strategically placed so as to discourage feeding and minimize interaction between residents and alligators.

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. The Lee County listed wading birds found onsite (non-nesting) were utilizing freshwater marsh areas (please see location maps provided with Protected Species Survey Report). Listed birds include little blue heron (*Egretta caerula*), tricolored heron (*Egretta tricolor*), wood stork *(Mycteria americana*) and the sandhill crane (*Grus canadensis pratensis*). The following items will address preservation of potential foraging and nesting habitats onsite:

1) Potential habitat areas to be preserved onsite include the following: 641-B thru 641-M, 643-A and 643-C thru 643-H. Educational material such as signage and imformational pamphlets will be utilized to minimize interaction between residents and the wading birds.

99-03-066.03 Z 01.01

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Florida burrowing owl (*Speotyto cunicularia floridana*) burrows were located in three of the pastures on the property (please see location maps provided with Protected Species Survey Report). The following items will address preservation of this species onsite:

1) Several golf course areas are to be developed onsite adjacent to currently active owl burrows and will provide suitable replacement habitat for the Florida burrowing owl.

2) A take permit from the Florida Game and Freshwater Fish Commission will be sought to avoid accidental mortality and mititgate for impacts to burrows during construction in areas where owls are currently located. A take permit will be sought for each active burrow on the subject property.

3) No taking of active burrows will occur, i.e., nests with eggs or fledglings. If construction is to occur in the areas of the owl burrows while they are active, buffers of 150 feet in radius will be established and maintained in order to minimize disturbances around the burrows during this period. Buffers will be staked and roped off prior to initiating construction.

4) The burrows will be destroyed during periods when nests are generally considered inactive, that is from July 10 - February 15 . Experienced CTE environmental staff will remove burrows by hand shoveling to ensure that no birds are harmed during the process.

99-03-066.03 Z 01.01

AFFIDAVIT

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

BEFORE ME this day appeared JAMES P. HARVEY, who, being first duly sworn, proposes and says:

1. He is the Vice-President of Hawk's Haven Developers, L.L.C., the applicant for rezoning in Case DCI2004-00054.

2. A portion of the subject property is currently being used, and historically has been used, for cattle grazing. A sketch showing the areas in question is attached as Exhibit "A".

FURTHER, AFFIANT SAYETH NAUGHT.

DONE AND EXECUTED THIS 7 DAY OF SEPTEMBER 2004.

James P. Harvey

The foregoing instrument was acknowledged before me this 7th day of SEPTEMBER, 2004 by JAMES P. HARVEY, who is personally known to me [✓], or has produced _____ as identification [___], and did/did not take an oath.

My Commission Expires:

Notary Public

DEBORAH M. O'HERN

Printed Name

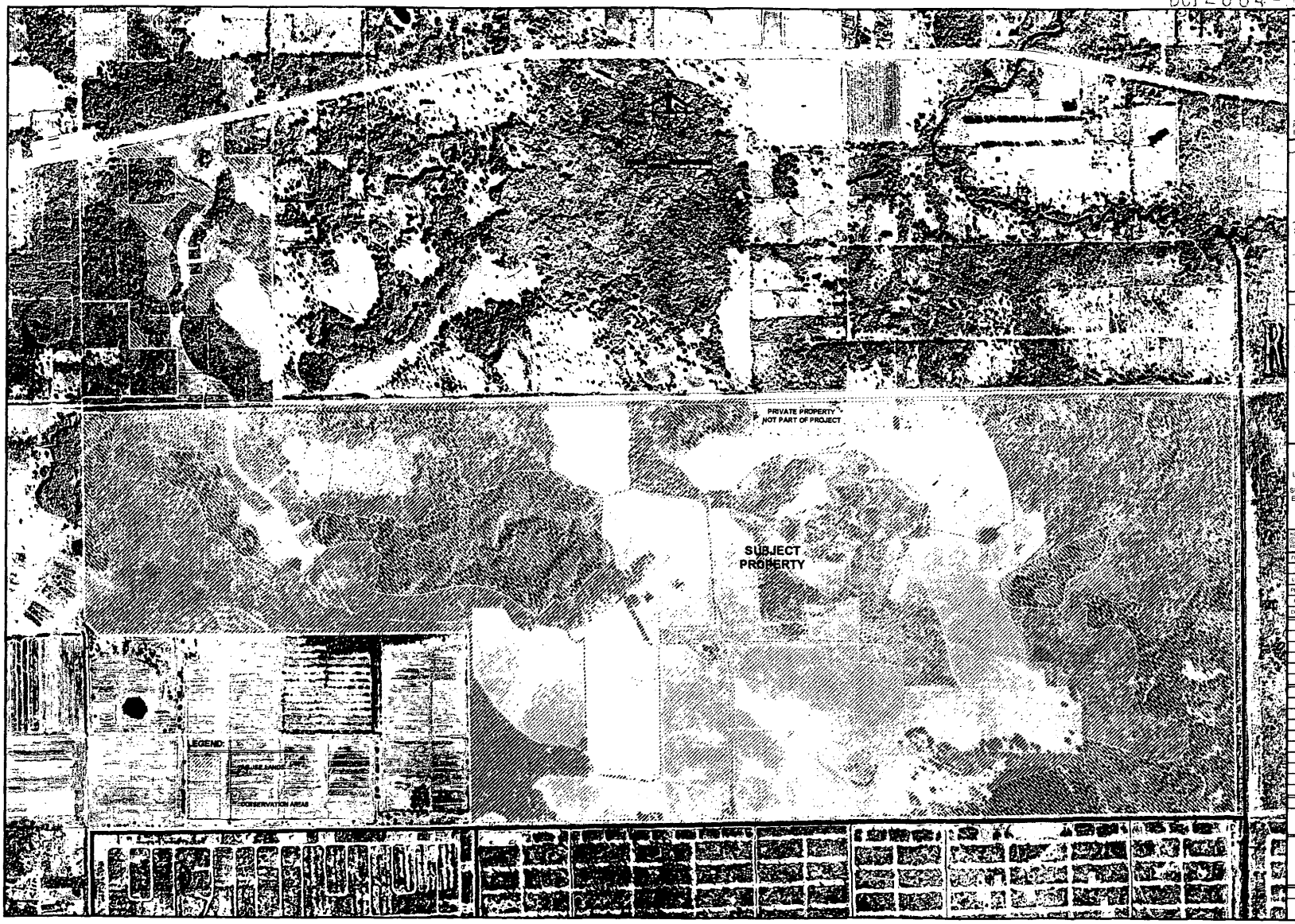
Deborah M O'Hern
My Commission DD046976
Expires August 01, 2005

OCT 26 2004

PERMIT COUNTER

DCI2004-00054

DCI2004-0...



Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 481-3170
FAX (239) 481-2189
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 · SURVEYING LB-6940

LandMar GROUP, LLC
7202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT LEADERSHIP

HAWK'S HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

NOT VALID WITHOUT ORIGINAL SEAL, SIGNATURE AND DATE
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FILE NAME	21988-AG_USE.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\EXHIBITS\
PLOT DATE	NOV 3 24 2005 9:33 AM
PLOT BY	TODD VANA
DESIGN BY	GREGG LATHROP
XREF1	BASEPLAN + 21988A.DWG
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

HAWK'S HAVEN CDD

AG USE EXHIBIT

PROJECT FILE NO.	SHEET NUMBER
21988	A

DCI2004-00054

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Legal Description

Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:
Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet tot he East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W) (chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,316.66 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along the Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run

N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet to the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels:

From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 858.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "B" run S88°44'46" along the South line of the Southeast Quarter (SE 1/4) for said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.

From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to

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an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

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DCI2004-00054

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: January 13, 2006

TO: Carmen Solome
Executive Assistant to
Chairwoman Tammara Hall

FROM: Dawn E. Perry-Lehnert
Assistant County Attorney

RE: BOCC ZONING RESOLUTION FROM THE SEPTEMBER 19, 2005 MEETING
RIVER HALL, fka Hawk's Haven RPD
RESOLUTION Z-05-051

Attached is an original resolution adopted by the Board at the September 19, 2005, zoning meeting. This resolution has been reviewed and approved as to form and is ready for the Chairwoman's signature. After the Chairwoman signs the resolution, please forward it to the Minutes Department for attestation and further processing.

Please note, the delay of this submission for the Chairwoman's signature is due to required revisions to the approved Master Concept Plan (MCP) by the project applicant. Lee County Land Development Code, Section 34-377(b)(6), requires the project's MCP conform to the Board's approval. Consequently, changes had to be made to the MCP before the resolution could be signed.

Thank you for your assistance with respect to the above. Should you have any questions, please do not hesitate to contact me.

DPL/amp
Attachment

cc: Jamie Princing, DCD, Zoning
Lisa Pierce, Minutes Department

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MINUTES OFFICE
2006 JAN 18 AM 8:55

DC12004-00054

RESOLUTION NO. 05-12-222

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, IN SUPPORT OF THE RIVER HALL COMMUNITY DEVELOPMENT DISTRICT PETITION TO EXPAND THE DISTRICT, AND TO AUTHORIZE THE COUNTY MANAGER AND COUNTY ATTORNEY TO TAKE PROPER AND REASONABLE ACTION NECESSARY TO SUPPORT THE PETITION.

WHEREAS, Chapter 190, Florida Statutes, provides for establishment and expansion of a Uniform Community Development District pursuant to rulemaking triggered by petition to the Governor and Cabinet sitting as the Florida Land and Water Adjudicatory Commission (FLAWAC); and

WHEREAS, Florida Administrative Code Rule 42YY-1 was adopted by FLAWAC on April 21, 2005, establishing River Hall Community Development District encompassing 1,926.03 acres; and

WHEREAS, River Hall Community Development District has petitioned the Governor and Cabinet to expand the District boundaries within unincorporated Lee County to include an additional 32 acres generally described as:

> All that portion of land lying in the southwest quarter (SW 1/4) of Section 25, Township 43 south, Range 26 east, lying south of the former Seaboard Railroad, Lee County, Florida; and

WHEREAS, the proposed district boundary expansion does not, and by law may not, affect the rights, authority and duty of Lee County to regulate land use and growth on the District property; and

WHEREAS, prior to the filing of the petition with the Governor and Cabinet the River Hall Community Development District, on October 31, 2005, submitted the petition to Lee County for its review, along with a processing fee of $1,500.00; and

9:30 PH1
12-13-05

WHEREAS, under Section 190.046(d)(4), Florida Statutes, Lee County may notice and conduct an optional hearing on what position, if any, to take on the boundary expansion petition; and

WHEREAS, the exercise of its power and functions by a community development district government must by law comply with, not function inconsistent with, must be compatible with, and subject to, all laws, policies, regulations and ordinances of Lee County governing the existing and future use of the land on which the proposed district is established, as provided in Chapter 190, Florida Statutes; and

WHEREAS, the exercise of the board of supervisors of the general and special powers of a community development district is subject to all procedural requirements including noticed meetings, government-in-the-sunshine, ethics and conflicts of interest, and various limitations on the powers, functions and duties of the district; and

WHEREAS, the adoption of this Resolution of Support will not under any circumstances prejudice or preempt any land use decisions currently in effect or to be decided in the future by Lee County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, that, having considered and reviewed the subject Petition and the representations and acknowledgments of the River Hall Community Development District, its representatives and counsel, the Board finds and determines that:

(1) expansion of the existing community development district in this particular instance is in the best interest of Lee County and its citizens; and

(2) it is in the best interests of the citizens of Lee County to support the establishment of the proposed district expansion;

(3) in order to provide appropriate protection for the citizens of Lee County that will reside within this District, the Board proposes that the following language be included in the enacting legislation for this District:

Any seller of property within the boundaries of the River Hall Community Development District, including their seller's successors and assigns, must include the disclosure statement contained in Section 190.048, Florida Statutes, in the initial land purchase agreement as well as all subsequent purchase agreements. This condition will apply for the life of the Community Development District; and

(4) the Board so instructs the County Manager and County Attorney to take such actions as are proper and reasonable to support the proposed district expansion and to take steps to file this Resolution in the record of the rulemaking process.

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

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

DULY PASSED AND ADOPTED this 13th day of December 2005.

ATTEST:
CHARLIE GREEN, CLERK

BY: Michele B. Cooper
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Tammara Hall
Chairwoman

Approved as to form by:

_____
Dawn E. Perry-Lehnert
County Attorney's Office

S:\LU\DPL\UCDD\River Hall CDD\Resolution.wpd DPL

12/15/05 ngc
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LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: (239) 335-2236
Facsimile 239-335-2606

September 30, 2005

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SEP 30 2005
COMMUNITY DEVELOPMENT

Matthew Uhle, Esq.
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Suite 301
Fort Myers, FL 33901

Re: River Hall f/k/a Hawk's Haven
Case No.: DCI2004-000054
Resolution: Z-05-051

Dear Matt:

On September 19, 2005, the Board approved the request of Hawk's Haven Developers, L.L.C., for a rezoning to RPD/CPD. The enclosed resolution draft has been prepared to reflect the Board's approval. However, before this document may be sent to the Chairman for execution, a revised Master Concept Plan must be attached. Additionally, a separate legal description and sketch of the RPD area must be provided for attachment to the resolution, in addition to the other legal descriptions included with this draft.

The Master Concept Plan currently in my files does not accurately reflect the Board's action. Please submit an appropriately revised document to the Department of Community Development for review, approval and transmittal to our office for attachment to the resolution. A redlined copy of the available MCP is attached to assist in compliance with this request.

Once prepared, the revised MCP, including the required 11 copies (in both full size and reduced 11" by 17" sheets), must be delivered to County Staff at the first floor zoning counter at the Department of Community Development (1500 Monroe Street). After the revised MCP has been received, it will be reviewed for conformity with the Board's approval and, if correct, it will be attached to the zoning resolution and directed to the Chairman for execution.

Should you have any questions concerning the above, please do not hesitate to contact me. Please note, at your request, our office will schedule a meeting that includes appropriate county staff to discuss the necessary changes to the MCP and resolution required to conform these documents to the Board's action.

With kind regards, I am

Very truly yours,

Dawn E. Perry-Lehnert
Assistant County Attorney

DPL/tlb
Enclosure
cc: Pam Houck, Zoning Division Director, Development Services
Tony Palermo, Planner, Development Services
Kim Trebatoski, Principal Planner, DCD
Billie Jacoby, Administrative Assistant, DCD Administration

S:\LU\Zoning-2005\05-051 Hawks Haven RPD-River Hall\Agenet Letter 2.wpd

MEMORANDUM
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER

RECEIVED
AUG 10 2005
ZONING

DATE: **August 9, 2005**

TO: **Board of County Commissioners**

FROM: **Diana M. Parker**
County Hearing Examiner

RE: **Hearing Examiner Recommendation**

Enclosed you will find the following Hearing Examiner Recommendation:

HEARING DATE: **JUNE 15, 2005**

DCI2004-00054 **HAWK'S HAVEN DEVELOPMENT, LLC, in reference to RIVER HALL (formerly known as Hawk's Haven RPD)**

The above referenced Hearing Examiner Recommendation has been rendered as of this date. The Development Services Division has advised that the BOCC Zoning Hearing is tentatively scheduled for **Monday, September 19, 2005**. Development Services will forward a copy of the Recommendation to the Board prior to that time in the pink zoning notebooks.

Official transcripts were obtained as the record in the hearing before the Hearing Examiner (in lieu of the usual summary presentation). Copies of those transcripts (along with an advance copy of the Recommendation) are being forwarded to you at this time. **Please retain these copies since additional copies of the transcripts will not be contained in your zoning notebook.**

If you have any questions concerning this or any other procedure, or need additional information, please let our office know.

cc: Tim Jones / CAO
Jamie Princing / Community Development
Andy Getch / LCDOT
Sue Noe / Economic Development
Matt Noble / Community Development

DCI2004-00054
Dawn Perry-Lehnert / Asst. Co. Atty.
Tony Palermo / Community Development
Kim Trebatoski / Environmental Sciences

JAMIE PRINCING
COMMUNITY DEVELOPMENT

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

RECEIVED
AUG 10 2005
ZONING

REZONING: DCI2004-00054
APPLICANT: HAWK'S HAVEN DEVELOPERS, LLC, in reference to RIVER HALL (formerly known as Hawks' Haven RPD)
HEARING DATE: JUNE 15, 2005

I. APPLICATION:

This matter came before the Lee County Hearing Examiner as an Application for a Rezoning to a Residential Planned Development/Commercial Planned Development (RPD/CPD) pursuant tothe Lee County Land Development Code (LDC).

Filed by HAWK'S HAVEN DEVELOPERS, L.L.C.,c/o JAMES P. HARVEY, VICE PRESIDENT, 2202 North West Shore Boulevard, Suite 125, Tampa, Florida 33607 (Applicant); LEVITT AND SONS AT HAWK'S HAVEN, L.L.C., c/o JEFFREY HOYOS, 777 Glades Road, Suite 410, Boca Raton, Florida 33434; THE SCHOOL DISTRICT OF LEE COUNTY, c/o BILL MOORE, 3800 Canal Street, Fort Myers, Florida 33916 (Owners); KNOTT, CONSOER, EBELINI, HART & SWETT, P.A., c/o MATTHEW D. UHLE, ESQ., 1625 Hendry Street, Suite 301, Fort Myers, Florida 33901 (Agent).

Request is to Rezone ±1,978.44 acres from Residential Planned Development (RPD) and Agricultural (AG-2) to Residential Planned Development/Commercial Planned Development (RPD/CPD) to add 181 acres, 401 dwelling units, an elementary school site, and a town center consisting of a maximum of 45,000 square feet of commercial uses to the Hawk's Haven RPD, Zoning Resolution #Z-99-056. The request is for a total of 1,999 dwelling units (single- and multi-family) with a golf course, a public school, and a maximum of 15,000 square feet of offices and 30,000 square feet of retail uses. Maximum building heights are 45 feet (three stories) for residential uses, 35 feet (two stories) for commercial uses, and 60 feet (three stories) for recreational uses. No development blasting is requested.

The subject property is located on the southside of Palm Beach Boulevard (S.R. 80), about one-half on a mile east of Buckingham Road, just west of Linwood Avenue in the Fort Myers Shores area, in Section 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida (District #5).

II. STAFF REPORT AND RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Tony Palermo. The Staff Report is incorporated herein by this reference.

III. RECOMMENDATION OF HEARING EXAMINER:

The undersigned Lee County Hearing Examiner recommends that the Lee County Board of County Commissioners **APPROVE** the Applicant's request for a rezoning from RPD and AG-2 to RPD and CPD for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

A. CONDITIONS:

1. The development of this project must be consistent with the 2-page Master Concept Plan (MCP) entitled "RIVER HALL: Formerly known as Hawk's Haven," stamped received MAY 23, 2005, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

a. **SCHEDULE OF USES**

RESIDENTIAL, GOLF & AMENITY SITES

Accessory Uses and Structures
Administrative Office
Agricultural Uses - See Conditions 3.h and 9.
Club - country and private
Consumption on Premises - limited to the clubhouse/amenity areas. No outdoor seating unless approved as a special exception (public hearing required).
Dwelling Units - maximum of 1,999 units to be comprised of single-family (R-1 or RMF-1), *two*-family attached (RMF-1), townhouse (RMF-1), multiple-family (RMF-1), zero-lot-line units (RMF-1)

Densities may not be shifted between land use categories unless a new public hearing occurs and the provisions of Policy 5.1.11 of the Lee Plan are followed.

Entrance Gates and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, Water Retention - No blasting and removal of excavated material off site is not permitted.
Fences and Walls
Golf Course - 36 holes, golf maintenance facility, cart barn and related accessory uses to a golf course.
Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
Golf Driving Range
Golf Training Facility

Model Home and Model Unit - must be in compliance with LDC Sec. 34-1954

Model Display Center, must be in compliance with LDC Sec. 34-1955, limited to one which must be located in the sales center area shown on the MCP and must only serve this project.

Parking Lot, Accessory

Parks, Group I

Real Estate Sales Office - limited to sales of lots, homes or units within the development, and must be located in the clubhouse, amenity or model unit sites.

Recreational Facilities - Private, On-site only

Residential Accessory Uses - In compliance with LDC Sec. 622(c)42 and LDC Article VII Division 2.

Signs, in compliance with LDC Chapter 30

Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and must be shielded behind acontinuous 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

Temporary Uses

TOWN CENTER (CPD)

Maximum 15,000 sf office and maximum 30,000 sf retail within the Town Center CPD parcel only.

Accessory Uses and Structures

Administrative Office

Agricultural Uses - See Condition 3/h and 9.

Banks and Financial Establishments, Group I

Business Services, Group I

Consumption on Premises - Indoor only in conjunction with a Restaurant use only. No outdoor seating unless approved as a special exception. (public hearing required)

~~Convenience Food & Beverage Store~~

Day Care Center, Adult & Child

Drive Though in connection with any approved use except drugstore/pharmacy.

EMS, Fire or Sheriff's Station

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention - No blasting; Removal of excavated material off site not permitted.

Food Stores, Group I (may sell food and non-food products)

Hardware Store

Laundry or Dry Cleaning, Group I

Parking lot, accessory

Personal Services, Group I

Pharmacy/Drugstore - limited to one with a multi-occupancy complex only and no drive-through.

Place of Worship, Religious Facilities
Real Estate Sales Office
Repair Shop, Group I
Restaurant, Groups I, II, III
Specialty Retail Shops, Group I
Temporary Uses

~~No fast food, self-service fuel pumps, car washes, or convenience food & beverage stores.~~

ELEMENTARY SCHOOL SITE

Public Schools and Related Accessory Uses

b. Site Development Regulations

Minimum Lot Area and Dimensions - Single-Family

Width:	45 feet
Depth:	120 feet
Lot Size:	5,400 sf

Minimum Lot Area and Dimensions - Multi-Family

Width:	75 feet
Depth:	100 feet
Lot Size:	10,000 sf

Minimum Lot Area and Dimensions - Commercial

Width:	200 feet
Depth:	100 feet
Lot Size:	20,000 sf

Minimum Setbacks

Single Family

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	5 feet *
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the Land Development Code.

* No structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may be constructed or placed within the required 5-foot side setbacks; or Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Maximum Lot Coverage - 60 percent

Two-Family Attached and Zero Lot Line

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	0/5 feet **
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the Land Development Code.

Minimum Distance Between Buildings: 15 feet

** Side opposite zero-lot-line or two-family attached structure. No structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may be constructed or placed within the required 5-foot side setbacks; or Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Maximum Lot Coverage - 60 percent

Townhouse & Multifamily

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	N/A
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the Land Development Code.

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Clubhouse, Amenity & Golf Maintenance Buildings

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	15 feet
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the Land Development Code.

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 60 percent

Commercial

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	15 feet
Rear-	20 feet

Water Body - 20 feet
Accessory - Per the Land Development Code.

Minimum Distance Between Buildings - 20 feet

Maximum Lot Coverage - 45 percent

Maximum Height

45 feet/3 stories for Residential uses.
35 feet/3 stories for Commercial uses.
35 feet/3 stories for Recreational/Amenity sites on the perimeter of the subject property.
Recreational/Amenity sites on the interior may be 60 feet/three stories.

c. GOLF DRIVING RANGE:

If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and be shielded and directed away from any adjacent residential area.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 is hereby adopted. Prior to local development order approval, the location of the American alligator management plan signage must be delineated on the development order plans for Division of Environmental Sciences' review and approval. The warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19,1999 is hereby adopted. Any revisions to the tortoise management plan are subject to Environmental Sciences' review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19,1999, must be revised for Division of Environmental Sciences' review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer per LDC Appendix H, or commit to a detailed relocation management plan. Should the Applicant demonstrate it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. A detailed scrub jay management plan must be provided to the Division of Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel," counter stamped May 19, 1999. The finalized scrub jay management plan must be approved

by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. A detailed sandhill crane management plan must be provided to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

f. Open space must be provided per the Master Concept Plan. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

g. A minimum of 465 acres of indigenous preservation areas must be provided in substantial compliance with the Master Concept Plan. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract being developed.

h. All indigenous preservation areas must be barricaded to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.

i. Prior to local development order approval, the plans for any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences' Staff review and approval.

j. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. An on-site preconstruction meeting must be held with Division of Environmental Sciences' Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

4. The following recommendations are presented in order to mitigate future hurricane damage and/or loss of life, as well as to ensure compliance with comprehensive plan objectives.

a. The Applicant must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who 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. The Applicant must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or any portions thereof, is through a security gate or similar device, which is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC Sec. 34-1749.

d. The Applicant/Developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the Developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

a. The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,648 dwelling units may be constructed in the Rural designated areas of the project.

b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation, at the time of rezoning, the available Rural allocation must be determined by the Planning Division prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table I(b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table I(b). Adequate data and analysis to support this amendment must be submitted by the Applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1 (b) allocations will not be permitted until Table 1 (b) is amended accordingly.

6. The following conditions are included to address concerns about the golf course:

a. Fertilizers with a low leaching potential (slow release) must be used, must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan which includes an integrated pest management (IPM) program and a nutrient management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. No turf managed areas (including fairways, tees, and greens) are permitted within 35 feet of wetlands or preserve areas. This chemicals

management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state *to* use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, as amended.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use.

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identifying the locations for the ground water monitoring and testing on a map(s); setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and should the pollution be caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until there is a revised management plan. If mitigation is necessary to address the pollution, a mitigation plan approved by Lee County must be implemented by the Developer.

7. 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 constructing model homes within this project, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for River Hall (fka Hawk's Haven) or the LDC, whichever applies. Should setback problems arise after construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem.

d. Hours of operation for model units and real estate sales within the model units are limited to Monday through Sunday, 8 a.m. through 8 p.m.

8. DELETED.

9. AGRICULTURAL USES - Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

a. Bona fide agricultural uses that are in existence at the time this resolution is approved and as shown on Attachment **"J"** of the Staff Report may continue until approval of a local Development Order for the area of the project containing those uses.

b. Additional clearing or grading of existing agricultural uses is prohibited. This prohibition is not intended to preclude County approved requests for the removal of exotic species.

c. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

10. In no event, will construction traffic be permitted on Hickey Creek Road.

11. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC Sec 34-2174(a).

12. Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The Developer must pursue this access approval with the 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.

13. Approval of this rezoning does not give the Applicant/Developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table I(b).

14. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

15. The Applicant/Developer is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the Applicant/Developer provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the Applicant/Developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

16. If the Applicant/Developer constructs structures other than conventional single-family homes within 100 feet of any of the "out parcels," the Developer must provide a 25-foot-wide enhanced vegetative buffer completely around the out parcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to any vertical construction and it must be installed according to the following density and size:

a. Six (6) trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2-1/2 inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees, may be used to meet the requirements of this enhanced buffer.

b. Thirty-three (33) shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions. If these '"outparcels" come under the control of the Developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

17. Vehicle access from the northern boundary of the subject property over and across Hickory Creek Road is prohibited.

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

19. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

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

21. Upon passage of this Zoning Resolution, Zoning Resolution #Z-99-056 and Administrative Amendment ADD2004-00067 are both null and void.

22. The school site is limited to a public school operated by the School District of Lee County.

23. Outdoor storage areas must be in compliance with Section 34-3001, et seq,, of the Lee County Land Development Code, with the additional requirements as outlined on page 2 of 2 of the attached Master Concept Plan, including a 200-foot perimeter setback and enhanced buffer.

24. A plan showing landscaping in accordance with page 2 of 2 of the approved Master Concept Plan ;must be submitted and approved prior to the issuance of a development order for the golf course maintenance facility and amenity center.

25. No signage will be allowed within 50 feet of the right-of-way of Palm Beach Boulevard (State Road 80) that references the town center.

26. BUFFERS.

a. A Type "B" buffer must be added to the Master Concept Plan for the "Town Center" portion bordering agriculturally-zoned property to the east, per the LDC. This buffer will not include the existing conservation areas as shown on the approved Master Concept Plan.

b. A Type "D" buffer must be added to the Master Concept Plan on the "Spine Road" for the commercial Town Center portion of the property, per the LDC.

27. The Master Concept Plan must be amended to include a 2nd full access, which crosses the existing 50-foot-wide canal to the south to connect into 75th Street West in Lehigh Acres. The Applicant/Developer may show the access at any location along the southern boundary of the property except where the MCP show conservation easements. The Applicant/Developer is not obligated to construct this access until Lee County has issued a certificate of occupancy for 1,598 homes within the project. Any responsibilities regarding improvements to 75th Street West or other abutting Lehigh roads will be determined at the time the access is approved for construction. The County will work with the Applicant/Developer to obtain approval to bridge the 50-foot-wide canal.

28. 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.

The Applicant/Developer may obtain the necessary development orders when the project meets Lee County Concurrency requirements. Such approval may require either road improvements and/or a reduction in requested intensity and/or density.

B. <u>DEVIATIONS:</u>

Deviation 1 seeks relief from the LDC Section 10-385(d)(3)(a) requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the spine road where no homes exist. The Hearing Examiner recommends **APPROVAL** of this deviation.

Deviation 2 - WITHDRAWN AT HEARING.

Deviation 3 seeks relief from LDC Sec. 10-329(d)(4), which requires lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25 percent of the shoreline of lake banks. The Hearing Examiner recommends **APPROVAL** of this deviation.

Deviation 4 seeks relief from LDC Sec. 34-2194(b), which requires 25-foot setbacks from bodies of water, to require 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits. The Hearing Examiner recommends **APPROVAL** of this deviation.

IV. HEARING EXAMINER DISCUSSION:

This is a request to rezone an irregularly shaped 1,978+-acre tract from RPD and AG-2 to RPD/CPD for development of a residential golf course community, with a small town center (commercial) component and an elementary school. The subject property is located on the south side of Palm Beach Boulevard, about one-half mile east of Buckingham Road, and is surrounded by vacant AG-2 lands to the north (across Palm Beach Boulevard), AG-2 zoned lands developed with single-family residences and the Hickey Creek Mitigation Park on the east, RS-1 zoned lots to the south in the north Lehigh Acres area to the south, and a mixture of AG-2 and residential zoning districts and uses to the west. The tract has three Lee Plan land use designations: approximately 1,648 acres are designated Rural; about 80 acres are designated Suburban; and 251.5 acres are designated Wetlands.

ISSUE - The only issue remaining after the public hearing was whether Applicant should be required to construct a secondary access point along its south boundary to provide additional access to this project.

Throughout the discussions, Staff remained adamant that Applicant had to provide a secondary access onto 75th Street in Lehigh Acres, and that they had to improve 75th Street to Lee County standards to accommodate that additional traffic. They pointed out that the sprawling almost 2,000-acre commercial/residential development encompassed almost three square miles, but would only have one access point under Applicant's MCP. They acknowledged that the MCP depicted two emergency access points, but asserted that those access points would be restricted to use by emergency vehicles and personnel; they would not provide unrestricted access to the residents of this large development.

Staff stated that the secondary access point would take some of the pressure off the main access/entrance on State Road 80, which will serve not only the 1,999 dwelling units, but also the 1,000+-student elementary school and the 45,000-square-foot commercial center. They asserted that good planning principles and provisions in the Land Development Code dictated that this large development have a second access point for the good of the residents of the projects and the surrounding roadway network. They cited to LDC Section 10-291(3), [1] which

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[1] LDC Section 10-291(3) sets out that:

> The director will determine whether any residential development of more than five acres . . . must provide more than one means of ingress or egress for the development. Additional access points may be needed for continuation of an existing street pattern, to provide access to adjoining properties, or where additional access is needed to provide alternate access for emergency services. Where feasible, these alternate access points should not be made on to the same roadway. For planned developments, the determination of the

gave the Director the authority to determine whether a residential development would have a second access point. If Applicant did not agree with the Director's determination, they were given the right to request a Deviation from that requirement. Since Applicant had not requested a Deviation from that provision, Staff believed that they must be required to abide by the requirement as determined by the Director.

Applicant responded in a three-fold manner: First, they argued that the secondary access issue had arisen in the 1999 Hawk's Haven approval, and that neither the Hearing Examiner nor the BOCC had required them to provide a secondary entrance in that case. They did not believe one should be required now, as the subject project will be only 181 acres and 401 dwelling units larger than the 1999 Hawk's Haven project.

They concurred with Staff and the Hickey Creek Road residents that access to their neighborhood on the north boundary was not appropriate, given the nature of the neighborhood, and stressed that it was also inappropriate to make them provide access into Lehigh Acres. Since the subject property was separated from the RS-1 zoned lots in Lehigh Acres by a 40-foot-wide canal, they would have to obtain access over that canal to get to one of the north/south roadways. They also pointed out that their traffic consultant estimated that only 10 to 14 percent of the project's traffic would even utilize an entrance into Lehigh Acres, which they believed was minimal in the overall scope of this project.

Secondly, they pointed out that their project was going to have a 4-laned, divided main entrance. If one-half of that entrance was blocked, the other half could still accommodate 2-way traffic. In addition, they were providing two emergency access points, which would ultimately lead out to Buckingham Road, which they believed was consistent with the established precedent in the County. They stated that several large residential projects, including the 2005 Portico project on Buckingham Road, were not required to provide two entrances, being allowed, instead, to have their extra-wide main entrance fulfill that requirement. Applicant could not understand why Staff and the Director were not willing to apply that precedent to this project, especially since the Hawk's Haven project had already been approved without a second entrance.

Thirdly, they objected to having the second access, if constructed, being considered a "site related" improvement, which would require them to make improvements to the adjacent substandard Lehigh roadways. Applicant asserted that Staff had not met the rational nexus test for imposing that condition, in that they did not believe that Staff had proven that the second entrance was necessary or that the project's use would generate significant adverse impacts on the transportation network in Lehigh Acres. They reiterated that, at most, only 10 to 14 percent of their residents would use that back entrance; that would equate to only 199 to 276 of the 1,999 families in this development. In Applicant's opinion, that number was minimal and did not justify the requirement that they improve the Lehigh Acres roadways - at the potential cost of hundred of thousands of dollars. They noted that those roadways have not been maintained by the County, and had been substandard in design and materials when they were initially constructed. Applicant reiterated that it was neither equitable nor appropriate to expect them to bring those roadways up to current standards.

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director should be requested concurrent wit the application for sufficiency. A deviation or variance will only be required in cases where a determination of the director is sought to be changed or overturned.

Staff responded that Applicant was over-reacting to the condition, because the actual improvements to the Lehigh roadways were unknown at this time, but could end up being very minor in costs and efforts. They stressed that, in respect to the roadway improvements, Applicant was not being treated any differently than any other developer of such a large project that would be affecting the adjacent roadway network.

Background and Discussion of the Request

The existing RPD portion of the property is comprised of about 1,797 acres and was rezoned as Hawk's Haven RPD in 1999 for development of a golf course community with 1,598 mixed single-family and multi-family dwelling units. The approved density in that RPD Master Concept Plan (MCP) was .88 units per acre. At that time, there were several parcels, under different ownership, abutting or encircled by the RPD property that were not part of the RPD rezoning. Applicant has recently purchased a couple of those out-parcels, but two such out-parcels still exist within the property's boundaries.

Applicant wants to amend the basic Hawk's Haven site design to add 181+ acres of AG-2 zoned lands, to increase the approved number of dwelling units from 1,598 to 1,999, and to create a 24-acre commercial node (CPD) along State Road 80 in the northeast corner of the site. The CPD will consist of about 30, 000 square feet of minor retail uses and 15,000 square feet of office type uses, with a maximum height of 35 feet (2 stories). A 20-acre parcel, south of the commercial node, is being planned by the Lee County School Board for an elementary school. The density of the River Hall project, with the additional 401 units, will be 1.01 units per acre.

The main access will still be a 4-laned, divided "boulevard" connecting into State Road 80, and continuing southward to form the spine road off which the nine or so residential pods are to be located. The subject property has a 2,000+-foot frontage along State Road 80, but only proposes one access point onto that arterial. An emergency access point is depicted in the southwest corner into the recently approved Portico RPD, which is to be a 589-acre, 1,178-unit residential community accessing onto Buckingham Road. No secondary access or other emergency access point is provided on the MCP.

Several smaller areas and the entire eastern boundary of the subject property contain a mixture of uplands and wetlands that are being placed in conservation easements to address the preservation and protection of several listed species found on the site. Gopher tortoises, burrowing owls, alligators, scrub jays and sandhill cranes were found to inhabit or forage on the site, and management plans are being prepared for each species. The easternmost conservation easement/preserve abuts the Hickey Creek Mitigation Bank, which will provide additional protection for the gopher tortoises and other listed species utilizing this site and the adjacent Mitigation Bank conservation area.

The MCP will preserve as many as possible of the 250 acres of wetlands on the site, and will provide a total of 465 acres of preserved areas and indigenous open space. The to-be-constructed on-site lakes will total approximately 294 acres - which will increase the visual openness of the site as well as the total open space.

Applicant has already obtained five development orders, based on the Hawk's Haven MCP, and construction has commenced on several portions of the property. Site clearing and preparation work has commenced on the majority of the site, and the main entrance, spine road and infrastructure is currently under construction. The development order to commence construction

on the 24-acre senior residential community (owned by Levitt & Son) was approved in March 2005, and construction has commenced on that site. The development orders approved for these constructions are consistent with the River Hall MCP. If revision of the MCP is required that would change the original approvals, Applicant and the other property owners would have to amend those development orders.

Applicant has requested 30,000 square feet of retail uses for the CPD town center, including such uses as banks, offices, consumption on premises, restaurants, day care center, a convenience food and beverage store, food stores, hardware stores, drugstore, repair shops, specialty retail, real estate sales office, and laundry/dry cleaning storefronts. They intend for the uses to be "accessory" to the residential uses on this site, so that their residents will not have to leave the property to pick up minor items from a drugstore and convenience food and beverage store or food store, as well as having easy access to dry cleaners, repair shops and banks. They do not anticipate a lot of off-site traffic coming to the CPD area, given the other retail stores and uses at the Buckingham Road and State Road 80 intersection.

Applicant also requested four Deviations from the provisions of Chapters 10 and 34 of the Land Development Code, but withdrew Deviation 2 at the public hearing. The remaining Deviations relate to: not placing fire hydrants along the spine road where there are no houses; to allow bulkheading of up to 25 percent of the lakes adjacent to State Road 80, and 10 percent of the lakes adjacent to the golf course and amenity centers; and to allow a 20-foot-wide setback from the manmade lakes. The fire hydrant Deviation and 20-foot-wide waterbody setback had both been approved in the 1999 RPD rezoning.

Staff's Analysis

Staff recommended approval of the RPD/CPD rezoning request, with conditions, finding that the request, as conditioned, will be consistent with the Lee Plan and the Land Development Code, and the uses will be compatible in this area. They found that the proposed development, as conditioned, will not be detrimental to the public health, safety and welfare, or to any of the environmentally sensitive areas on or adjacent to the site.

Staff noted that the proposed rezoning included CPD uses which were not part of the 1999 Hawk's Haven RPD approval. They recommended that some of Applicant's requested retail uses be deleted. Among those uses were the drugstore and the convenience food and beverage store requests. Applicant had offered to delete the gas pumps and the 24-hour operation from the convenience food and beverage store and drugstore, but Staff believed those uses would attract outside traffic. Staff suggested approval of the Food Stores, Group I, in lieu of the convenience food and beverage store, as it would allow Supermarkets, which would provide the products that Applicant had indicated they wanted. Supermarkets carried food prepared for consumption on premises, fresh, frozen and prepackaged food items, household and laundry products, pet food, car products, and an assortment of other miscellaneous items sometimes needed in the home or on the property.

With the exception of the secondary access issue, all the other issues and matters had been resolved by Staff and Applicant before or during the public hearing.

Public Input

Several residents and members of various Lehigh Acres civic associations attended the public hearing to request that Applicant be required to provide an interconnection into Sunshine Parkway or some other north/south roadway. Such an interconnection would provide Lehigh residents with "direct" access to State Road 80, instead of having to go Buckingham Road on the far west side or to Joel Boulevard on the far east side of Lehigh Acres. They understood that a north/south interconnection with Sunshine Parkway, a 200-foot-wide right-of-way, was probably not feasible, since it would mean transecting the subject property's easternmost preserve area, and/or the Hickey Creek Mitigation Bank preserve. Nevertheless, they argued that the growth in Lehigh Acres demanded that the County start providing more north/south connections to State Road 80, and this case was an excellent opportunity to address their growing need. They strongly urged the Hearing Examiner to require the secondary access onto 75th Street, and to prevent Applicant from installing a gate across that entrance, which would prevent Lehigh residents from using it.

Several residents of the residential community to the north of the subject property attended the public hearing to protest against any potential connection from this project to Hickey Creek Road and through their neighborhood. They agreed with Applicant that the matter had arisen in the 1999 rezoning and neither that Hearing Examiner nor the BOCC had required that developer to provide access into their community. They were present at the public hearing to ensure that the BOCC's former decision was not changed in this case.

Hearing Examiner Analysis

The undersigned Hearing Examiner concurs with Staff's analysis, findings and recommendation of approval, as conditioned herein, finding that the requested rezoning meets the criteria for approval set out in the Land Development Code, and is consistent with the intent of the Lee Plan and the Land Development Code. She also finds that the request, as conditioned herein, is compatible with the uses and density in the area, and will not be detrimental or injurious to the neighborhood or the public health, safety and welfare.

While the Hearing Examiner understands Applicant's arguments against the second access point along the south boundary, she agrees that a second access point is necessary for this very large, sprawling planned development. She points out that, under the Hawks' Haven MCP, only the traffic associated with the residential use would have been using the entrance. However, in this case, not only the traffic associated with the 1,999 dwelling units, but also that associated with the elementary school and the commercial development will be using the "double-wide" access/entance onto Palm Beach Boulevard (State Road 80).[2] In her opinion, the addition of the school and the commercial node changed the nature and amount of traffic that would entering and exiting onto Palm Beach Boulevard, and would affect the surrounding road network in a different manner.

---

[2] While Applicant asserts that the town center will serve only the residents of this community, the Hearing Examiner finds that the current MCP depicts no means of preventing residents or travelers from the surrounding community from entering the subject property from Palm Beach Boulevard to get to the commercial center. In fact, it is only a logical to conclude that both the commercial and school parcels will be located outside of any gated entrance into the project's residential pods.

The Hearing Examiner also acknowledges that, in all likelihood, only the residential traffic would use the rear entrance, and, assuming Applicant's projections are correct, only a minor amount at that. Nevertheless, use of that rear entrance will relieve the traffic impacts on the front entrance and on Palm Beach Boulevard and the surrounding roadways in that area.

While the Hearing Examiner recognizes that LDC Section 10-291(3) gives the Director of Community Development and/or Development Review "unregulated" discretion, she finds, in a review of a number of previous approvals, that those discretionary decisions has been quite consistent with regard to the secondary access requirement. Most of the cases she reviewed that allowed the "double-wide" entrance and/or additional emergency access points to substitute for a "secondary access" were projects of less than 100 acres.

Only one of the larger projects - Portico RPD - was allowed to substitute the wider entrance and additional emergency access point for a second access, and it can be distinguished from the project herein. The Portico RPD is comprised of almost 590 acres and was approved for 1,178 dwelling units with an extra-wide entrance and two emergency access points into Hawk's Haven. The project herein is more than three times larger than the Portico RPD, and has almost twice as many dwelling units, as well as having the commercial and school uses.

For these reasons, the Hearing Examiner is supporting Staff's condition requiring Applicant to create a second access somewhere along the south boundary.

With regard to Applicant's rational nexus argument, the Hearing Examiner understands the point Applicant is attempting to make, but cannot agree with it. She points out that no specific expenditure or improvement has been demanded of Applicant against which she or the BOCC can judge whether the requirement is unreasonable and overburdensome.

It is the Hearing Examiner's opinion that the conditions imposed herein are reasonably related to the impacts anticipated from the proposed uses, and, with other regulations, will safeguard the public's interests.

It is also the opinion of the Hearing Examiner that the Deviations, as conditioned, herein enhance the objective of the planned development and promote and protect the public health, safety and welfare.

V. FINDINGS AND CONCLUSIONS:

Based upon the Staff Report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

A. That the Applicant has proved entitlement to this RPD/CPD rezoning request, as conditioned, by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes or regulations.

B. That the RPD/CPD, as conditioned, will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.

C. That the RPD/CPD, as conditioned, is consistent with the densities, intensities and general uses set forth in the Lee Plan.

D. That the RPD/CPD uses, as conditioned, are compatible with existing or planned uses in the surrounding area.

E. That approval of the RPD/CPD rezoning, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities, and the development will be served by streets with the capacity to carry traffic it generates.

F. That the RPD/CPD, as conditioned, will not adversely affect environmentally critical areas and natural resources.

G. That the proposed mix of uses in the RPD/CPD, as conditioned, are appropriate at the subject location.

H. That the recommended conditions to the Master Concept Plan are reasonably related to the impacts anticipated from the proposed development, and, with other regulations, will provide sufficient safeguard to the public interest.

I. That the approved Deviations, as conditioned, will enhance the objective of the proposed development, and will promote the protection of the public health, safety and welfare.

J. That urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

VI. LIST OF EXHIBITS:

Master Concept Plan, two pages, dated May 20, 2005, revised May 17, 2005, prepared by Barraco and Associates, Inc., date stamped "RECEIVED MAY 23, 2005 PERMIT COUNTER".

STAFF'S EXHIBITS

1 2002 Aerial photograph (color)

2 Composite exhibit consisting of PAM & HEX Rec. #99-03-066-03Z 01.01 and emails from public

3 Composite exhibit consisting of photographs (8 ½" x 11" - color)

4 Copy of LDC Section 34-3104 - Clearing, grading or filling of land

Résumés of Lee County Staff are on file with the Hearing Examiner's Office and are incorporated herein.

APPLICANT'S EXHIBITS

1 Master Concept Plan for River Hall, prepared by Barraco & Associates, plot date June 15, 2005, last revised May 17, 2005, labeled Sheet 1 of 2 [board]

2 2004 Master Concept Plan for Hawk's Haven, prepared by Barraco & Associates, plot dated June 15, 2005, labeled Sheet 1 of 2 [board]

3 Master Land Use Summary for River Hall Country Club Phase 2, prepared by Barraco & Associates, plot dat June 15, 2005, labeled Sheet 4 [board]

4 Lake Bulkhead Cross-section (8 ½" x 11")

Résumés of Applicant's consultants are on file with the Hearing Examiner's Office and are incorporated herein.

OTHER EXHIBITS

Anderson

1 Copy of Lehigh Acres Watchdog, Inc., Resolution, dated June 9, 2005

Miller

1 Letter of Concern, dated June 15, 2005

Morris

1 Letter of Concern, dated June 15, 2005

Turbeville

1 Copy of Board of Directors of the LACPC Resolution, dated June 8, 2005

VII. PRESENTATION SUMMARY:

See the Official Court Reporter Transcript

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Carl Barraco, c/o Barraco & Associates, 2271 McGregor Boulevard, Fort Myers, Florida 33907

2. Grady Miars, c/o Landmark Group, LLC, 9110 College Pointe Court, Fort Myers, Florida 33907

3. Ken Passarella, c/o Passarella & Associates, Inc., 9110 College Pointe, Fort Myers, Florida 33919

4. Mike Roeder, c/o Knott, Consoer, Ebelini, Hart & Swett, 1625 Hendry Street, Fort Myers, Florida 33901

5. Ted Treesh, c/o Metro Transportation Group, 12651 McGregor Boulevard, Ft. Myers, Florida 33919

ADDITIONAL COUNTY STAFF:

1. Andy Getch, c/o Lee County Department of Transportation, P. O. Box 398, Fort Myers, Florida 33902-0398

2. Dawn Perry-Lehnert, Assistant County Attorney, P. O. Box 398, Fort Myers, Florida 33902-0398

3. Kim Trebatoski, c/o Environmental Sciences, P. O. Box 398, Fort Myers, Florida 33902-0398

PUBLIC PARTICIPATION:

A. THE FOLLOWING PERSONS TESTIFIED OR SUBMITTED EVIDENCE FOR THE RECORD AT THE HEARING (SEE SECTION VII.):

For:

1. Eric Liebl, 1414 SE 22nd Street, Cape Coral, Florida 33990

2. William Rounsifer, P. O. Box 50354, Fort Myers, Florida 33994

Against:

1. Linda Carter, 704 Homer Avenue N., Lehigh Acres, Florida 33970

2. Charles DiFelice, 702 Willow Drive, Lehigh Acres, Florida 33936

3. Cheryl Kook, 17540 Oak Creek Road, Alva, Florida 33920

4. John Miller, 1006 Alaska Avenue, Lehigh Acres, Florida 33970

5. Terry Weiss, 17540 Oak Creek, Alva, Florida 33920

General:

1. Robert Anderson, P. O. Box 1778, Lehigh Acres, Florida 33970

2. Charles Morris, 17630 Oak Creek Road, Alva, Florida 33920

B. THE FOLLOWING PERSONS SUBMITTED A LETTER/COMMENT CARD, OR OTHERWISE REQUESTED A COPY OF THE HEARING EXAMINER RECOMMENDATION:

For:

1. Ryan Dugan, 8359 Beacon Boulevard, Suite 401, Fort Myers, Florida 33907

2. Rodolfo Naranjo, 2835 SW 82nd Avenue, Miami, Florida 33158

3. Damon Shelor, 211 Jackson Avenue, Lehigh Acres, Florida 33972

4. Bo Turbeville, 516 Lake Avenue, Lehigh Acres, Florida 33972

Against:

1. James Waller, 17270 Oak Creek Road, Alva, Florida 33920

General:

1. Gale Cutshall, 21731 Tuckahoe Road, Alva, Florida 33920
2. Walter S. Gee, 12345 Palm Beach Boulevard SE, Fort Myers, Florida 33905
3. Phillip Reutebuan, 3106 13th Street SW, Lehigh Acres, Florida 33971
4. Nancy Valantasis, 1425 Newfound Harbor Drive, Merritt Island, Florida 32952

IX. LEGAL DESCRIPTION:

See Exhibit A (scanned legal description).

X. UNAUTHORIZED COMMUNICATIONS:

Unauthorized communications shall include any direct or indirect communication in any form, whether written, verbal or graphic, with the Hearing Examiner, or the Hearing Examiner's staff, any individual County Commissioner or their executive assistant, by any person outside of a public hearing and not on the record concerning substantive issues in any proposed or pending matter relating to appeals, variances, rezonings, special exceptions, or any other matter assigned by statute, ordinance or administrative code to the Hearing Examiner for decision or recommendation. . . . [Administrative Code AC-2-5]

No person shall knowingly have or attempt to initiate an unauthorized communication with the Hearing Examiner or any county commissioner [or their staff]. . . . [LDC Section 34-52(a)(1), emphasis added]

Any person who knowingly makes or attempts to initiate an unauthorized communication . . . [may] be subject to civil or criminal penalties which may include: [Section 34-52(b)(1), emphasis added]

Revocation, suspension or amendment of any permit variance, special exception or rezoning granted as a result of the Hearing Examiner action which is the subject of the unauthorized communication. [LDC Section 34-52(b)(1)b.2.]; OR

A fine not exceeding $500.00 per offense, by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. [LDC Section 1-5(c)]

XI. HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS:

A. This recommendation is made this 9th day of August, 2005. Notice or copies will be forwarded to the offices of the Lee County Board of County Commissioners.

B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

C. The Board of County Commissioners will hold a hearing at which they will consider the record made before the Hearing Examiner. The Department of Community Development will send written notice to all hearing participants of the date of this hearing before the Board of County Commissioners. Only participants, or their representatives, will be allowed to address the Board. The content of all statements by persons addressing the Board shall be strictly limited to the correctness of Findings of Fact or Conclusions of Law contained in the recommendation, or to allege the discovery of relevant new evidence which was not known by the speaker at the time of the earlier hearing before the Hearing Examiner and not otherwise disclosed in the record.

D. The original file containing the original documents used in the hearing before the Hearing Examiner will be brought by the Staff to the hearing before the Board of County Commissioners. Any or all of the documents in the file are available on request at any time to any County Commissioner.

XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

A verbatim transcript of the testimony presented at the hearing can be purchased from the court reporting service under contract to the Hearing Examiner's Office. The original documents and file in connection with this matter are located at the Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, Florida.

DIANA M. PARKER
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

EXHIBIT PH-3.C.1

DCI2004-00054

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

RECEIVED MAY 23 2005 PERMIT COUNTER

DESCRIPTION
Parcel in
Section 27, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Section 27, Township 43 South, Range 26 East, Lee county, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W ½) of said Section 27 for 1322.39 feet to the Southeast corner of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27 and the POINT OF BEGINNING.

From said Point of Beginning continue S00°51'17"E along said East line for 897.03 feet; thence run S89°08'43"W for 678.49 feet to an intersection with the Northwesterly line of Conservation Easement CE-5, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run N50°41'11"W leaving said Northwesterly line for 752.69 feet; thence run N00°49'17"W for 199.39 feet to an intersection with the Northerly line of Conservation Easement CE-2, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run N56°53'01"E leaving said Northerly line for 164.06 feet to a point on a non-tangent curve and intersection with the Westerly right of way line of a Proposed Road described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run northwesterly along an arc of curve to the right of radius 550.00 feet (delta 31°54'17") (chord bearing N28°46'55"W) (chord 302.32 feet) for 306.26 feet to a point of tangency; thence run N12°49'46"W along said Westerly right of way line for 146.41 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 641.66 feet to an intersection with the West line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

Containing 27.05 acres, more or less.

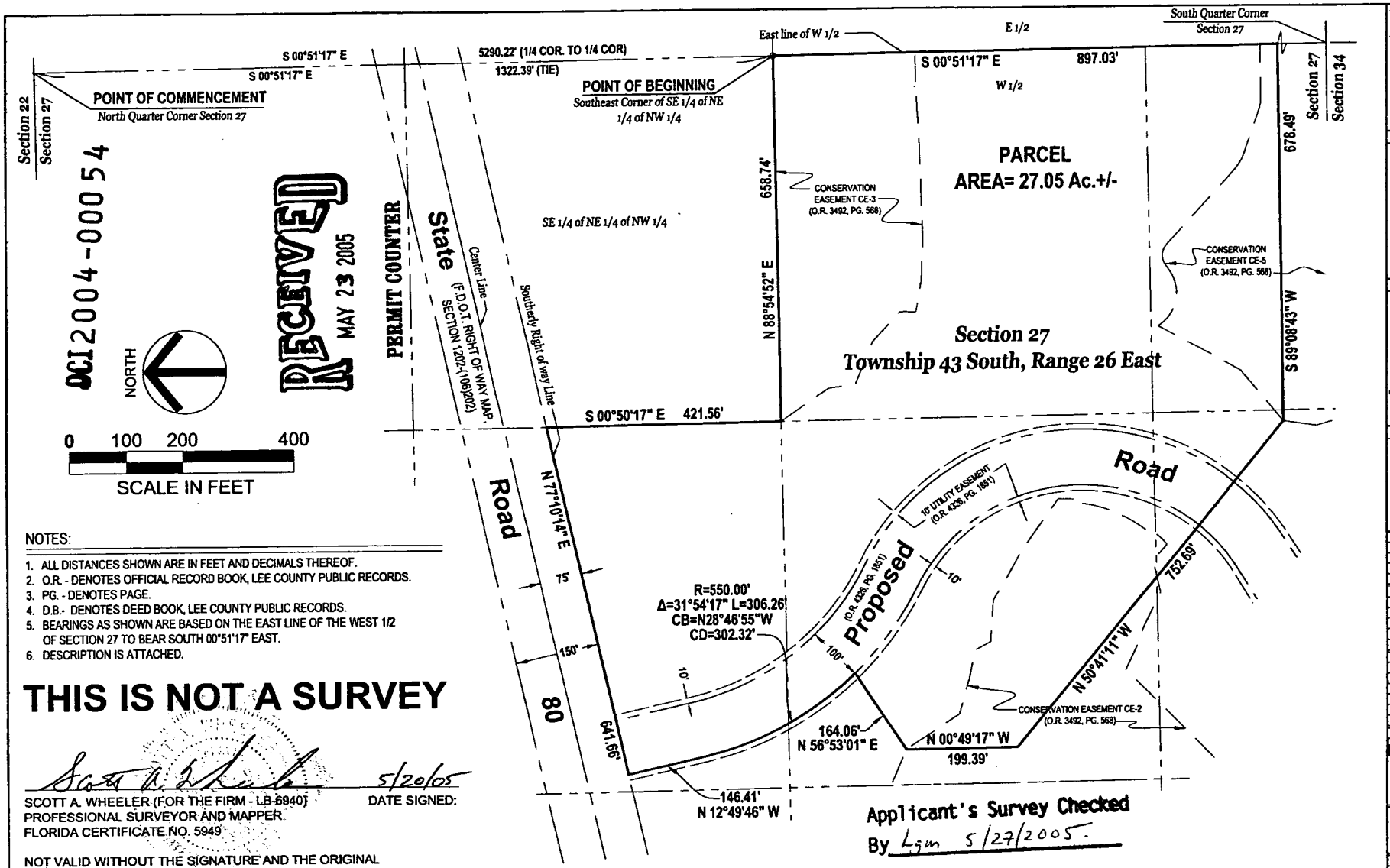
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

Applicant's Legal Checked
by Lgm 5/27/2005.

5/20/05
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\21988 - Hawks Haven\DESC\21988SK20desc.doc

EXHIBIT A



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B.- DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE EAST LINE OF THE WEST 1/2 OF SECTION 27 TO BEAR SOUTH 00°51'17" EAST.
6. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

5/20/05

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER.
FLORIDA CERTIFICATE NO. 5949

DATE SIGNED:

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

Applicant's Survey Checked
By Lgm 5/27/2005.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3180
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7985 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0136
FAX (813) 784-6388

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	27HWKN2LDWG
LAYOUT	LAYOUT1
LOCATION	J:\27HWKN\SURVEY\HWKNSKETCH
PLOT DATE	FRI, 5-20-2005 - 3:45 PM
PLOT BY	BRANDON HARDY
DRAWING DATA	
SURVEY DATE	05-20-2005
DRAWN BY	FTC/BRH
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	

PLAN REVISIONS

STAMP NUMBERS

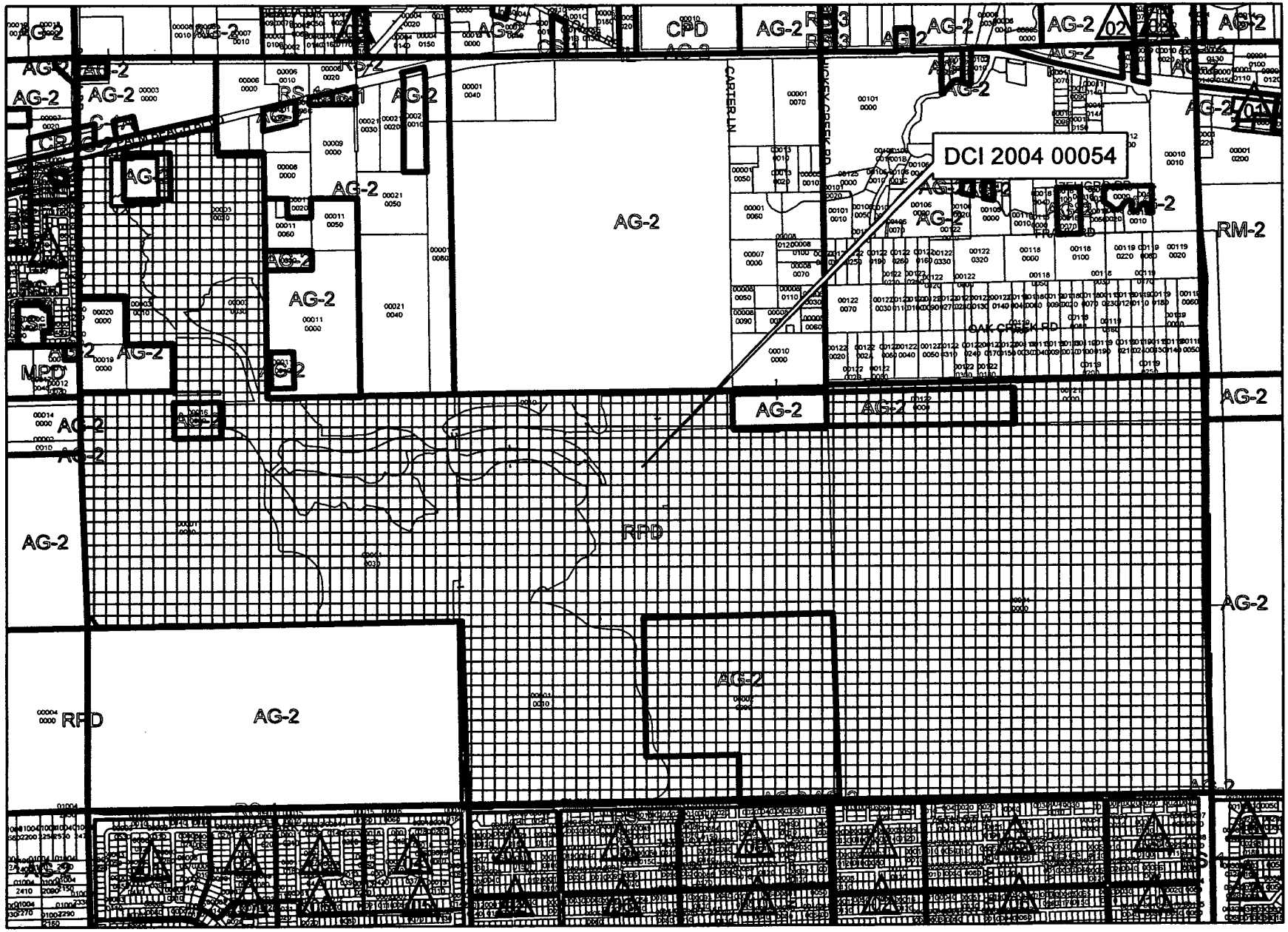
EXHIBIT PH-3.D.2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
27HWK 27-43-26	2 OF 2

DCI2004-00054 RIVER HALL RPD/CPD (FKA HAWK'S HAVEN)

5/12/2005



N
W E
S

Attachment A

2,200 1,100 0 2,200 Feet

LEE COUNTY, FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING DIVISION

STAFF REPORT

TYPE OF CASE: **PLANNED DEVELOPMENT/DCI**

CASE NUMBER: **DCI2004-00054**

HEARING EXAMINER DATE: **JUNE 15, 2005**

I. APPLICATION SUMMARY:

A. Applicant: Hawk's Haven Developers, LLC in ref. to River Hall (formerly known as Hawk's Haven RPD)

B. Request: Rezone +/- 1,978.44 acres from Residential Planned Development (RPD) and Agricultural (AG-2) to Residential Planned Development/Commercial Planned Development (RPD/CPD) to add 181 acres, 401 dwelling units, an elementary school site, and a town center consisting of a maximum of 45, 000 square feet of commercial uses to the Hawks Haven RPD, Resolution #Z-99-056. The request is for a total of 1,999 dwelling units (single- and multi-family) with a golf course, a public school, and a maximum of 15,000 square feet of offices and 30,000 square feet of retail. Maximum building heights are 45 feet/3 stories for residential uses, 35 feet/2 stories for commercial uses, and 60 feet/3 stories for recreational uses. No development blasting is requested.

C. Location: The subject property is located on the south side of Palm Beach Blvd (SR 80), about ½ mile east of Buckingham Rd., just west of Linwood Avenue in the Fort Myers Shores area, at 17750 Alva, FL 33920, 2970 Hickey Creek Rd, Alva, FL 33920, 3 properties at Ft. Myers, FL 33905(access undetermined), and 4 properties at Alva, FL 33920 (Access Undetermined), in S25, 26, 27, 34, 35, 36-T43S-26E, Lee County, FL. (District #5)

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property:

Future Land Use Category:	Rural (1,647.55 acres) Suburban (79.47 acres) & Wetlands (251.42 acres)
Current Zoning:	Residential Planned Development (RPD) & Agriculture (AG-2)
Existing Land Use	Vacant. Livestock grazing, pasture (AG exemptions) Construction underway for residential subdivision.

E. Surrounding Land Use:

Existing Zoning & Land Use		Future Land Use Map
North:	Palm Beach Blvd/SR 80 then largely vacant Agricultural (AG-2) zoned land and a vacant Commercial (C-1A) tract.	Rural
East:	AG-2 zoning. Rural single-family development and Hickey Creek Mitigation Park.	Rural/ Upland Conservation
South:	Canal, then Residential (RS-1) zoned lots in Lehigh Acres. Mostly vacant land with paved and unpaved roads.	Urban Community
West:	AG-2, RM-2 & RS-1 zoned tracts, residential development including Hawk's Preserve residential development (single-family).	Suburban & Rural

F. Size of Property: +/- 1,978.44 acres

II. RECOMMENDATION:

This approval includes the Hawk's Haven Residential Planned Development (RPD) and adding +/- 181 acres of Agricultural (AG-2) land to Hawk's Haven (#Z-99-056 as previously amended by ADD2004-00067). Staff's recommendations are in strike-through underline to illustrate the changes to Resolution #Z-99-056. This is a rezoning request from RPD to RPD/CPD, not an amendment to the RPD.

Staff recommends **APPROVAL** of the Applicant's request to rezone +/- 1,978.44 acres of land from Residential Planned Development (RPD, Zoning Resolution #Z-99-056, Hawk's Haven) and Agricultural (AG-2) to Residential Planned Development & Commercial Planned Development (RPD/CPD) with the following conditions and deviations:

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "**RIVER HALL: FORMERLY KNOWN AS** Hawk's Haven," stamped received ~~July 15, 1999, last revised 07/02/99,~~ **MAY 23, 2005** except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

a. **Schedule of Uses**

RESIDENTIAL, GOLF & AMENITY SITES

Accessory Uses and Structures
Administrative Office
Agricultural Uses ~~(cattle raising in undeveloped phases prior to development and nursery operations for plantings used on-site only)~~ See Conditions.

Club - country and private

Consumption on Premises - limited to ~~one in~~ the clubhouse/amenity areas. No outdoor seating unless approved as a special exception (public hearing required).

Dwelling Units - maximum of ~~1,598~~ **1,999** units to be comprised of single-family (R-1 or RMF-1), *two*-family attached (RMF-1), townhouse (RMF-1), multiple-family (RMF-1), zero-lot-line units (RMF-1)

Densities may not be shifted between land use categories unless a new public hearing occurs and the provisions of Policy 5.1.11 of the Lee Plan are followed.

Entrance Gates and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, Water Retention - No blasting.
REMOVAL OF EXCAVATED MATERIAL OFFSITE NOT PERMITTED.
Fences and Walls
Golf Course - 36 holes, golf maintenance facility, cart barn and related accessory uses to a golf course.
Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
Golf Driving Range
Golf Training Facility
Model Home and Model Unit - must be in compliance with LDC Sec. 34-1954
Model Display Center, must be in compliance with LDC Sec. 34-1955, limited to one ~~which must be located in the sales center area shown on the MCP~~ and must only serve this project.
Parking Lot, Accessory
Parks, Group I
Real Estate Sales Office - limited to sales of lots, homes or units within the development, ~~except as may be permitted in§ 34-1951 *et seq.* The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding ten years from the date the Certificate of Occupancy for the sales office is issued if Deviation (2) is approved, otherwise the Real Estate Sales Office use is valid for five years from the date the Certificate of Occupancy for the sales office is issued]. The director may grant one 2-year extension at the same location.~~ AND limited to clubhouse, amenity or model unit sites.
Recreational Facilities - Private, On-site only

Residential Accessory Uses - In compliance with LDC Sec. 622(c)42 and LDC Article VII Division 2.
Signs, in compliance with LDC Chapter 30
Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and 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
Temporary Uses

TOWN CENTER (CPD)

Maximum 15,000 s/f office and maximum 30,000 s/f retail within the Town Center CPD parcel only.

Accessory Uses and Structures
Administrative Office
Agricultural Uses - SEE CONDITIONS
Banks and Financial Establishments, Group I
Business Services, Group I
Consumption on Premises - Indoor only in conjunction with a Restaurant use only. No outdoor seating unless approved as a special exception. (public hearing required)
~~Convenience Food & Beverage Store~~
Day Care Center, Adult & Child
Drive Though in connection with any approved use except drugstore/pharmacy.
EMS, Fire or Sheriff's Station
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention - (No blasting)
REMOVAL OF EXCAVATED MATERIAL OFFSITE NOT PERMITTED.
Food Stores, Group I
Hardware Store
Laundry or Dry Cleaning, Group I
Parking lot, accessory
Personal Services, Group I
Pharmacy/Drugstore - limited to 1 with a multi-occupancy complex only. No drive-through.
Place of Worship, Religious Facilities
Real Estate Sales Office
Repair Shop, Group I
Restaurant, Group I, II, III
Specialty Retail Shops, Group I
Temporary Uses

No fast food, self-service fuel pumps, car washes, or convenience food & beverage stores.

ELEMENTARY SCHOOL SITE

Public Schools and Related Accessory Uses

~~VII, Division 2~~

b. Site Development Regulations

~~Limited to the standards shown in Attachment B, except that a minimum of 20 feet will be maintained for stacking in driveways.~~

Minimum Lot Area and Dimensions - Single-Family

Width: 45 feet
Depth: 120 feet
Lot Size: 5,400 s/f

Minimum Lot Area and Dimensions - Multi-Family

Width: 75 feet
Depth: 100 feet
Lot Size: 10,000 s/f

Commercial

Width: 200 feet
Depth: 100 feet
Lot Size: 20,000 s/f

Minimum Setbacks

Single Family

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 5 feet *
Rear- 15 feet
Water Body - 20 feet
Accessory - Per the Land Development Code.

* No structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may be constructed or placed within the required 5-foot side setbacks; or Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Maximum Lot Coverage 60%

Two-Family Attached and Zero Lot Line

Road - Palm Beach Blvd 25 feet/Private Roads 20 feet
Side - 0/5 feet **
Rear- 15 feet
Water Body - 20 feet
Accessory - Per the Land Development Code.

Minimum Distance Between Buildings: 15 feet

** Side opposite zero lot line or two-family attached structure. No structures, including but not limited to, sidewalks, air conditioners, mechanical equipment, door stoops, walls, etc. may be constructed or placed within the required 5-foot side setbacks; or Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the *typical lot grading detail* provided.

Maximum Lot Coverage: 60%

Townhouse & Multifamily

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	N/A
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the Land Development Code.

Minimum Distance Between Buildings: 20 feet

Maximum Lot Coverage: 60%

Clubhouse, Amenity & Golf Maintenance Buildings

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	15 feet
Rear-	15 feet
Water Body -	20 feet
Accessory -	Per the Land Development Code.

Minimum Distance Between Buildings: 20 feet

Maximum Lot Coverage: 60%

Commercial

Road -	Palm Beach Blvd 25 feet/Private Roads 20 feet
Side -	15 feet
Rear-	20 feet
Water Body -	20 feet
Accessory -	Per the Land Development Code.

Minimum Distance Between Buildings: 20 feet

Maximum Lot Coverage: 45%

Maximum Height : ~~Three stories, or 45 feet, whichever is the lesser amount.~~

45 feet/3 stories for Residential uses.
35 feet/3 stories for Commercial uses.
35 feet/3 stories for Recreational/Amenity sites on the perimeter of the subject property.
Recreational/Amenity sites on the interior may be 60 feet/3 stories.

c. ~~Commercial uses are limited to the following:~~ **GOLF DRIVING RANGE:**

If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and shielded and directed away from any adjacent residential area.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 is hereby adopted. Prior to local development order approval, the location of the American alligator management plan signage must be delineated on the development order plans for Division of ~~Planning,~~ Environmental Sciences review and approval. The warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19,1999 is hereby adopted. ~~If gopher tortoises are moved out of harm's way utilizing the "bucket trapping method," all buckets must be checked for tortoises a minimum of three times a day. An alternative method of tortoise relocation may be proposed (with details) at the time of local development order submittal.~~ Any revisions to the tortoise management plan are subject to ~~Division of Planning,~~ Environmental Sciences review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19,1999 must be revised for Division ~~of Planning,~~ Environmental Sciences staff review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer per LDC Appendix H, or commit to a detailed relocation management plan. Should the Applicant demonstrate it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. A ~~final~~ detailed scrub jay management plan must be provided to the Division of ~~Planning,~~ Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19, 1999. The finalized scrub jay management plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. A detailed sandhill crane management plan must be provided to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

f. Open space must be provided per the Master Concept Plan. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

g. A minimum of 463 acres of indigenous preservation areas must be provided in substantial compliance with the Master Concept Plan. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract being developed.

h. All indigenous preservation areas must be barricaded to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.

i. Prior to local development order approval, any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences staff review and approval.

~~e. Open space must be provided per the open space table on the MCP counter stamped July 15, 1999. The open space table provides 643.9 acres of preserve area and lakes. The golf course tract provides 531 acres of open space. All individual tracts, excluding tracts of single-family lots greater than 6,500 square feet, must provide a minimum of 10 percent open space within the tract. Individual tract open space may be met with private open space.~~

~~f. Indigenous open space must be provided per the "Impact and Mitigation Plan" dated February 22, 1999 revised May 5, 1999. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract being developed.~~

~~g.~~ j. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. An on-site preconstruction meeting must be held with Division of ~~Planning~~/Environmental Sciences Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

4. The following recommendations are presented in order to mitigate future hurricane damage and/or loss of life, as well as to ensure compliance with comprehensive plan objectives.

a. The Applicant must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who 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. The Applicant must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or any portions thereof, is through a security gate or similar device, which is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC Sec. 34-1749.

d. The Developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the Developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

a. The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than ~~1,499~~ **1,648** dwelling units may be constructed in the Rural designated areas of the project.

b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation at the time of rezoning, the available Rural allocation must be determined by the Planning Division, prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table I(b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table I(b). Adequate data and analysis to support this amendment must be submitted by the Applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1 (b) allocations will not be permitted until Table 1 (b) is amended accordingly.

6. The following conditions are included to address concerns about the golf course:

a. Fertilizers with a low leaching potential (slow release) must be used, must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan which includes an integrated pest management (IPM) program and a nutrient management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular

widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. No turf managed areas (including fairways, tees, and greens) are permitted within 35 feet of wetlands or preserve areas. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state *to* use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, ~~May 1995,~~ as amended.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use.

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or

fertilizer pollution of the water within the area of the golf course; identifying the locations for the ground water monitoring and testing on a map(s); setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and should the pollution be caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until there is a revised management plan. If mitigation is necessary to address the pollution, a mitigation plan approved by Lee County must be implemented by the Developer.

7. 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 constructing model homes within Hawk's Haven, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for Hawk's Haven or the LDC, whichever applies. Should setback problems arise after construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem.

   ~~d. Dry models are prohibited.~~

   d. Hours of operation for model units and real estate sales within the model units are limited to Monday through Sunday, 8 a.m. through 8 p.m.

8. **DELETED.** ~~In addition to the single access from S.R. 80, the developer must submit for review and subsequent approval, a plan that demonstrates whether there is a need for an emergency access to the project prior to the approval of any development orders for dwelling units after the first 584 units have been approved. If an emergency access is deemed to be necessary, documents must be submitted with the plan that demonstrate the project's legal ability to provide emergency access. The emergency access, if deemed to be necessary, will provide a connection to Buckingham Road. Any road used for emergency access must be constructed or improved to the degree required for the use of emergency vehicles. If it is determined that no emergency access is needed, the Applicant will meet the provision of LDC Sec. 10-291 (3) LDC with the single access from S.R. 80.~~

~~9. Bona fide agricultural uses that are now in existence may continue until the development commences. However, no development activity of any kind may occur on the property, including clearing of vegetation or cutting of trees, unless such activity is reviewed and approved in accordance with all applicable Lee County regulations as if no agricultural use existed on the property. The purpose of this condition is to eliminate any exemption or other special considerations or procedures that might otherwise be available under Lee County regulations by virtue of the existing agricultural uses on the property.~~

9. **AGRICULTURAL USES** Existing bona fide agricultural uses on this site is allowed only in strict compliance with the following:

   A. Bona fide agricultural uses that are in existence at the time this resolution is approved and as shown on Attachment **"J"** attached hereto may continue until approval of a local Development Order for the area of the project containing those uses.

   B. Additional clearing or grading of existing agricultural uses is prohibited. This prohibition is not intended to preclude County approved requests for the removal of exotic species.

   C. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

10. Construction traffic must enter and exit this project from S.R. 80 until 200 units have been constructed in the project. Thereafter, construction access may be permitted from Buckingham Road (if the Applicant has maintained such an access). In no event, will construction traffic be permitted on Hickey Creek Road.

11. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC Sec 34-2174(a).

12. Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The Developer must pursue this access approval with the 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.

13. 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 Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table I(b).

14. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

15. The applicant is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the applicant provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the applicant/developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

16. If the Developer constructs structures other than conventional single-family homes within 100 feet of any of the "out parcels," the Developer must provide a 25-foot-wide enhanced vegetative buffer completely around the out parcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to any vertical construction and it must be installed according to the following density and size:

    a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2X-inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees may be used to meet the requirements of this enhanced buffer.

    b. Thirty-three shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions. If these 'out parcels" come under the control of the Developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

17. Vehicle access from the northern boundary of the subject property over and across Hickory Creek Road is prohibited.

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

19. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

20. All required buffers must utilize 100% all native vegetation.

21. Upon passage of this resolution, Resolution #Z-99-056 and Administrative Amendment ADD2004-00067 are both null and void.

22. The school site is limited to a Public School operated by the School District of Lee County.

23. Outdoor Storage Areas must be in compliance with Section 34-3001 et seq. of the Lee County Land Development Code with the additional requirements as outlined on page 2 of 2 of the attached Master Concept Plan, including a 200-foot perimeter setback and enhanced buffer.

24. The Golf Course Maintenance Facility and Amenity Center must be landscaped at the time of Development Order Approval, in accordance with page 2 of 2 of the approved Master Concept Plan.

25. No signage will be allowed within the property on Palm Beach Boulevard (State Road 80) that would reference the town center.

26. BUFFERS.

    a. A Type "B" buffer must be added to the Master Concept Plan for the "Town Center" portion bordering Agriculturally-zoned property to the east, per the LDC. This buffer will not include the existing conservation areas as shown on the approved Master Concept Plan.

    b. A Type "D" buffer must be added to the Master Concept Plan on the "Spine Road" for the commercial Town Center portion of the property, per the LDC.

27. The Master Concept Plan must be amended to include a 2nd full access which crosses the existing 50' canal to the south to connect to 75th Street West in Lehigh Acres.

28. 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.

    The Developer may obtain the necessary development orders when the project meets Lee County Concurrency requirements. Such approval may require either road improvements and/or a reduction in requested intensity and/or density.

Deviations

Deviation #1 seeks relief from the LDC Sec. 10-385(d)(3)(a) requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the spine road where no homes exist.

This deviation was approved in Zoning Resolution #Z-99-056 to allow the placement of a hydrant at the midpoint of each section along the "spine" road only where no homes will exist. For purposes of this Deviation, "section" was defined as the distance along the spine roadway between intersection roadways, measured along and from the roadway centerlines. Staff recommends **APPROVAL** as defined above.

Deviation #2 seeks relief from LDC Sec. 34-2015(2)(d) design requirement to provide all parking lot spaces with sufficient maneuvering room to allow an existing vehicle to leave the parking lot in a forward motion to allow vehicles exiting parking for multi-family residential parcels, recreational amenities and guest parking to back on to private roads.

The applicant says this deviation request is a precautionary clarification, not really a deviation. Development Services staff did not agree with this analysis, and recommended withdrawal of this request.

In a multi-family development, vehicles may back out onto an internal roadway or access via a driveway per LDC Sec. 34-2020(c). If during the development order process, the applicant can show the driveways are in compliance with LDC Sec. 34-2020(c)(3), a deviation will not be necessary. Development Services said they typically do not recommend deviations from LDC Sec. 34-2020(c)(3). Staff recommends **WITHDRAWAL** of this deviation request.

Deviation #3 seeks relief from LDC Sec. 10-329(d)(4) which requires lake banks to be sloped at a maximum 4:1 slope, to allow bulkheads for up to 25% of the shoreline of lake banks.

Deviation #4 seeks relief from LDC Sec. 34-2194(b) requiring 25 foot setbacks from bodies of water to require 20 foot setbacks for manmade lakes.

Zoning Resolution #Z-99-056 includes development standards with 20-foot water body setbacks. Approval did not include a deviation from LDC Sec. 34-2194(b).

The applicant is requesting deviations from LDC Section 10-329(d)(4) and Section 34-2194(b). However, neither request states what the applicant wishes to provide in lieu of the LDC requirements. There is inadequate information for Environmental Sciences or Zoning staff to recommend approval, therefore, staff recommend **DENIAL** of Deviations 3 and 4.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff makes the following findings and conclusions:

1. The applicant has proven entitlement to the Rezoning amendment by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested zoning amendment, as conditioned:

   a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

   b) is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   c) is compatible with existing or planned uses in the surrounding area; and

   d) will not adversely affect environmentally critical areas or natural resources.

3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.

4. As conditioned, urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. As conditioned, the proposed use or mix of uses is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations granted, as conditioned:

   a) enhance the objectives of the planned development; and
   b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

This is an application to rezone +/- 1,797 acres of Residential Planned Development (the Hawk's Haven RPD as amended) and +/- 181 of Agricultural (AG-2) land to Residential Planned Development/Commercial Planned Development (River Hall RPD/CPD). This would represent an increase of 401 dwelling units (up from 1,598 under the existing resolution) , an elementary school site, and a town center consisting of 15,000 square feet of offices and 30,000 square feet of retail. The additional parcels can be described as predominately pasture. They are not wetlands, nor do they have any structures. The entire site is +/- 1,978.44 acres.

The project is called "River Hall" - formerly Hawk's Haven. The proposed density in this application is about 1.01 units per acre (an increase from 0.88 units per acre).

Maximum building heights are proposed to be 45 feet/3 stories for residential uses, 35 feet/2 stories for commercial uses, and 60 feet/3 stories for recreational uses. Staff recommends the tall structures be limited to amenity/recreational buildings on the interior of the property. The height approved under Zoning Resolution #Z-99-056 was 3 stories/45 feet.

The Master Concept Plan includes a 20-acre elementary school site and 24-acre commercial town center, with relatively light office/retail uses.

No development blasting is requested.

The property is located in along the south side of Palm Beach Boulevard (SR 80) in East Lee County, approximately a half mile east of the Palm Beach Boulevard and Buckingham Road intersection. The subject property has about 2,000 feet of frontage along Palm Beach Boulevard. There is not any other roadway frontage.

The request seeks approval of a maximum of 1,999 dwelling units in a mix of housing types to include single family, two-family attached, townhouse, multiple-family, and zero-lot-line units to be constructed within a golf course community.

Access is solely on Palm Beach Boulevard, as was the case with the previous zoning approval. This application includes 2 emergency access points through the recently approved Portico Residential Planned Development (DCI2004-00031).

Staff strongly believes a 2nd access (in addition to the emergency access points) is a necessary element for a residential and commercial development of this size and scope. LDC Sec. 10-

291(3) says the Director will determine if "residential development of 5 or more acres...must provide more than 1 means of ingress and egress." In staff's view, a 2nd access is both good planning and good for public safety. Clearly the sole entrance at Palm Beach Boulevard would be bottlenecked in case of an evacuation of more than 2,000 persons. And certainly these numerous residents would have no means to get out of their community if there were a serious traffic accident (such as a plane, multi-car, or semi-trailer crash), fire, chemical spill or other disaster at or near the sole entrance of Palm Beach Boulevard.

With such a large number of units and such an expansive large property, just one permanent access point is not good for traffic circulation or for emergency evacuation purposes. It seems only reasonable that any additional units beyond the previous approval would make a 2nd access a necessity, and that a single access for such a large number of persons raises serious health, safety and welfare issues.

Per the previous zoning approval, an additional access north to Palm Beach Boulevard (via Hickey Creek Road) was not a viable alternative. Also, LDC Sec. 10-291(3) states, "Where feasible, these alternate access points should not be on the same roadway."

Instead staff recommends a second access via 75th Street West in Lehigh Acres to the south. This would involve crossing a 50' canal and circulating traffic to Sunshine Boulevard North, to Lee Boulevard. Traffic could also travel from 75th Street West to Cemetery Road to Buckingham Road. This would improve traffic circulation and provide an important 2nd means for over 2,000 persons to evacuate in case of an emergency.

Staff is also not recommending approval of a convenience food & beverage store, nor a stand-alone pharmacy/drugstore at the town center. These uses - by their nature - attract traffic from the main road (Palm Beach Boulevard). Staff would argue that the approval commercial uses such as food store (Group I) would be adequate for the residents' use, without the noise and nuisance of a 24-hour auto-intensive operation such as a convenience store. It is also questionable to permit these kinds of uses in the context of a rural neighborhood - when there are already some of these uses nearby on Palm Beach Boulevard to the east and west.

Staff is also reluctant to support 60-foot building heights and has placed some limitations to height in the development regulations.

Previous Approvals

The Lee County Board of County Commissioners approved the Hawk's Haven Zoning Resolution #Z-99-056 October 18, 1999 (1,598 dwelling units on 1,797.45 acres). Staff approved an administrative amendment and new Master Concept Plan June 4, 2004 (ADD2004-00067A)

Development of the site is currently underway, utilizing the existing approvals.

The following applications were received by staff:

- PLT2005-00011 Plat Application received March 4, 2005. Preliminary review on 323 lots in phase one f.k.a. Hawk's Haven Golf Course, Phase 1. Under review by Development Services staff.

- DOS2004-00138 Development Order. Approved for the construction of 5,450+/- linear feet of 4 lane divided street with utilities, sewage pump station and 12" force main, stormwater management facilities, a 5,000+/- square foot one story building for a sales center with

parking, utility services and related minor improvements. Received April 22, 2004 and issued and approval January 3, 2005.

- LDO2004-00201 Development Order. Approved for construction of 100 linear feet of 12" watermain and 4,500+/- linear feet of 14" sewage force main in the right-of-way of Palm Beach Blvd, east of Buckingham Road. Received May 13, 2004. Approved June 14, 2004.

- DOS2004-00248 Development Order. Approved for a 167 lot subdivision for single family residences for elderly housing with streets, utilities, stormwater management facilities and related minor site improvements. Received September 17, 2004. Approved March 2, 2005.

- DOS2004-00266 Development Order. Approved for a 408 lot subdivision for housing, with streets, utilities, two sewage pump stations and 4" force mains, stormwater management facilities, two 2,880+/- square-foot. buildings for a temporary sales center, and related minor site improvements. Received October 1, 2004. Approved March 15, 2005.

- DOS2004-00330 Development Order. Application for a 289 unit single family and 102 unit multi-family golf course development located in Hawks Haven RPD. f.k.a. Hawk's Haven Golf Course, Ph 1. Received December 8m 2004. Insufficiency letter sent by Development Services April 20, 2005 to the applicant. Resubmitted May 11, 2005. Under review by staff.

- ADD2004-00156 Creation of a Community Development District. Received July 15, 2004. Under review by staff.

DRI Issues

The threshold for a Development of Regional Impact (DRI) was changed effective *December 6, 2004* from 2,000 dwelling units to 3,000 in Lee County. However, development of residential units at 2,000 or above were presumed to constitute a DRI under the DRI provisions in effect at the time Hawk's Haven was first approved in 1999 and when it received its first development orders. Therefore proposed development at or above 2,000 units would be presumed to be a DRI. Florida Statutes section 380.06(2)(c), states a proposed development must comply with the requirements (including DRI thresholds) which were in effect when the developer received authorization to commence development from the local government.

With a mix of office, retail, and 1, 999 dwelling units, this development qualifies as a "multi-use development" of three of more land uses, one of which is residential with 300+ dwelling units. This raises the DRI threshold to 160%. The total of the uses proposed here is only 105.7%. Therefore the mix of 1,999 dwelling units, 15,000 s/f of office and 30,000 s/f of retail do *not* exceed DRI thresholds.

Pending Comprehensive Plan Amendment

There is a pending application (received by the Planning Division February 27, 2004 and resubmitted March 16, 2005) for a large-scale plan amendment on this property (CPA2004-10).

This amendment proposes changing the Suburban and Rural portions of Hawks Haven to Outlying Suburban with a 2 dwelling units per acre limit. The application is also to amend the density table to cap total units at 2,999 and require funding for roadway improvements if/when the number of units exceeds 1,999. This amendment is undergoing review by the Division of Planning.

Please note that this rezoning request is for 1,999 units. If a plan amendment is approved, additional dwelling units would also require an amendment to the zoning resolution and another separate public hearing process from this one.

East Lee County Council

The Developer conducted a public information meetings for this project with the East Lee County Council September 27, 2004. A summary of the community meeting is attached.

Golf Course Use

A 36-hole golf course is proposed for this development. Staff has retained conditions approved under Zoning Resolution #Z-99-056 to address environmental concerns regarding wetlands and other environmentally sensitive lands.

Emergency Management

According to Emergency Management comments in 1999, evacuation of parts of this project may be necessary prior to landfall of a Category Two hurricane. Flooding could occur because the elevation ranges from 5.1 to 20.1 feet. Staff has retained conditions approved under Zoning Resolution #Z-99-56 to address Emergency Management Division's concerns.

Commercial Uses

This rezoning includes the creation of a Town Center near the intersection of an arterial and a local road (the spine road for the development). The town center is 45,000 s/f maximum, 30,000 of which may be commercial retail (Minor Commercial Center). Staff has included a condition limiting signage on Palm Beach Boulevard - keeping it from referencing the town center. The list of uses includes a pharmacy and a convenience store. The request does not include fast food or self-service fuel pumps. The commercial uses - as limited - provide the residents with an opportunity to work and shop without having to utilize Palm Beach Boulevard. Without a convenience food and beverage store and stand-alone drugstore, this is a reasonable list of uses, and will be beneficial in the long run to the road network and the residents' quality of life.

Master Concept Plan

The **MAY 23, 2005** Master Concept Plan for River Hall (formerly known as Hawks Haven) shows single entrance on Palm Beach Boulevard, as was approved in the prior zoning case. A spine road links the community to the single-family (R-1) and multi-family tracts (RMF-1). The MCP shows locations of the golf course, conservation areas, buffers, lakes, clubhouse/amenity sites, and the 20-acre elementary school site, and 24-acre town center both near the entrance on Palm Beach Boulevard. As a comparison, the MCP under Zoning Resolution #Z-99-056 shows residential development close to the Hickey Creek Mitigation Park to the east. The new MCP (which is similar to the MCP approved in Administrative Amendment ADD2004-00067) includes more conservation areas in proximity to the park. Page 2 of 2 of the MCP shows detail of proposed buffers for the Amenity Center and the Golf Maintenance Facility, in deference to surrounding properties. Staff recommends inclusion of a Type "B" buffer adjacent to the town center property bordering existing residential uses to the east in the Agricultural (AG-2) zoning district, consistent with LDC requirements. Staff also recommends a Type "D" buffer for the spine road fronting the Town Center, as required by the LDC.

Lee Plan Considerations

The subject property is in the Rural (1,647.55 acres) Suburban (79.47 acres) and Wetlands (251.42 acres) Future Land Use categories.

POLICY 1.1.5: *The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The*

standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed.

The Suburban area is located in the north western portion of the site along the Palm Beach Boulevard frontage. Only a small portion of the project, 79.47 acres lies within this land use category. The maximum density allowed under the Suburban future land use category is 6 dwelling units per acre.

POLICY 1.4.1: *The Rural areas are to remain predominantly rural--that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre).*

The majority of the subject property is in the Rural Future Land Use category, with a maximum density of 1 dwelling unit per acre.

POLICY 1.5.1: *Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 84 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.*

Some property (251.42 acres) is in the Wetlands Future Land Use category, where the maximum density is 1 dwelling unit per 20 acres. The applicant proposes 1,999 dwelling units on 1,978.44 acres, about 1.01 units per acre. Hawks Haven (Zoning Resolution #Z-99-056) was approved with a maximum density of 0.81 dwelling units per acre which is within the standard density range for the Rural land use category. Since this application is in multiple land use categories, the following policy is relevant:

POLICY 5.1.11*: In those instances where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this Plan shall be the sum of the allowable densities for each land use category for each portion of the land. This density can be allocated across the property provided that: (Amended by Ordinance 92-35)*

1. The Planned Development zoning is utilized; and

2. No density is allocated to lands designated as Non-Urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and

3. The land was under single ownership at the time this policy was adopted and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land shall be deemed contiguous for purposes of this policy; and

4. The resultant Planned Development affords further protection to environmentally sensitive lands if they exist on the property.

During the previous approval, staff said the proposed development satisfied Conditions 1, 3, and 4 above, but potentially fails to satisfy Condition 2 as the property contains Future Urban and Non-urban lands. The density of 1 unit per acre cannot be allocated across the entire property. It is possible that, depending on the configuration of units on the property, the resulting density could be in excess of 1 dwelling unit per acre in the Rural areas. The intent of Policy 5.1.11 is to prevent the allocation of excess density into non-urban areas, such as the Rural portions of this site. The proposed development, therefore, cannot be permitted to develop densities of more than 1 dwelling unity per acre in the Rural areas of the property. In order to ensure that density

is not spread across future land use lines, planning staff recommended Condition #5 be included in Zoning Resolution #Z-99-056.

Staff has kept the condition, with the adjustment from 1,499 dwelling units to 1,648 dwelling units - to reflect the additional Rural land added to this request.

As for compatibility, the surrounding neighborhood has a mix of rural and urban densities. To the north are large undeveloped tracts and the Hickey/Oak Creek area. The Hickey/Oak Creek area is developed at a density of 0.4 units per acre - with home sites at about 2.5 acres in size. To the west there is residential development with a density of approximately 3.5 units per acre. To the south are platted lots within Lehigh Acres have a density of approximately 3.5 units per acre. Portico, to the south and west, was approved at 2 dwelling units per acre. West of this, Verandah MPD was approved at about 1 unit per acre. The requested density of 1 unit per acre is a reasonable request consistent with the existing future land use categories on site.

As conditioned above, the proposed development is **CONSISTENT** with the above policies of the Lee Plan.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)*

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in FS 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)*

This proposed residential development is in close proximity to residential and commercial development and is **CONSISTENT** with **OBJECTIVE 2.1** and **2.2** of the Lee Plan.

POLICY 2.2.1: *Rezonings and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30, 00-22)*

This subject property is located in proximity to existing residential developments, public parks, schools, and commercial shopping. It has the necessary characteristics of urban infill. The proposed development is in an area where urban services exist and are serving residential neighborhoods nearby. The Olga Water Plant provides potable water. The development will also be on public sewer. The development is within the service area for Fort Myers Shores Fire Department, Lee County Public Schools, and the Lee County Sheriff's Office. The proposed project, as conditioned, is **CONSISTENT** with **Objective 2.1, Objective 2.2.** and **Policy 2.2.1** of the Lee Plan.

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

No physical constraints or hazards appear to exist or require the density or design to be adjusted. Staff recommends a 2nd access due to the large number of dwelling units, and the potential for

hurricanes, fires and other emergencies requiring quick evacuation. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.2** of the Lee Plan.

POLICY 5.1.4: *During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Amended by Ordinance No. 94-30)*

This proposed development is near shopping, public parks, and in proximity to schools and social services. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.4** of the Lee Plan.

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments. (Amended by Ordinance No. 94-30, 99-15, 00-22)*

This is predominately residential development with a commercial element in proximity to residential developments and subdivisions. Staff recommends keeping appropriate conditions (including buffering) in deference to the rural character of the community and the potential impacts of over 2,000 new residents, amenities, commercial town center and with heights in excess of 35 feet. A type "B" buffer is recommended to the east of the town center, consistent with the LDC. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.5** of the Lee Plan.

GOAL 6: *Commercial Land Uses. To permit orderly and well-planned commercial development at appropriate locations within the county.*

POLICY 6.1.1 *provides a list of criteria that all applications for commercial development shall be reviewed and evaluated on. The list includes: Impact on adjacent land uses and surrounding neighborhoods and proximity to other similar centers.*

POLICY 6.1.2: *All commercial development must be consistent with the location criteria in this policy, except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policies 1.8.1 through 1.8.3.*

(1) On or near the intersection (within 330 feet of the adjoining rights-of-way of the intersection roads) of local and collector, local and arterial, or collector and collector roads. Proposed interconnections of future internal access roads or driveways servicing only the subject parcel with an arterial or collector shall not comply with the requirements of this section;

(2) At the intersection (as defined below) of collector and arterial or arterial and arterial roads; or

(3) Within a residential planned development provided it is located and designed primarily to meet the commercial needs of the residents of the development

POLICY 6.1.4: *Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 6.1.7: *Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill*

on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

The applicant is proposing a combination of office and retail uses for the subject property. The commercial retail uses would be required to meet the site location standards of the Lee Plan. Staff finds this property is located within 1/4 mile of a qualifying intersection of an arterial and local road meeting the intent of the commercial site location standards for a Minor Commercial Center (maximum 30,000 s/f of retail). The applicant is requesting 30,000 s/f of retail, consistent with this standard. Office development does not have to meet commercial site location standards.

The schedule of uses, as conditioned, is reasonable and appropriate in this largely rural area of the county. Staff finds the proposed commercial retail uses - as conditioned - **CONSISTENT** with Goal 6, Policy 6.1.2. of the Lee Plan and with Policy 6.1.1 Policy 6.1.4 and Policy 6.1.7 of the Lee Plan.

STANDARD 11.1: WATER. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross loadable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 17-22, FAC.).*

STANDARD 11.2: SEWER. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.*

This development is about 1 dwelling unit per acre. Water and sewer services will be available to this development. Olga Water will provide potable water. East Lee County Sewer will provide sanitary sewer services. As conditioned, this proposed development is **CONSISTENT** with water and sewer standards of the Lee Plan.

POLICY 100.9.5: *New development adjacent to areas of established residential neighborhoods must be compatible with or improve the area's existing character.*

The design of this site takes into consideration existing development patterns and is sensitive to the rural integrity of the neighborhood, and the neighboring public park. There are conditions (per the prior approval) which make this development compatible with the area's existing rural character. As conditioned, this request is **CONSISTENT** with **POLICY 100.9.5.** of the Lee Plan.

Neighborhood Compatibility

The property is within the Fort Myers Shores Planning Community, described in the Lee Plan as follows.

Fort Myers Shores *-This Community is located south of the Caloosahatchee River, east of Hickey Creek, and north of the Orange River; and, along I-75 west of the Buckingham Rural Community Preserve, north of SR 82 and east of the City of Fort Myers. This community contains four areas: Fort Myers Shores, Morse Shores, Tice and Olga. The Fort Myers Shores, Morse Shores, and Tice areas are similar in character and will have similar development patterns for the next 20 years. The Olga area has a more rural/historic character and is anticipated to grow slightly slower that the other areas of this community. This area also has a mixture of future land use designations. The majority of the land is designated Suburban, Rural, or Urban Community; however, there are some lands designated Intensive Development, Central Urban, Public Facilities, Industrial Interchange Area, and General Interchange.*

The population of the Fort Myers Shores community is also expected to grow from a 1996 population of 12,000 to approximately 14,000. However, the amount of commercial building is expected to nearly double by 2020 and the amount of industrial land is expected to increase by 10 fold. Currently, this community contains commercial outlets which accommodate the needs of its residents as well as those from neighboring communities such as Alva and Buckingham. There are two major shopping areas in this community to satisfy resident's primary commercial needs. The residents of this community still utilize commercial establishments in the more urbanized areas for much of their commercial needs. During the life of this plan this community will develop as a commercial/employment center for the adjacent communities which will retain their rural character. (Added by Ordinance No. 99-15)

Zoning Resolution #Z-99-056 was found to be compatible with the existing and planned land use patterns in the Fort Myers Shores Community. The surrounding properties are essentially the same as in1999 - with the exception of new residential development to the west at Hawk's Preserve. There is an appropriate Type "B" buffer to the west. To the east is Agricultural (AG-2) zoning - including the Hickey Creek Mitigation Park, which is separated from the development by a canal, and conservation areas shown on the eastern part of the subject property. Staff recommends a Type "B" buffer separating the town center from residential uses to the east. To the south is Lehigh Acres residential developments, separated by a 50-foot canal. To the north is Palm Beach Boulevard, and an appropriate Type "D" buffer.

The density proposed is nearly identical to that approved before. Staff finds the development patterns on Palm Beach Boulevard have picked up in intensity since the 1999 approval.

An issue of concern is the placement of a convenience food and beverage store and pharmacy within the town center, near the Palm Beach Boulevard entrance. Of note, the town center is behind a lake and a conservation area - so it will not be highly visible from Palm Beach Boulevard. As conditioned, there will be no signage directing traffic from Palm Beach to the town center. Staff cannot support a convenience store, but can support food stores and a pharmacy within a multi-unit complex - not a stand-alone drugstore/pharmacy (such as a Walgreens or CVS).

A discussion of the uses on Palm Beach Boulevard may be illuminating. Approximately 9 miles to the east of the subject property entrance is the Hendry County line. About 7 miles from the subject property there is a Quick Stop Mart and then a Citgo/Handy Neighborhood Mart. About 3 miles from the subject property is the Alva Village Market, which is near the entrance to the Hickey Creek Mitigation Park. Going west, the closest commercial development is about a mile from the subject property at the intersection of Palm Beach and Buckingham Road (Winn Dixie, McDonalds, Wendy's, Sunoco Gas Station, and a CVS drug store). About a 1.5 miles west of the subject property is the A to Z Discount Food & Beverage Store. About 2.5 miles west will be the Commercial Neighborhood portion of Verandah (including a Publix and a future Mobil station).

The town center at River Hall will not create a saturation of any undesirable uses, nor will it be incompatible with surrounding land uses, including rural residential uses.

Likewise, the addition of an elementary school will also be beneficial to the surrounding neighborhood, and does not raise compatibility issues.

During the 1999 zoning hearing, there was extensive discussion of two proposed access points - one to the north at Hickey Creek Road to Palm Beach Boulevard and another to the south via 75th Street in Lehigh Acres.

Staff recommends keeping a condition *prohibiting* access via Hickey Creek Road and through an existing rural neighborhood. Staff recommends instead providing a second access across the canal to the south through via 75th Street West to a largely uninhabited suburban part of Lehigh Acres out to Sunshine Boulevard and reaching Lee Boulevard. The road network within this neighborhood has a combination of paved and unpaved roads. There are scattered new single-family homes under construction - including Habitat for Humanity houses. As more houses are built, more roads are getting paved in this area. The road network also has an outlet connecting 75th Street to 68th Street - which becomes Kittyhawk Drive - to Higgins Avenue, to Cemetery Road and out to Buckingham Road. Staff does not believe the traffic created by the 2nd access will create a compatibility issue nor a traffic issue to the south.

As conditioned, this application for a RPD/CPD is compatible with the surrounding rural land uses - including the Hickey Creek Mitigation Park and surrounding properties on Palm Beach Boulevard. Staff also believes - as conditioned - it is compatible with the largely undeveloped suburban areas to the south, with the inclusion of a 2nd access point.

Transportation Issues

The property is accessed at Palm Beach Boulevard/State Road 80, which is a 4-lane divided arterial state highway. There are not plans for more lanes on S.R. 80 at this time. The applicant's Traffic Impact Statement is attached.

Of note, Development Services Traffic analysis shows a level of service **failure** on Palm Beach Boulevard - east of State Road 31. This link fails, while the link on S.R. 80 east of Buckingham Road does not (LOS C).

This failure of a portion of S.R. 80 would prevent the issuance of a development order Concurrency Certificate. Factors used to calculate the LOS such as projected and/or constructed road improvements and methods to calculate available capacity may change from now until the time that a development order is requested such that the project at buildout may or may not create an unacceptable LOS.

It is important to note that at the time of development order request - the actual number of units or commercial intensity that may be permitted will be dependant on the LOS that will be created based on the intensity (number of units) for which approval is requested in the development order. Thus, not all 401 units or all of the 45,000 s/f of commercial which are being recommended for approval in this rezoning may be permitted at time of development order approval.

Also of note, an additional access to the south - as recommended by staff - would reduce the amount of traffic utilizing Palm Beach Boulevard. This change may or may not prevent a LOS failure on S.R. 80.

Traffic impact will be evaluated in greater detail at the Development Order stage of development.

Environmental Issues

The subject property is a mix of predominately pasture, sod farm, with natural areas including wetlands, cypress and pine flatwoods. Protected species on site include wood stork, little blue heron, burrowing owl, and Florida sandhill cranes. There are also gopher tortoise burrows on site. The Division of Environmental Sciences staff reviewed this project and conducted site inspections. Their recommendations are included in the conditions above and address protected species, wetlands, preserve areas and other concerns.

Conclusions

In conclusion, this requested rezoning as conditioned, meets the criteria necessary for a RPD/CPD including consistency with the Lee Plan. As conditioned, it is compatible with neighboring properties. As conditioned, it will not adversely affect environmentally critical areas or natural resources. As conditioned (including condition 28), the request will not place an undue burden upon on the road network. The deviations recommended for approval - as conditioned - enhance the objectives of the planned development and, preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

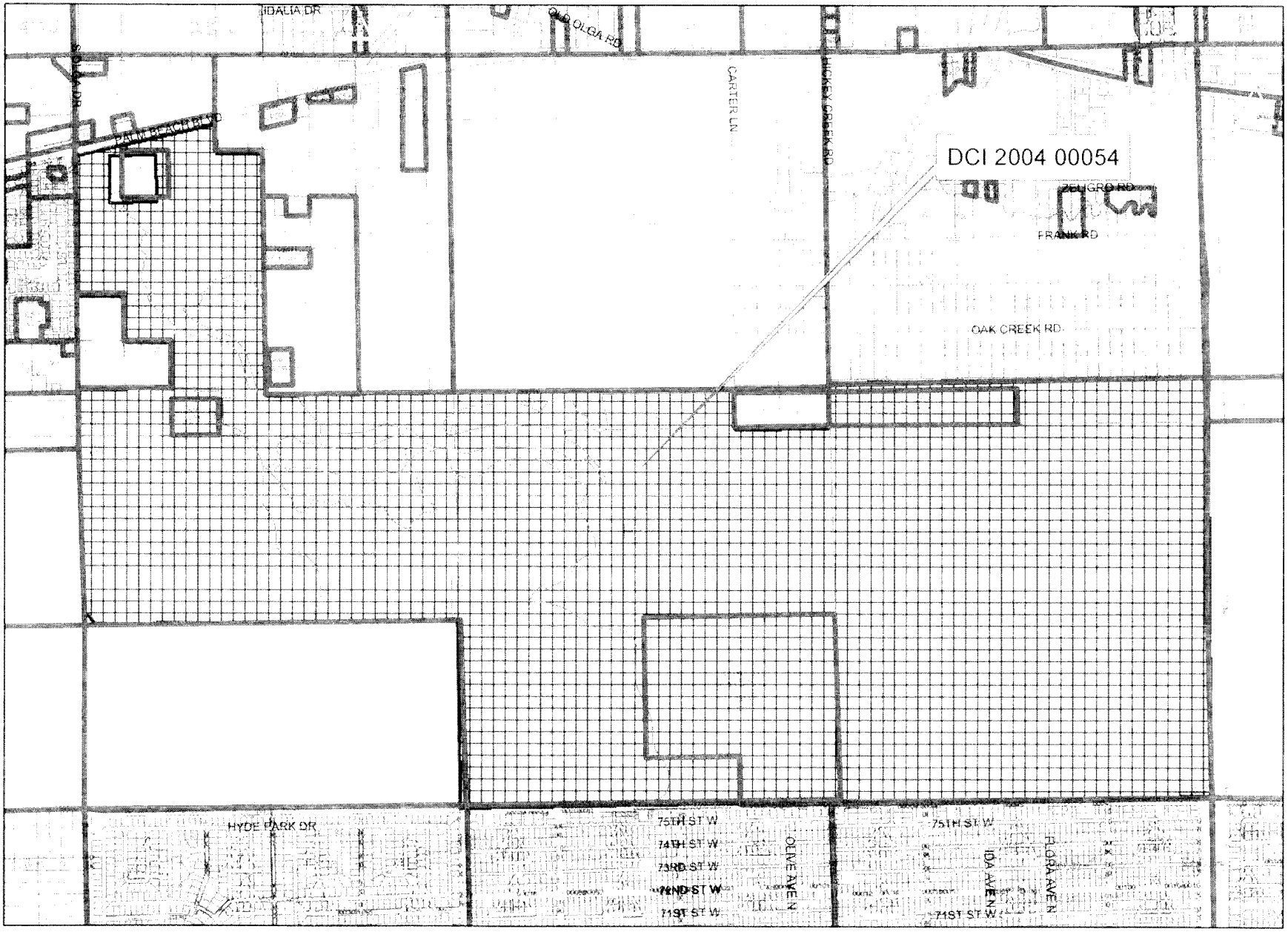
IV. ATTACHMENTS:

A. Map of surrounding zoning
B. Master Concept Plan, May 23, 2005
C. Zoning Resolution #Z-99-56 Hawk's Haven
D. ADD2004-00067A Administrative Amendment to Hawk's Haven
E. Hearing Examiner Recommendation for Hawk's Haven (Sept. 8, 1999)
F. East Lee County Council meeting notes (Sept. 27, 2004)
G. Composite Applicant's Exhibits (Lee Plan, Deviations, Land Development Regulations)
H. Applicant's Traffic Impact Statements
I. Applicant's Protected Species Surveys
J. Agricultural Affidavit and Map
K. Protected Species Management Plan (May 19, 1999)
L. Zoning Resolution #Z-04-031 Portico RPD
M. School Board Comments
N. Environmental Sciences Comments
O. Development Services Traffic Comments

cc: Applicant
Dawn Lehnert, County Attorney
Donna Marie Collins, County Attorney
Zoning/DCI File
Mike Pavese, Public Works
Roger Clark, Parks & Recreation

DCI2004-00054 RIVER HALL RPD/CPD (FKA HAWK'S HAVEN)

5/12/2005



2,200 1,100 0 2,200 Feet

RECEIVED
MAY 23 2005

PERMIT: COUNTER
ZONED: zoned AG-2

zoned C-1A

RM2/RS-1

NOTES:

1. CURRENT SITE ZONING AND LAND USE CLASSIFICATION:
   AG-2 / SUBURBAN
   AG-2 / RURAL
   RPD / SUBURBAN
   RPD / RURAL
2. PROJECT DEVELOPER:
   LANDMAR GROUP, LLC
   2202 NORTH WEST SHORE BOULEVARD
   SUITE 125
   TAMPA, FLORIDA 33607
   (813) 207-0138
   ATTN: GRADY MIARS
3. PROJECT DESCRIPTION:
   1999 RESIDENTIAL UNITS
   36 HOLES OF GOLF WITH DRIVING RANGE
   GOLF COURSE CLUB HOUSE
   GOLF COURSE CART BARN
   GOLF COURSE MAINTENANCE FACILITY
   GENERAL RECREATION AREA
   OPEN STORAGE AREA FOR RESIDENTS
4. MASS TRANSIT: LEE TRANS DOES NOT SERVE THIS AREA. NO MASS TRANSIT SERVICE IS ANTICIPATED FOR THIS PROJECT.
5. SIDEWALKS AND BIKE PATHS: THE SPINE ROAD WILL GENERALLY BE PARALLELED BY A FIVE (5) FOOT WIDE SIDEWALK / BIKE PATH.
6. LOTS CONNECTING DIRECTLY TO THE MAIN ("SPINE") ROAD WILL NOT HAVE DIRECT BACK-OUT ONTO THE ROADWAY. DRIVEWAY TURN-AROUNDS WILL BE PROVIDED.
7. THE TOWN CENTER ALLOWS FOR UP TO 15,000 S.F. OF OFFICE USE AND UP TO 30,000 S.F. OF RETAIL USE.
8. NO SIGNAGE WILL BE ALLOWED WITHIN THE PROPERTY ALONG S.R. 80 THAT WOULD REFERENCE THE TOWN CENTER.
9. ALL LAKES MAY UTILIZE BULKHEAD FOR UP TO 25% OF THE LAKE BANK.

OPEN SPACE CALCULATIONS:

ENTIRE PROJECT

TOTAL DEVELOPMENT	1,978.44 ACRES
OPEN SPACE PROVIDED	1,175.00 ACRES
INDIGINENOUS OPEN SPACE PROVIDED	465.04 ACRES

RPD

TOTAL RPD DEVELOPMENT	1,951.39 ACRES
OPEN SPACE REQUIRED (40%)	780.56 ACRES
OPEN SPACE PROVIDED	1,167.95 ACRES

LAKES = 293.75 AC (25% OF 1,175.00 AC.)
INDIGENOUS OPEN SPACE = 457.99 AC
RECREATIONAL OPEN SPACE / GOLF COURSE = 408.94 AC
OTHER OPEN SPACE 7.27 AC

INDIGENOUS SPACE REQUIRED (50% OF 780.56)	390.28 ACRES
INDIGENOUS OPEN SPACE PROVIDED	457.99 ACRES

CPD

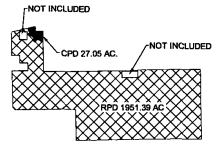
TOTAL RPD DEVELOPMENT	27.05 ACRES
OPEN SPACE REQUIRED (20%)	5.41 ACRES
OPEN SPACE PROVIDED	7.05 ACRES

INDIGENOUS OPEN SPACE = 7.05 AC

INDIGENOUS SPACE REQUIRED (50% OF 5.41)	2.71 ACRES
INDIGENOUS OPEN SPACE PROVIDED	7.05 ACRES

NOTES:

1. OPEN SPACE AND INDIGENOUS AREAS TO BE PROVIDED FOR THE ENTIRE DEVELOPMENT WITHIN THE COMMON INDIGENOUS AND OPEN SPACE AREAS IN GENERAL ACCORDANCE WITH THOSE DEPICTED ON THE MASTER CONCEPT PLAN. INDIVIDUAL DEVELOPMENT PARCELS WILL NOT BE HELD RESPONSIBLE FOR SEPARATE OPEN SPACE AND INDIGENOUS REQUIREMENTS.
2. GOLF COURSE AMENITIES AREA WILL BE LOCATED IN GOLF CLUB AREA LAND USE POD. (CLUB HOUSE, CART BARN, MAINTENANCE FACILITIES) THE 10 ACRES ALLOCATED FOR THESE USES IS NOT INCLUDED IN THE OPEN SPACE FOR THE GOLF COURSE / DRIVING RANGE AREA.



PROPOSED ZONING KEY MAP

DEVELOPMENT STANDARDS

PARCEL	LAND USE
RMF-1	MULTIFAMILY
RMF-1	TWO-FAMILY ATTACHED
RMF-1	ZERO LOT LINE
RMF-1	TOWNHOUSE
RMF-1	SINGLE FAMILY
R-1	SINGLE FAMILY

LAND USE TABULATIONS

CATEGORY	± ACRES
MULTI-FAMILY	26.12
SINGLE FAMILY	532.05
ROAD RIGHT-OF-WAY	171.18
INDIGENOUS OPEN SPACE	465.04
LAKES (OS)	293.75
RECREATIONAL OPEN SPACE/ GOLF COURSE	408.94
OTHER DEVELOPMENT	
TOWN CENTER	24.00
SCHOOL	20.00
AMENITY SITE(S)	21.25
SALES & INFORMATION CENTER	3.00
GOLF CLUB AREA	10.00
GOLF COURSE MAINTENANCE	3.11
TOTAL PROJECT ACREAGE	1978.44

LAND USE ACREAGE:

SUBURBAN	79.47 ACRES
RURAL UPLANDS:	1,647.55 ACRES
RURAL WETLANDS:	251.42 ACRES
TOTAL	1,978.44 ACRES

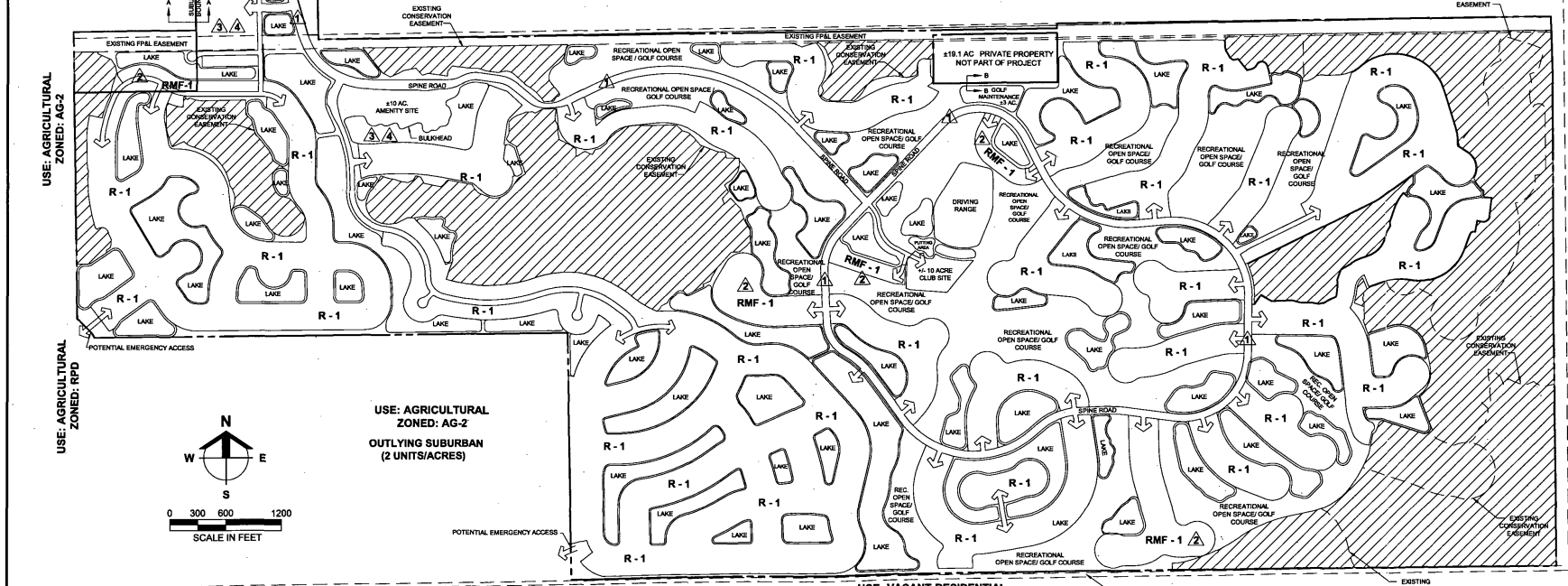
ALLOWABLE DENSITY:

SUBURBAN:	79.47 ACRES X 6 UNITS / ACRE = 476 UNITS
RURAL UPLANDS:	1,647.55 ACRES X 1 UNIT / ACRE = 1,647 UNITS
RURAL WETLANDS:	251.42 ACRES X 1 UNIT / 20 ACRES = 12 UNITS
TOTAL ALLOWABLE:	2,135 UNITS

NOTE: THE MAXIMUM DENSITY FOR THE ENTIRE TRACT SHALL NOT EXCEED 1,999 UNITS.

LEGEND

1 DEVIATION NUMBER
INDIGENOUS OPEN SPACE



DCI2004-00054

75th Street West

Sunshine Blvd.

ATTACHMENT B

EXHIBIT 6-J

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
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FILE NAME	21988Z02A.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\ZONING\REZONE1\
PLOT DATE	FRI. 5-20-2005 - 3:00 PM
PLOT BY	JENNIFER PARKER
DESIGN BY	
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

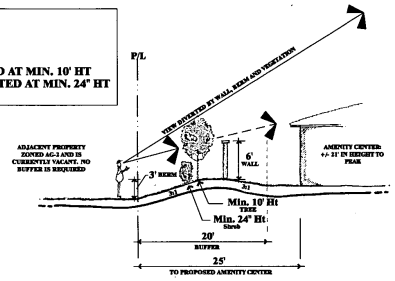
PLAN REVISIONS	
5-17-05	ADD CPD BOUNDARY

PLAN STATUS
APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

MASTER CONCEPT PLAN

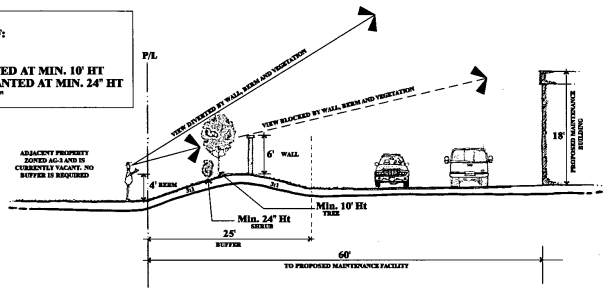
PROJECT / FILE NO.	SHEET NUMBER
21988	1 OF 2

PROPOSED
25' BUFFER CONSISTING OF:
3' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT AND MAINTAINED AT 36"



PROPOSED BUFFER FOR AMENITY CENTER (SECTION A-A)
NTS

PROPOSED
25' BUFFER CONSISTING OF:
4' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT AND MAINTAINED AT 36"



PROPOSED BUFFER FOR GOLF COURSE MAINTENANCE FACILITY (SECTION B-B)
NTS

RECEIVED
MAY 23 2005
PERMIT COUNTER

DCI2004-00054

ATTACHMENT B

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3199
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
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FILE NAME	21988ZD2B.DWG
LAYOUT	LAYOUT 1
LOCATION	J:\21988\DWG\ZONING\REZONE1\
PLOT DATE	FRI. 5-20-2005 - 2:57 PM
PLOT BY	JENNIFER PARKER
DESIGN BY	AUTHOR
XREF1	1
XREF2	2
XREF3	3
XREF4	4
XREF5	5
XREF6	6

PLAN REVISIONS

PLAN STATUS

APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

TYPICAL SECTIONS

PROJECT/FILE NO.	SHEET NUMBER
21988	2 OF 2

acco

RESOLUTION NUMBER Z-99-056

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

WHEREAS, Matthew D. Uhle, Esquire, filed an application on behalf of the property owner, William Schulman, Trustee, Calverton Links, to rezone a parcel from Agricultural (AG-2) to Residential Planned Development (RPD) in reference to Hawk's Haven; and

WHEREAS, a public hearing was advertised and held on August 18, 1999 before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #99-03-066.03Z 01.01; and

WHEREAS, a second public hearing was advertised and held on October 18, 1999 before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone 1,797.45± total acres of land from AG-2 to RPD to permit a maximum of 1,598 dwelling units in a mix of housing types, within a golf course community. Buildings are not to exceed 35 feet in height within a maximum of three stories. The property is located in the Rural, Suburban and Wetlands Land Use Category and described in attached Exhibit A. The request is APPROVED in accordance with the conditions and deviations specified in Sections B and C.

SECTION B. CONDITIONS:

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Hawk's Haven," stamped received July 15, 1999, last revised 07/02/99, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

   a. **Schedule of Uses**

      Accessory Uses and Structures
      Administrative Office

ATTACHMENT C

10/18/99

Agricultural Uses (cattle raising in undeveloped phases prior to development and nursery operations for plantings used on-site only)
Club - country and private
Consumption on Premises - limited to one in the clubhouse area
Dwelling Units - maximum of 1,598 units to be comprised of single-family, two-family attached, townhouse, multiple-family, zero-lot-line units **(densities may not be shifted between land use categories unless a new public hearing occurs and the provisions of Policy 5.1.11 of the Lee Plan are followed.**
Entrance Gates and Gatehouse
Excavation, Water Retention
Fences and Walls
Golf Course
Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
Golf Driving Range
Golf Training Facility
Model Home and Model Unit - must be in compliance with LDC §34-1954 only,
Model Display Center, must be in compliance with LDC § 34-1955, limited to one which must be located in the sales center area shown on the MCP and must only serve this project
Parks, Group I
Real Estate Sales Office - limited to sales of lots, homes or units within the development, except as may be permitted in§ 34-1951 *et seq*. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding ten years from the date the Certificate of Occupancy for the sales office is issued [if Deviation (2) is approved, otherwise the Real Estate Sales Office use is valid for five years from the date the Certificate of Occupancy for the sales office is issued]. The director may grant one 2-year extension at the same location.
Recreational Facilities - Private, On-site only
Residential Accessory Uses - In compliance with LDC §622(c)42 and LDC Article VII, Division 2
Signs, in compliance with LDC Chapter 30
Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and 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

b. <u>Site Development Regulations</u> - Limited to the standards shown in Attachment B, except that a minimum of 20 feet will be maintained for stacking in driveways.

Maximum Height: Three stories, or 45 feet, whichever is the lesser amount

ATTACHMENT C

c. **Commercial uses are limited to the following:**

If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC §34-936(g), be of the lowest intensity meeting life safety codes, and shielded and directed away from any adjacent residential area.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 is hereby adopted. Prior to local development order approval, the location of the American alligator management plan signage must be delineated on the development order plans for Division of Planning, Environmental Sciences review and approval. The warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19, 1999 is hereby adopted. If gopher tortoises are moved out of harm's way utilizing the "bucket trapping method," all buckets must be checked for tortoises a minimum of three times a day. An alternative method of tortoise relocation may be proposed (with details) at the time of local development order submittal. Any revisions to the tortoise management plan are subject to Division of Planning, Environmental Sciences review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19, 1999 must be revised for Division of Planning, Environmental Sciences staff review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer per LDC Appendix H, or commit to a detailed relocation management plan. Should the Applicant demonstrate it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. A final detailed scrub jay management plan must be provided to the Division of Planning, Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19, 1999. The finalized scrub jay management plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

e. Open space must be provided per the open space table on the MCP counter

stamped July 15, 1999. The open space table provides 643.9 acres of preserve area and lakes. The golf course tract provides 531 acres of open space. All individual tracts, excluding tracts of single-family lots greater than 6,500 square feet, must provide a minimum of 10 percent open space within the tract. Individual tract open space may be met with private open space.

f. Indigenous open space must be provided per the "Impact and Mitigation Plan" dated February 22, 1999 revised May 5, 1999. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract being developed.

g. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. An on-site preconstruction meeting must be held with Division of Planning/Environmental Sciences Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

4. The following recommendations are presented in order to mitigate future hurricane damage and/or loss of life, as well as to ensure compliance with comprehensive plan objectives.

a. The Applicant must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who 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. The Applicant must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or any portions thereof, is through a security gate or similar device, which is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC § 34-1749.

d. The Developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen hurricane shelter impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the Developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

   a. The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,499 dwelling units may be constructed in the Rural designated areas of the project.

   b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation at the time of rezoning, the available Rural allocation must be determined by the Planning Division, prior to any development order approval for residential use in the Rural portions of the site. No development order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table 1(b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table 1(b). Adequate data and analysis to support this amendment must be submitted by the Applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1(b) allocations will not be permitted until Table 1(b) is amended accordingly.

6. The following conditions are included to address concerns about the golf course:

   a. Fertilizers with a low leaching potential (slow release) must be used, must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

   b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan which includes an integrated pest management (IPM) program and a nutrient management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. No turf managed areas (including fairways, tees, and greens) are permitted within 35 feet of wetlands or preserve areas. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the development order approval.

c. The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.

d. The utilization of a golf course manager licensed by the state to use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater.

e. The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

f. The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, May 1995, as amended.

g. The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use;

h. The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

i. All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

j. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

k. An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within the area of the golf course; identifying the locations for the ground water monitoring and testing on a map(s); setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

l. If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and should the pollution be caused by the

application of fertilizers, herbicides or pesticides to the golf course, the application must cease until there is a revised management plan. If mitigation is necessary to address the pollution, a mitigation plan approved by Lee County must be implemented by the Developer.

7. 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 constructing model homes within Hawk's Haven, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for Hawk's Haven or the LDC, whichever applies. Should setback problems arise after construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem.

   d. Dry models are prohibited.

8. In addition to the single access from S.R. 80, the developer must submit for review and subsequent approval, a plan that demonstrates whether there is a need for an emergency access to the project prior to the approval of any development orders for dwelling units after the first 584 units have been approved. If an emergency access is deemed to be necessary, documents must be submitted with the plan that demonstrate the project's legal ability to provide emergency access. The emergency access, if deemed to be necessary, will provide a connection to Buckingham Road. Any road used for emergency access must be constructed or improved to the degree required for the use of emergency vehicles. If it is determined that no emergency access is needed, the Applicant will meet the provision of LDC §10-291(3) LDC with the single access from S.R. 80.

9. Bona fide agricultural uses that are now in existence may continue until the development commences. However, no development activity of any kind may occur on the property, including clearing of vegetation or cutting of trees, unless such activity is reviewed and approved in accordance with all applicable Lee County regulations as if no agricultural use existed on the property. The purpose of this condition is to eliminate any exemption or other special considerations or procedures that might otherwise be available under Lee County regulations by virtue of the existing agricultural uses on the property.

10. Construction traffic must enter and exit this project from S.R. 80 until 200 units have been constructed in the project. Thereafter, construction access may be permitted from Buckingham Road (if the Applicant has maintained such an access). In no event, will construction traffic be permitted on Hickey Creek Road.

11. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

12. Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The Developer must pursue this access approval with the 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.

13. 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 Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

14. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

15. The applicant is required to design the project in a manner that will provide the internal "outparcels" (separate tracts encapsulated by the project property) the ability to obtain reasonable and practicable access through the subject property, unless the applicant provides a circuit court order indicating that the internal outparcels are not legally entitled to access through the subject property. However, this rezoning does not obviate the applicant/developer's responsibility to provide access to the internal "outparcels" in accordance with Florida law.

16. If the Developer constructs structures other than conventional single-family homes within 100 feet of any of the "out parcels," the Developer must provide a 25-foot-wide enhanced vegetative buffer completely around the out parcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to any vertical construction and it must be installed according to the following density and size:

    a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2½-inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees may be used to meet the requirements of this enhanced buffer.

    b. Thirty-three shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions.

    If these "out parcels" come under the control of the Developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

17. Vehicle access from the northern boundary of the subject property over and across Hickory Creek Road is prohibited.

SECTION C. DEVIATIONS:

Deviation (1) seeks relief from the LDC §10-385(d)(3)(a) requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the spine road where no homes exist. This deviation is PARTIALLY APPROVED to allow the placement of a hydrant at the midpoint of each section along the "spine" road only where no homes will exist. For purposes of this Deviation, "section" is defined as the distance along the spine roadway between intersection roadways, measured along and from the roadway centerlines.

Deviation (2) seeks relief from the LDC §34-934, Note 23 requirement limiting the operation of a Real Estate Sales Office to five years, to allow the Sales Office to operate for a period of ten years to coincide with the expected buildout of the project. This deviation is APPROVED.

SECTION D. EXHIBITS:

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

Exhibit A: The legal description and STRAP number of the property.
Exhibit B: The Master Concept Plan
Exhibit C: Zoning Map

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The requested zoning, as conditioned:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   c. is compatible with existing or planned uses in the surrounding area; and

   d. will not adversely affect environmentally critical areas or natural resources.

3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the development will be served by streets with the capacity to carry the traffic the development generates.

4. The proposed use or mix of uses is appropriate at the subject location.

5. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest.

6. The recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

7. The requested deviations:

   a. enhance the achievement of the objectives of the planned development;

   b. preserve and promote the general intent of LDC Chapter 34 to protect the public health, safety and welfare.

8. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner John E. Manning, seconded by Commissioner Douglas R. St. Cerny and, upon being put to a vote, the result was as follows:

Ray Judah	AYE
John E. Albion	AYE
John E. Manning	AYE
Douglas R. St. Cerny	AYE
Andrew Coy	AYE

DULY PASSED AND ADOPTED this 18th day of October, 1999.

ATTEST:
CHARLIE GREEN, CLERK

BY: Ruth Frymire
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Ray Judah
Chairman

Approved as to form by:

10/19/99
County Attorney's Office

MINUTES OFFICE

Ruth Frymire

FILED OCT 21 1999

EXHIBIT "A"

LEGAL DESCRIPTION

ALL OF THAT LAND DESCRIBED IN OFFICIAL RECORDS BOOK 976, PAGE 551-554, LEE COUNTY PUBLIC RECORDS, LYING SOUTH OF STATE ROAD 80, ALL IN TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 1: THE NW-1/4, OF THE SW-1/4, OF THE NW-114, OF SECTION 27, SUBJECT TO AN EASEMENT TO FLORIDA POWER & LIGHT, AS DESCRIBED IN DEED BOOK 208, PAGE 67, LEE COUNTY RECORDS.

PARCEL NO. 2: THE NE-1/4, OF THE NE-1/4, OF THE SW-1/4, OF SECTION 27.

PARCEL NO. 5: THE S-1/2, OF THE S-1/2, OF THE SE-1/4, OF SECTION 25, LYING SOUTH OF THE FORMER (NOW ABANDONED) SEABOARD AIRLINE RAILROAD COMPANY RIGHT-OF-WAY, SUBJECT TO A 50' EASEMENT TO FLORIDA POWER AND LIGHT AS DESCRIBED IN DEED BOOK 234, PAGE 26, LEE COUNTY RECORDS.

PARCEL NO. 6: ALL THAT PART OF THE S-1/2, OF THE SW-1/4, OF THE SE-1/4, AND THE S-1/2, OF THE S-1/2, OF THE SW-1/4, OF SECTION 26, WHICH LIES SOUTH OF THE FORMER (NOW ABANDONED) SEABOARD ALL FLORIDA RAILROAD COMPANY RIGHT-OF-WAY, SUBJECT TO A 50' EASEMENT TO FLORIDA POWER AND LIGHT AS DESCRIBED IN DEED BOOK 234, PAGE 26, LEE COUNTY RECORDS.

PARCEL NO. 7:

(A) ALL THAT PART OF THE S-1/2, OF THE S-1/2, OF THE SE-1/4, OF SECTION 27, WHICH LIES SOUTH OF THE FORMER (NOW ABANDONED) SEABOARD AIRLINE RAILROAD COMPANY RIGHT-OF-WAY.

(B) THAT PART OF THE S-1/2, OF THE SW-1/4, OF THE SW-1/4, OF SECTION 27, WHICH LIES SOUTH OF THE FORMER (NOW ABANDONED) SEABOARD AIRLINE RAILROAD RIGHT-OF-WAY, IN SECTION 27.

(C) THE SE-1/4, OF THE SE-1/4, OF THE SW-1/4, IN SECTION 27, LESS THE FORMER (NOW ABANDONED) SEABOARD ALL FLORIDA RAILROAD COMPANY RIGHT-OF-WAY, SUBJECT TO A 50' EASEMENT TO FLORIDA POWER AND LIGHT AS DESCRIBED IN DEED BOOK 234, PAGE 26, LEE COUNTY RECORDS AND SUBJECT OF A 60' ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 8: THAT PORTION OF THE NW-1/4, OF THE NW-1/4, OF SECTION 27, LYING

SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 80.

PARCEL NO.9: THAT PORTION OF THE W-1/2, OF THE NE-1/4, OF THE NW-1/4 OF SECTION 27, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 80, SUBJECT TO A 70' LATERAL DITCH EASEMENT LEFT OF STATION 595+20, AS DESCRIBED IN DEED BOOK 175, PAGE 445.

PARCEL NO. 10: THE N-1/2, OF THE SE-1/4, OF THE NW-1/4, OF SECTION 27, SUBJECT OF A 60' ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 11:

(A) THE SE-1/4, OF THE SE-1/4, OF THE NW-1/4, OF SECTION 27, LESS THAT PORTION OF SECTION 27, ALONG THE EAST LINE OF THE WEST ONE-HALF THEREOF, TO THE SOUTH LINE OF THE SE-1/4, OF THE SE-1/4, OF THE NW-1/4, THEREOF; DEDICATED AS A PUBLIC COUNTY ROAD.

(B) THE SW-1/4, OF THE SE-1/4, OF THE NW-1/4, OF SECTION 27, SUBJECT OF A 60' ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 12: THE S-1/2, OF THE SW-1/4, OF THE NW-1/4, OF SECTION 27.

PARCEL NO. 13: THE N-1/2, OF THE NW-1/4, OF THE SW-1/4, OF SECTION 27.

PARCEL NO. 14: THE SE-1/4, OF THE NW-1/4, OF THE SW-1/4, OF SECTION 27.

PARCEL NO. 15: THE W-1/2, OF THE NE-1/4, OF THE SW-1/4, OF SECTION 27, SUBJECT OF A 60' ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 16: THE SE-1/4, OF THE NE-1/4, OF THE SW-1/4, OF SECTION 27, SUBJECT OF A 60' ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 17: THE N-1/2, OF THE SE-1/4, OF THE SW-1/4, OF SECTION 27, SUBJECT OF A 60' ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 18: THAT PORTION OF THE S-1/2, OF THE SW-1/4, OF THE SW-1/4, OF SECTION 27, NORTH OF THE SEABOARD ALL FLORIDA RAILROAD COMPANY RIGHT-OF-WAY.

PARCEL NO. 19: THE N-1/2 OF SECTION 34.

PARCEL NO. 20: THE N-1/2 AND THE SW-1/4 AND THE S-1/2, OF THE SW-1/4, OF THE SE-1/4, IN SECTION 35.

PARCEL NO. 21: ALL OF SECTION 36.

AND FROM OFFICIAL RECORDS BOOK 843, PAGES 855-861, BY THE QUIT CLAIM DEED IN OFFICIAL RECORDS BOOK 976, PAGE 549, ALL IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE FOLLOWING DESCRIBED LAND:

PARCEL NO. 22: NORTH 50 FEET OF RAILROAD RIGHT-OF-WAY FROM WEST LINE OF SECTION 27 TO CENTER LINE OF SECTION 27.

PARCEL NO. 24: THAT PORTION OF THE ABANDONED SEABOARD AIR LINE RAILROAD COMPANY RIGHT-OF-WAY BETWEEN FORT MYERS AND ALVA, FLORIDA, LYING AND BEING IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 26 EAST; AND THE SOUTHERLY 50 FEET OF SAID RIGHT-OF-WAY LYING IN SECTIONS 26 AND 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST.

CONTAINING 1,797.449 ACRES.

SUBJECT TO THE FOLLOWING:

(a) THE PROPERTY HEREIN IS SUBJECT TO AN EASEMENT TO THE FLORIDA POWER & LIGHT COMPANY RECORDED IN DEED BOOK 280, PAGE 67, LEE COUNTY PUBLIC RECORDS, AND UTILITY EASEMENTS TO FLORIDA POWER & LIGHT COMPANY RECORDED IN DEED BOOK 234, PAGE 26, DEED BOOK 234, PAGE 28, DEED BOOK 262, PAGE 143, DEED BOOK 230, PAGE 106, AS MODIFIED BY AMENDMENT TO RIGHT-OF-WAY AGREEMENT FILED NOVEMBER 15, 1956, IN MISC. BOOK 43, PAGE 37 AND THE UNRECORDED EASEMENT DATED JANUARY 16, 1958.

(b) OUTFALL DITCHES AS SET FORTH IN DEEDS TO THE STATE OF FLORIDA RECORDED IN DEED BOOK 175, PAGE 445, AND DEED BOOK 175, PAGE 492, LEE COUNTY PUBLIC RECORDS, WHICH AFFECT PARCEL NOS. 8, 9 AND 10 HEREIN.

(c) RIGHT-OF-WAY FOR ROAD TWENTY (20) FEET WIDE ALONG SOUTH AND WEST SIDE OF THE TRACT DESCRIBED HEREIN, WHICH AFFECTS PARCEL NO. 11

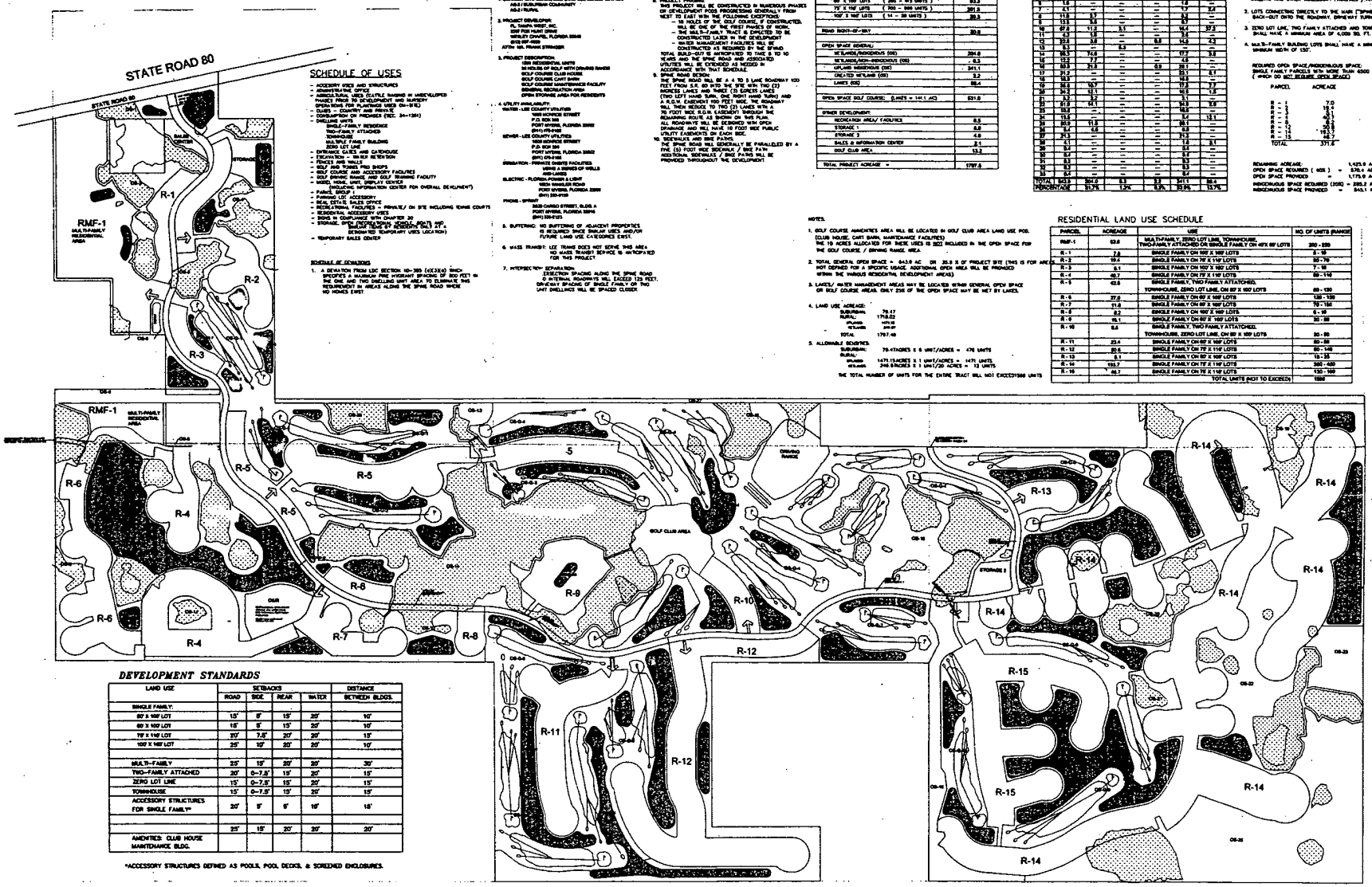
(d) EASEMENT RESERVATION AS SET FORTH IN DEED FROM N. H. HUNTER et al TO LEE-DADE PROPERTIED, INC., DATED NOVEMBER 15, 1956, RECORDED IN DEED BOOK 263, PAGE 186, INVOLVING A ONE SQUARE ACRE PARCEL IN THE SW CORNER OF THE N-1/2 OF SECTION 34, WHICH AFFECTS PARCEL NO. 19 HEREIN.

(e) EASEMENT FOR INGRESS AND EGRESS THROUGH SECTION 27 FROM ROUTE 80 TO THE NORTH LINE OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST BY MARTIN BLUM AND BEN M. BELON, AS TRUSTEES, AND EMMETT J. KELLY AND A. DOUGLAS GRACE, JR., AS TRUSTEES, RECORDED IN OFFICIAL RECORD BOOK 843, PAGE 862, LEE COUNTY PUBLIC RECORDS.

(f) 100 FOOT EASEMENT ROAD ALONG SECTIONS 28 AND 33 BOUNDARY FROM BUCKINGHAM-OLGA ROAD TO EAST LINE OF SECTIONS 289 AND 33. (FROM DEED BOOK 263, PAGE 186, LEE COUNTY PUBLIC RECORDS)

The applicant has indicated that the STRAP numbers for the subject property are :

27-43-26-00-00003.0000, 25-43-26-00-00121.0000, 34-43-26-00-00001.0010, 35-43-26-00-00001.0000, 36-43-26-00-00001.0000 and 26-43-26-00-00011.0000



SCHEDULE OF USES

- ACCESSORY USES AND STRUCTURES
- ADMINISTRATIVE OFFICE
- AGRICULTURAL USES (CATTLE RAISING IN UNDEVELOPED PHASES PRIOR TO DEVELOPMENT AND NURSERY
- OPEN SPACE FOR PLANTINGS USED ON SITE)
- CLUBS - COUNTRY AND PRIVATE
- CONVERSION OF PREMISES (REF. 34-1284)
- DWELLING UNITS
  - SINGLE-FAMILY RESIDENCE
  - TWO-FAMILY ATTACHED
  - TOWNHOUSE
  - MULTIPLE FAMILY BUILDING
  - ZERO LOT LINE
- FURNITURE CLUB AND CATEHOUSE
- FIRCATION, WATER RETENTION
- FENCES AND WALLS
- GOLF AND TENNIS PRO SHOPS
- GOLF COURSE AND ACCESSORY FACILITIES
- GOLF DRIVING RANGE AND GOLF TEACHING FACILITY
- MODEL HOME, UNIT, DISPLAY CENTER (INCLUDING INFORMATION CENTER FOR OVERALL DEVELOPMENT)
- PARCEL SALES OFFICE
- PARCEL SALES ACCESSORY
- REAL ESTATE SALES OFFICE
- RECREATIONAL FACILITIES = PRIVATE/ ON SITE INCLUDING TENNIS COURTS
- RESIDENTIAL ACCESSORY USES
- SIGNS IN COMPLIANCE WITH CHAPTER 30
- STORAGE, OPEN (PROFESSIONAL VEHICLE, PARTS AND EMPLOYEE TRUCK ST RESIDENTIAL SALES AT A DESIGNATED TEMPORARY USES LOCATION)
- TEMPORARY SALES CENTER

SCHEDULE OF DEVIATIONS

1. A DEVIATION FROM LDC SECTION 10-385 (4)(3)(a) WHICH SPECIFIES A MAXIMUM FIRE HYDRANT SPACING OF 500 FEET IN THE ONE AND TWO DWELLING UNIT AREA TO ELIMINATE THIS REQUIREMENT IN AREAS ALONG THE SPINE ROAD WHERE NO HOMES EXIST

NOTES:

1. CURRENT SITE ZONING AND LAND USE CLASSIFICATION
   AG-2 / BUILDING COMMUNITY
   AG-2 / RURAL
2. PROJECT DEVELOPER:
   FL. TAMPA WEST, INC.
   5307 FOX HUNT DRIVE
   WESLEY CHAPEL, FLORIDA 33543
   (813) 907-1539
   ATTN: MR. FRANK STRINGER
3. PROJECT DESCRIPTION:
   1200 RESIDENTIAL UNITS
   36 HOLES OF GOLF WITH DRIVING RANGE
   GOLF COURSE CLUB HOUSE
   GOLF COURSE CART BARN
   GOLF COURSE MAINTENANCE FACILITY
   GENERAL RECREATION AREA
   OPEN STORAGE AREA FOR RESIDENTS
4. UTILITY AVAILABILITY:
   WATER - LEE COUNTY UTILITIES
   1500 MONROE STREET
   P.O. BOX 398
   FORT MYERS, FLORIDA 33902
   (941) 479-4160
   SEWER - LEE COUNTY UTILITIES
   1500 MONROE STREET
   P.O. BOX 398
   FORT MYERS, FLORIDA 33902
   (941) 479-4160
   IRRIGATION - PRIVATE OWNED FACILITIES
   USING A SERIES OF WELLS
   AND LAKES
   ELECTRIC - FLORIDA POWER & LIGHT
   9650 PRESIDENTIAL ROAD
   FORT MYERS, FLORIDA 33905
   (941) 332-3700
   PHONE - SPRINT
   3600 CHARGO STREET, BLDG. A
   FORT MYERS, FLORIDA 33916
   (941) 334-5123
5. BUFFERING: NO BUFFERING OF ADJACENT PROPERTIES IS REQUIRED SINCE SIMILAR USES AND/OR FUTURE LAND USE CATEGORIES EXIST.
6. MASS TRANSIT: LEE TRANS DOES NOT SERVE THIS AREA NO MASS TRANSIT SERVICE IS ANTICIPATED FOR THIS PROJECT
7. INTERSECTION SEPARATION:
   INTERSECTION SPACING ALONG THE SPINE ROAD
   O INTERNAL ROADWAYS WILL EXCEED 125 FEET.
   DRIVEWAY SPACING OF SINGLE FAMILY OR TWO UNIT DWELLINGS WILL BE SPACED CLOSER.
8. PROJECT PHASING:
   THIS PROJECT WILL BE CONSTRUCTED IN NUMEROUS PHASES OR DEVELOPMENT PODS PROGRESSING GENERALLY FROM WEST TO EAST WITH THE FOLLOWING EXCEPTIONS:
   - 18 HOLES OF THE GOLF COURSE, IF CONSTRUCTED, WILL BE ONE OF THE FIRST PHASES OF WORK.
   - THE MULTI-FAMILY TRACT IS EXPECTED TO BE CONSTRUCTED LATER IN THE DEVELOPMENT
   - WATER MANAGEMENT FACILITIES WILL BE CONSTRUCTED AS REQUIRED BY THE SFWMD

   TOTAL BUILD-OUT IS ANTICIPATED TO TAKE 8 TO 10 YEARS AND THE SPINE ROAD AND ASSOCIATED UTILITIES WILL BE EXTENDED AS NEEDED IN ACCORDANCE WITH THAT SCHEDULE
9. SPINE ROAD DESIGN:
   THE SPINE ROAD WILL BE A 4 TO 5 LANE ROADWAY 100 FEET FROM S.R. 80 NORTH THE SITE WITH TWO (2) LANES IN EACH DIRECTION, THREE (3) EXPECTS LANES, TWO LEFT HAND TURN, ONE FRONT LANE TURNS AND A R.O.W. EASEMENT 100 FEET WIDE. THE ROADWAY WILL THEN REDUCE TO TWO (2) LANES WITH A 70 FOOT WIDE R.O.W. EASEMENT THROUGH THE REMAINING ROUTE AS SHOWN ON THIS PLAN. ALL ROADWAYS WILL BE DESIGNED WITH OPEN DRAINAGE AND WILL HAVE 10 FOOT WIDE PUBLIC UTILITY EASEMENTS ON EACH SIDE.
10. SIDEWALKS AND BIKE PATHS:
    THE SPINE ROAD WILL GENERALLY BE PARALLELED BY A FIVE (5) FOOT WIDE SIDEWALK / BIKE PATH ADDITIONAL SIDEWALKS / BIKE PATHS WILL BE PROVIDED THROUGHOUT THE DEVELOPMENT

OPEN SPACE LAND USE TABULATIONS

CATEGORY	ACREAGE
MULTI-FAMILY (200 - 250 UNITS)	53.4
SINGLE FAMILY	
50' x 100' LOTS (130 - 160 UNITS)	46.3
60' x 100' LOTS (295 - 413 UNITS)	53.3
70' x 100' LOTS (700 - 998 UNITS)	201.3
100' X 140' LOTS (14 - 20 UNITS)	20.3
ROAD RIGHT-OF-WAY	30.9
OPEN SPACE GENERAL:	
WETLANDS/INDIGENOUS (OS6)	204.0
WETLANDS/NON-INDIGENOUS (OS5)	4.0
UPLAND INDIGENOUS (OS7)	241.1
CREATED WETLANDS (OS3)	3.2
LAKES (OS2)	66.4
OPEN SPACE GOLF COURSE: (LAKES = 14.1 AC)	531.0
OTHER DEVELOPMENT:	
RECREATION AREA/ FACILITIES	6.5
STORAGE 1	5.0
STORAGE 2	4.0
SALES & INFORMATION CENTER	2.1
GOLF CLUB AREA	13.2
TOTAL PROJECT ACREAGE =	1797.5

OPEN SPACE	TOTAL AREA	WETLANDS/ INDIGENOUS	WETLANDS/ NON-INDIGENOUS	WETLANDS/ CREATED	UPLAND/ INDIGENOUS	LAKES
1	2.1	1.0	—	—	1.1	0.0
2	5.1	1.5	—	—	3.5	0.0
3	14.3	8.0	—	0.0	6.3	—
4	14.0	6.3	—	—	7.5	1.0
5	6.8	3.0	—	—	3.8	—
6	1.4	—	—	—	1.4	—
7	4.1	—	—	—	1.7	2.4
8	11.0	3.7	—	—	5.3	—
9	13.5	5.5	—	—	8.0	—
10	67.0	11.2	3.1	—	16.4	37.3
11	4.3	1.0	—	—	3.3	—
12	22.1	3.0	—	0.0	14.0	4.3
13	6.3	—	0.3	—	—	—
14	95.3	74.0	—	—	17.7	3.0
15	12.3	7.7	—	—	4.6	—
16	50.3	31.0	—	0.0	20.1	—
17	21.2	—	—	—	21.1	0.1
18	18.3	—	—	—	18.3	—
19	36.3	10.7	—	—	17.2	7.7
20	34.3	13.1	—	—	18.5	1.8
21	3.3	3.3	—	—	3.1	—
22	51.0	34.1	—	—	14.9	3.0
23	16.0	—	—	—	16.0	—
24	13.1	—	—	—	6.4	13.1
25	20.0	11.0	—	—	20.1	—
26	8.1	4.0	—	—	4.1	—
27	21.3	—	—	—	21.3	—
28	4.1	—	—	—	1.0	3.1
29	8.4	—	—	—	8.4	—
30	8.4	—	—	—	8.4	—
31	9.3	—	—	—	9.3	—
32	9.3	—	—	—	9.3	—
33	8.4	—	—	—	8.4	—
TOTAL	843.9	304.0	3.3	0.0	341.1	96.4
PERCENTAGE		35.7%	1.3%	0.0%	33.9%	13.7%

NOTES

1. ALL STRUCTURES WITHIN THIS PROJECT (RESIDENTIAL, CLUBHOUSE, GOLF MAINTANCE BUILDING AND OTHER ACCESSORY FACILITIES) ARE LIMITED TO 3 STORIES OR 45'
2. LOTS CONNECTING DIRECTLY TO THE MAIN ("SPINE") ROAD WILL NOT HAVE DIRECT BACK-OUT INTO THE ROADWAY. DRIVEWAY TURN AROUNDS WILL BE PROVIDED.
3. ZERO LOT LINE, TWO FAMILY ATTACHED AND TOWNHOUSE LOTS IN MULTI-FAMILY AREA SHALL HAVE A MINIMUM AREA OF 4,000 SQ. FT. AND A MINIMUM WIDTH OF 40'.
4. MULTI-FAMILY BUILDING LOTS SHALL HAVE A MINIMUM AREA OF 20,000 SQ. FT. AND MINIMUM WIDTH OF 150'.

REQUIRED OPEN SPACE/INDIGENOUS SPACE:
SINGLE FAMILY PARCELS WITH MORE THAN 4000 SQ. FT. LOTS:
(WHICH DO NOT REQUIRE OPEN SPACE)

PARCEL	ACREAGE
R - 1	7.0
R - 2	19.1
R - 3	6.1
R - 4	48.7
R - 5	8.0
R - 6	27.0
R - 7	11.0
R - 8	8.2
R - 9	15.1
R - 10	5.0
R - 11	23.4
R - 12	80.6
R - 13	6.1
R - 14	153.7
R - 15	46.1
TOTAL	371.6

ROAMMING ACREAGE = 1,425.9 ACRES
OPEN SPACE REQUIRED (40%) = 570.4 ACRES
OPEN SPACE PROVIDED = 1,175.0 ACRES

INDIGENOUS SPACE REQUIRED (20%) = 285.2 ACRES
INDIGENOUS SPACE PROVIDED = 843.1 ACRES

RESIDENTIAL LAND USE SCHEDULE

PARCEL	ACREAGE	USE	NO. OF UNITS (RANGE)
RMF-1	53.0	MULTI-FAMILY, ZERO LOT LINE, TOWNHOUSE, TWO-FAMILY ATTACHED OR SINGLE FAMILY ON 40'X 80' LOTS	200 - 250
R - 1	7.0	SINGLE FAMILY ON 100' X 140' LOTS	5 - 10
R - 2	19.4	SINGLE FAMILY ON 70' X 110' LOTS	55 - 70
R - 3	6.1	SINGLE FAMILY ON 100' X 140' LOTS	7 - 10
R - 4	48.7	SINGLE FAMILY ON 70' X 110' LOTS	69 - 110
R - 5	42.0	SINGLE FAMILY, TWO FAMILY ATTATCHED, TOWNHOUSE, ZERO LOT LINE, ON 80' X 100' LOTS	80 - 130
R - 6	27.0	SINGLE FAMILY ON 60' X 100' LOTS	130 - 150
R - 7	11.0	SINGLE FAMILY ON 60' X 100' LOTS	75 - 150
R - 8	8.2	SINGLE FAMILY ON 100' X 140' LOTS	6 - 10
R - 9	15.1	SINGLE FAMILY ON 60' X 100' LOTS	30 - 50
R - 10	5.0	SINGLE FAMILY, TWO FAMILY ATTATCHED, TOWNHOUSE, ZERO LOT LINE, ON 80' X 100' LOTS	30 - 50
R - 11	23.4	SINGLE FAMILY ON 60' X 100' LOTS	60 - 80
R - 12	80.6	SINGLE FAMILY ON 70' X 110' LOTS	80 - 140
R - 13	6.1	SINGLE FAMILY ON 60' X 100' LOTS	15 - 35
R - 14	153.7	SINGLE FAMILY ON 70' X 110' LOTS	350 - 400
R - 15	46.1	SINGLE FAMILY ON 70' X 110' LOTS	130 - 160
		TOTAL UNITS (NOT TO EXCEED)	1200

DEVELOPMENT STANDARDS

LAND USE	SETBACKS ROAD	SETBACKS SIDE	SETBACKS REAR	SETBACKS WATER	DISTANCE BETWEEN BLDGS.
SINGLE FAMILY:					
50' X 100' LOT	15'	5'	15'	20'	10'
60' X 100' LOT	15'	5'	15'	20'	10'
70' X 110' LOT	20'	7.5'	20'	20'	15'
100' X 140' LOT	25'	10'	20'	20'	10'
MULTI-FAMILY	25'	15'	20'	20'	30'
TWO-FAMILY ATTACHED	20'	0-7.5'	15'	20'	15'
ZERO LOT LINE	15'	0-7.5'	15'	20'	15'
TOWNHOUSE	15'	0-7.5'	15'	20'	15'
ACCESSORY STRUCTURES FOR SINGLE FAMILY*	20'	5'	5'	10'	15'
	25'	15'	20'	20'	20'
AMENITIES: CLUB HOUSE MAINTENANCE BLDG.					

*ACCESSORY STRUCTURES DEFINED AS POOLS, POOL DECKS, & SCREENED ENCLOSURES.

PROJECT # 99 03-066-03 Z 01.01
PROJECT TYPE 12

EXHIBIT IV-E

RECEIVED JUL 15 1999 ZONING COUNTER

DATE	REVISIONS:
4/23/99	REVISIONS AS PER LEE COUNTY REVIEW COMMENTS
3/22/99	REVISIONS TO OPEN SPACE REQUIREMENTS

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24631 Old 41 Road Bonita Springs, Florida 34135
Phone (941) 947-0266 Fax (941) 947-1323
E-Mail bonita @consul-tech.com
Certificate of Authorization #LB3527

SULLIVAN
Sullivan Associates, Inc. Architects Planners Engineers
2314 Market Street, Philadelphia, Pennsylvania 19103
(215) 567-7300 FAX (215) 567-5329/3637

CLIENT: FL. TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

PROJECT: HAWK'S HAVEN
LEE COUNTY, FLORIDA
SECTIONS 27, 34, 35, 36, TOWNSHIP 43S, RANGE 26E

TITLE: MASTER CONCEPT PLAN

DESIGN BY: VA
DRAWN BY: VA
CHECKED BY: DCW
DATE: FEB. 22, 1999

JOB NO. 98-262-SP
SPC NO. C-509

SCALE: 1"=400'
PROJECT NUMBER
CTE: 980408
SUNTE: (98-263)
SHEET 1 of 1

ZONING MAP

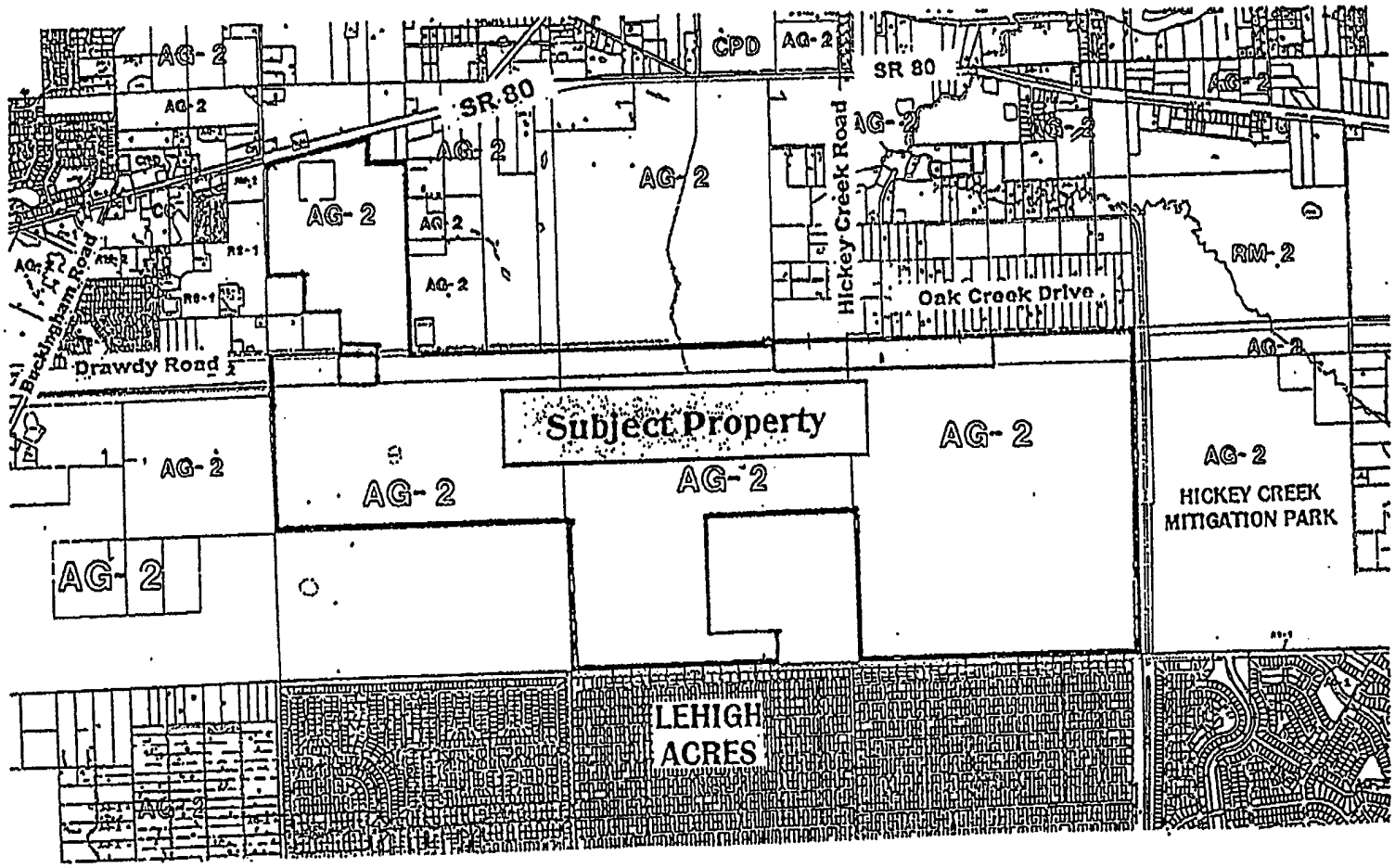


EXHIBIT C

ATTACHMENT C

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Landmar Group, LLC filed an application for administrative approval to a Residential Planned Development on a project known as Hawks Haven to allow modification to the Master Concept Plan to:

1. Revise the Master Concept Plan to show the emergency access as required in Condition 8, Lee County Zoning Resolution Z-99-056; and
2. Revise Environmental Condition 3.e, Lee County Zoning Resolution Z-99-056; and
3. Revise Environmental Condition 3.f, Lee County Zoning Resolution Z-99-056; and
4. Relocate Open Storage and Golf Maintenance Facilities to allow for the changes to the access and preservation areas; and
5. Show the location of a proposed 20+/- acre school site,

on property located in Alva, described more particularly as:

LEGAL DESCRIPTION: In Sections 25, 26, 27, 34, 35 & 36, Township 43 South, Range 26 East, Lee County, Florida:

See Legal Description attached hereto as Exhibit A

WHEREAS, the property was originally rezoned in case number DCI962447; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the application has been reviewed by Lee County Development Services, Lee County Environmental Sciences, and Lee County Department of Natural Resources; and

WHEREAS, the applicant has requested to modify the Indigenous Preservation areas; and

WHEREAS, there is an overall increase in the amount of Indigenous Preservation areas; and

WHEREAS, the applicant is requesting to provide an emergency access from the property to the west of the subject property; and

WHEREAS, Condition 8 Lee County Resolution Z-99-056, requires that emergency access be provided to the west of the subject property; and

WHEREAS, the emergency access will be provided to access through the proposed Portico property to the west; and

WHEREAS, an access agreement has been provided to show the emergency access to the abutting property to the west; and

WHEREAS, the School District of Lee County is proposing a new school on the subject property; and

WHEREAS, the proposed school site is for the development of a public school for the Lee County Board of Education; and

WHEREAS, the relocation and/or reconfiguration of on-site facilities include Golf Maintenance Facility Open Storage areas, and certain residential development areas; and

WHEREAS, the relocation of the Open Storage and Golf Maintenance Facilities will not create an increased impact on surrounding properties due to the increased buffer provided on page 2 of the attached Master Concept Plan; and

WHEREAS, the proposed changes will not create an increase in density or intensity; and

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

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to allow modifications to the Master Concept Plan is **APPROVED** to:

1. Revise the Master Concept Plan to show the emergency access as required in Condition 8 of Lee County Zoning Resolution Z-99-056; and
2. Revise Environmental Condition 3.e, Zoning Resolution Z-99-056; and
3. Revise Environmental Condition 3.f, Zoning Resolution Z-99-056; and
4. Relocate Open Storage and Golf Maintenance Facilities to coincide with the changes to access and preservation areas; and
5. Show the location of a proposed 20+/- acre school site.

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended two-page Master Concept Plan, entitled Hawks Haven Master Concept Plan dated May 19, 2004,**

stamped received by the Permit Counter on May 20, 2004. Master Concept Plan for ADD2004-00067 is hereby APPROVED and adopted. A reduced copy is attached hereto.

2. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.

3. Condition 3.e of Lee County Zoning Resolution Z-99-056 is amended to read as follows:

   Open space must be provided per ~~the open space table on~~ the Master Concept Plan counter-stamped received ~~July 15, 1999.~~ May ~~12~~ 19, 2004. ~~The open space table provides 643.9 acres of preserves and lakes. The golf course tract provides 531 acres of open space.~~ All individual tracts, excluding tracts of single family lots greater than 6,500 square feet, must provide a minimum of ten percent open space within the tract. Individual tract open space may be met with private open space.

4. Condition 3.f of Lee County Zoning Resolution Z-99-056 is amended to read as follows:

   ~~Indigenous open space must be provided per the "Impact and Mitigation Plan" dated February 22, 1999 revised May 5, 1999.~~ A minimum of 463.09 acres of indigenous preservation areas must be provided in substantial compliance with the Master Concept Plan. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract being developed.

5. The school site is limited to a Public School operated by the School District of Lee County.

6. Outdoor Storage Areas must be in compliance with Section 34-3001 et seq, of the Lee County Land Development Code with the additional requirements as outlined on page 2 of the attached Master Concept Plan, including a 200-foot setback and enhanced buffer.

7. The Golf Course Maintenance Facility shall be landscaped at the time of Development Order Approval, in accordance with the two-page Master Concept Plan, entitled Hawks Haven Master Concept Plan dated May 19, 2004.

DULY SIGNED this 4th day of June, A.D., 2004.

BY: Pam Houck

Pam Houck, Director
Zoning Division
Department of Community Development

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

RECEIVED
MAY 14 2004
PERMIT COUNTER

DESCRIPTION

Parcel in
Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE ¼) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W)(chord 28.95 feet) for 28.97 feet to and intersection with the West line of the Northwest Quarter (NW ¼) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27, being designated as POINT "A"; thence run N00°49'48"W along the West line of the Southwest Quarter (SW ¼) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27 for 1,318.66 feet to the Southeast corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run S00°50'33"E along the East line of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27 for 66.37 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Northerly right of way line for 659.34 feet to an intersection with the East line of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run along said East line N00°50'55"W for 65.12 feet to the Northeast corner of said Fraction; thence run S89°06'39"W along the North line of said Fraction for 659.33 feet to the Southeast corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW ¼) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 2,020.27 feet to and intersection with the West line of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27;

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Phone (239) 461-3170 • Fax (239) 461-3169

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DESCRIPTION (cont.)

thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "B"; thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW ¼) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "C"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE ¼) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE ¼) of said Section 36 for 2,644.62 feet the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW ¼) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run N00°43'38"W along the East line of the Southeast Quarter (SE ¼) of said Section 35 for 2,635.53 feet to the East Quarter Corner of said Section 35; thence run S89°04'31"W along the North line of the Southeast Quarter (SE ¼) of said Section 35 for 2,647.42 feet to the Center of Section 35; thence run S00°47'45"E along the West line of the Southeast Quarter (SE ¼) of said Section 35 for 1,982.29 feet to the Southwest Corner of the North Half (N ½) of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section 35; thence run N88°57'10"E along the South line of said Fraction for 1,322.53 feet to an intersection with the West line of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of said Section 35; thence run S00°47'27"E along said West line for 660.06 feet to an intersection with the South line of the Southeast Quarter (SE ¼) of said Section 35; thence run S88°54'06"W along said South line for 1,321.81 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW ¼) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels.

From the point designated as POINT "A" run N89°08'57"E along the South line of the Southwest Quarter (SW ¼) of said Section 27 for 1,318.80 feet to the Southwest Corner of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run N00°50'33"W along the West line of said Fraction for 494.10 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 659.35 feet to and intersection with the East line of said Fraction; thence run S00°50'55"E along said West line for 495.79 feet to the Southeast Corner of said Fraction; thence run S89°08'57"W along the South line of said Fraction for 659.40 feet to the POINT OF BEGINNING.

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DESCRIPTION (cont.)

AND
From the point designated as POINT "B" run S88°54'52"W along the South line of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 27 for 658.74 feet to the Northeast Corner of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 27 and POINT OF BEGINNING.
From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.
AND
From the point designated as POINT "C" run S88°44'46"W along the South line of the Southeast Quarter (SE ¼) of said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25 and POINT OF BEGINNING.
From said Point of Beginning run S89°12'44"W along the South line of the Southwest Quarter (SW ¼) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26; thence run S89°14'15"W along the South line of the Southeast Quarter (SE ¼) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 3,955.57 feet to an intersection with the East line of the Southwest Quarter (SW ¼) of said Section 25; thence run S00°58'48"E along said East line for 541.54 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,797.26, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

Applicant's Legal Checked
by 17 MAY 04

Scott A. Wheeler 5/14/04
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\21988 - Hawks Haven\DESC\21988SK04desc.doc

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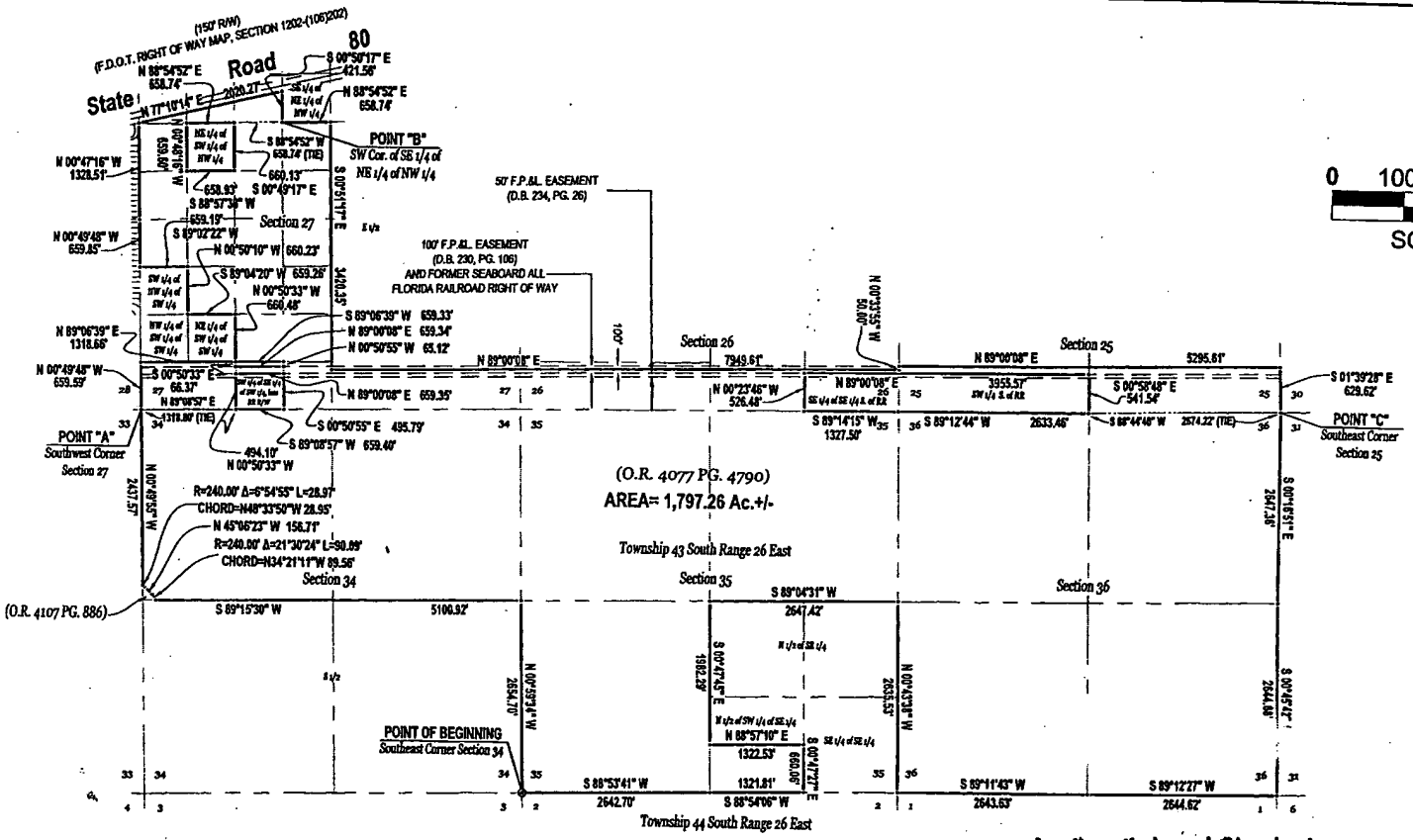
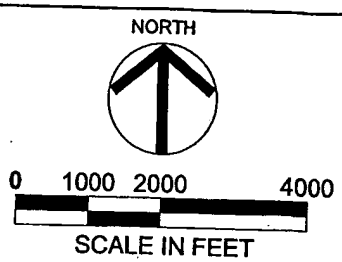




THIS IS NOT A SURVEY

COTT A. WHEELER (FOR THE FIRM- LB6940)
ROFESSIONAL SURVEYOR AND MAPPER
LORIDA CERTIFICATE NO. 5949

DATE SIGNED:

OT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
AISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

RECEIVED
MAY 14 2004
PERMIT CENTER

ADD 2004-00067

Applicant's Legal Checked
by 17MAY04

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B.- DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 34 TO BEAR NORTH 00°49'55" WEST.
6. DESCRIPTION IS ATTACHED

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7988 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 287-0130
FAX (813) 704-0365

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 25,26,27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	
LAYOUT	LAYOUT
LOCATION	
PLOT DATE	
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	
DRAWN BY	PTO
CHECKED BY	SWF
SCALE	
FIELD BOOK	

PLAN REVISIONS

STAMP NUMBERS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO. | SHEET NUMBER

SCHEDULE OF USES

NOTES:

LAND USE TABULATIONS

CATEGORY	ACREAGE
MULTI-FAMILY	[illegible]
SINGLE FAMILY	[illegible]
ROAD RIGHT-OF-WAY	[illegible]
COMMUNITY AND OPEN SPACE	[illegible]
LAKES (50%)	[illegible]
RECREATIONAL OPEN SPACE/GOLF COURSE	[illegible]
OPEN SPACE/GOLF COURSE	
RECREATION AREA FACILITIES	[illegible]
FUTURE DEVELOPMENT	[illegible]
SCHOOL SITE	[illegible]
ROADS & INFRASTRUCTURE CORRIDOR	[illegible]
GOLF FILTER AREA	[illegible]
GOLF COURSE MAINTENANCE	[illegible]
TOTAL PROJECT ACREAGE	[illegible]

* TOTAL LAKES NOT TO EXCEED 1,000

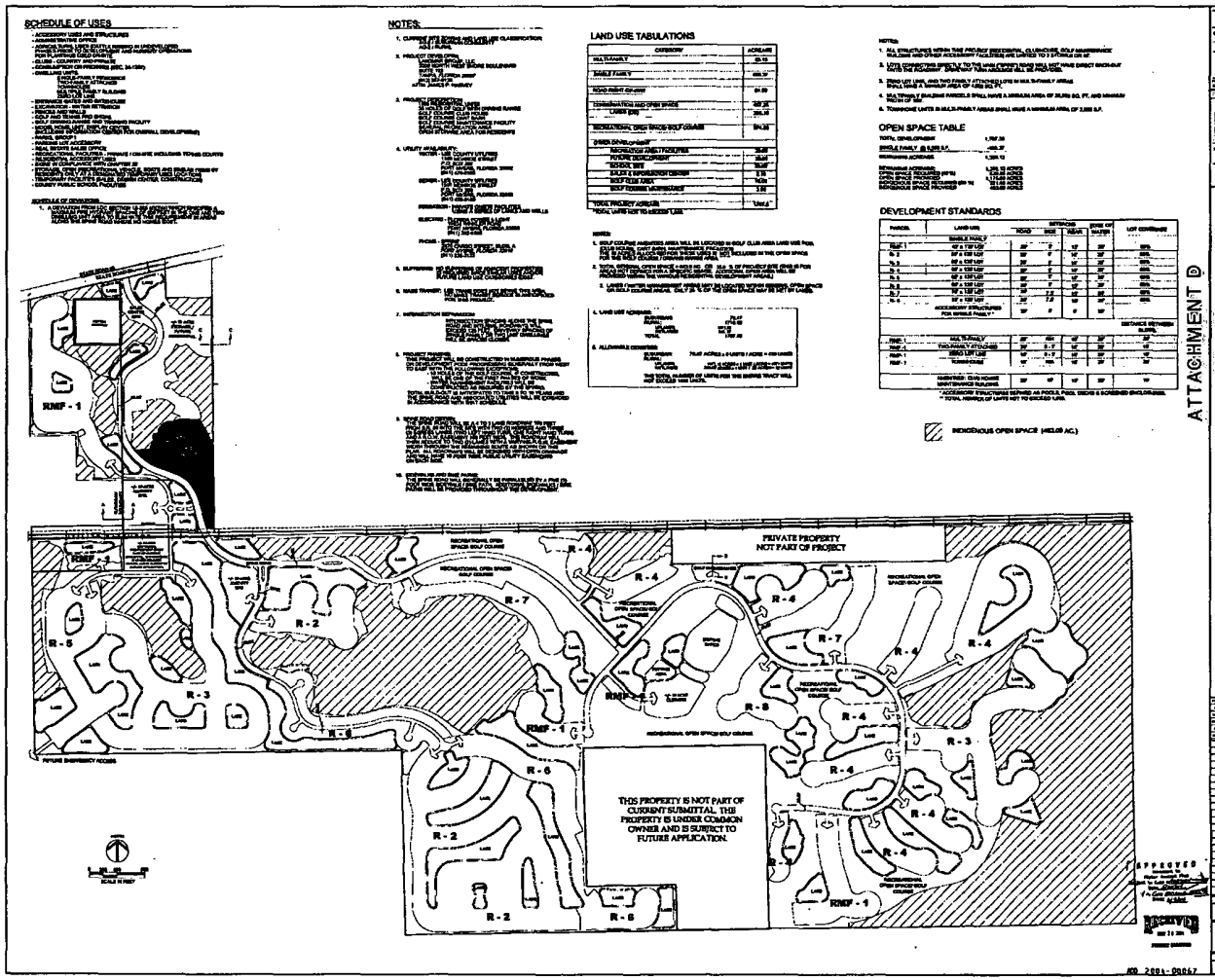
OPEN SPACE TABLE

DEVELOPMENT STANDARDS

PARCEL	LAND USE	SETBACKS				LOT COVERAGE
		ROAD	SIDE	REAR	BOTH	
	SINGLE FAMILY					
RMF - 1	10' x 130' LOT	20'	7'	10'	20'	35%
R - 2	50' x 130' LOT	20'	7'	10'	20'	40%
R - 3	60' x 130' LOT	20'	7'	10'	20'	40%
R - 4	70' x 130' LOT	20'	7'	10'	20'	40%
R - 5	80' x 130' LOT	20'	7'	10'	20'	40%
R - 6	90' x 130' LOT	20'	7'	10'	20'	40%
R - 7	100' x 130' LOT	20'	7'	10'	20'	40%
R - 8	110' x 130' LOT	20'	7'	10'	20'	40%
R - 9	120' x 130' LOT	20'	7.5	10'	20'	40%
R - 10	140' x 130' LOT	20'	7.5	10'	20'	40%
	ACCESSORY STRUCTURES FOR SINGLE FAMILY *	10'	5'	10'	10'	
		DISTANCE BETWEEN BLDGS.				
RMF - 1	MULTI-FAMILY	20'	20'	10'	20'	30%
RMF - 1	TWO-FAMILY ATTACHED	20'	0 / 7'	10'	20'	40%
RMF - 1	SINGLE LOT LINE	10'	0 / 7'	10'	20'	40%
RMF - 1	TOWNHOUSE	10'	N/A	10'	20'	30%
	AMENITIES / CLUB HOUSE MAINTENANCE BUILDING	20'	10'	10'	20'	*

* ACCESSORY STRUCTURES DEFINED AS POOLS, PATIO, DECKS & SCREENED ENCLOSURES.
* TOTAL NUMBER OF UNITS NOT TO EXCEED 1,000.

INDIGENOUS OPEN SPACE (46.05 AC.)



ATTACHMENT D

Barraco and Associates, Inc.

LandMar GROUP, LLC

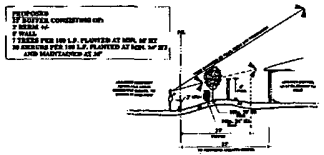
HAWKS HAVEN
MASTER CONCEPT PLAN

MASTER CONCEPT PLAN

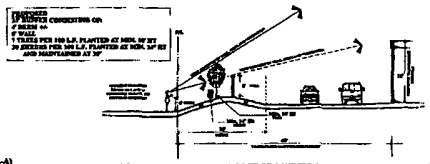
21988 | 1 OF 2

AD 2004-00067

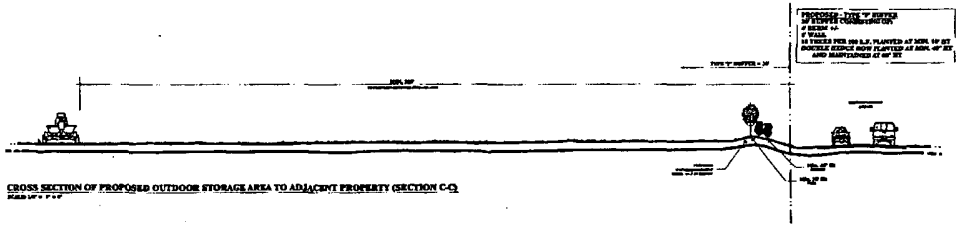
ATTACHMENT D



PROPOSED BUFFER FOR AMENITY CENTER (SECTION A-A)



PROPOSED BUFFER FOR GOLF COURSE MAINTENANCE FACILITY (SECTION B-B)



CROSS SECTION OF PROPOSED OUTDOOR STORAGE AREA TO ADJACENT PROPERTY (SECTION C-C)

APPROVED

2004-00047

Barraco and Associates, Inc.

www.barraco.net

LandMar GROUP, LLC

HAWKS HAVEN
MASTER CONCEPT PLAN

TYPICAL SECTIONS

21588 | 2 OF 2

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: CASE 99-03-066.03Z 01.01
APPLICANT: FL TAMPA WEST, INC., in ref. to HAWK'S HAVEN
HEARING DATE: AUGUST 18, 1999

I. APPLICATION:

This matter came before the Lee County Hearing Examiner as an Application for a Rezoning to a Residential Planned Development (RPD) pursuant to Lee County Land Development Code (LDC).

Filed by FL TAMPA WEST, INC., % FOREST CITY LAND GROUP, 5307 Fox Hunt, Wesley Chapel, FL 33543 (Applicant/Option Holder); WILLIAM SCHULMAN, TRUSTEE, CALVERTON LINKS, P. O. Box 306, Calverton, NY 11933 (Owner); MATTHEW D. UHLE, ESQUIRE, % HUMPHREY & KNOTT, P.A., 1625 Hendry St., Ft. Myers, FL 33901 (Agent).

Request is to rezone 1,797.45± total acres of land from AG-2 (Agricultural) to Residential Planned Development (RPD) to permit a maximum of 1,598 dwelling units in a mix of housing types, within a golf course community. Buildings are not to exceed 35 feet in height within a maximum of three stories.

The subject property fronts S.R. 80 about one-half mile east of Buckingham Road (property extends to the south, and then east again over six sections), in S25-T43S-R26E, S26-T43S-R26E, S27-T43S-R26E, S34-T43S-R26E, S35-T43S-R26E, and S36-T43S-R26E, Lee County, FL. (District #5)

II. STAFF REPORT AND RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Kay Deselem. The Staff Report is incorporated herein by this reference.

III. RECOMMENDATION OF HEARING EXAMINER:

The undersigned Lee County Hearing Examiner recommends that the Lee County Board of County Commissioners APPROVE the Applicant's request to rezone 1,797.45± total acres of land from AG-2 (Agricultural) to Residential Planned Development (RPD) to permit a maximum of 1,598 dwelling units in a mix of housing types, within a golf course community for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

ATTACHMENT E

LEE COUNTY
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99 SEP -9 AM 8:12
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

A. CONDITIONS:

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Hawk's Haven," stamped received July 15, 1999, last revised 07/02/99, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

a. **Schedule of Uses**

Accessory Uses and Structures
Administrative Office
Agricultural Uses (cattle raising in undeveloped phases prior to development and nursery operations for plantings used on-site only)
Club - country and private
Consumption on Premises - limited to one in the clubhouse area
Dwelling Units - maximum of 1,598 units to be comprised of single-family, two-family attached, townhouse, multiple-family, zero-lot-line units (**densities may not be shifted between Land use categories unless the provisions of Policy 5.1.11 of the Lee Plan are followed in a new public hearing**)
Entrance Gates and Gatehouse
Excavation, Water Retention
Fences and Walls
Golf Course
Golf and Tennis Pro Shops (limited to ancillary use in clubhouse)
Golf Driving Range
Golf Training Facility
Model Home and Model Unit - must be in compliance with LDC Section 34-1954
Model Display Center, must be in compliance with LDC Section 34-1955, limited to one only, which must be located in the sales center area shown on the MCP and must only serve this project
Parks, Group I
Real Estate Sales Office - limited to sales of lots, homes or units within the development, except as may be permitted in Section 34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not exceeding ten years from the date the Certificate of Occupancy for the sales office is issued [if Deviation (2) is approved, otherwise the Real Estate Sales Office use is valid for five years from the

date the Certificate of Occupancy for the sales office is issued]. The director may grant one 2-year extension at the same location.

Recreational Facilities - Private, On-site only

Residential Accessory Uses - In compliance with LDC Section 622(c)42 and LDC Article VII, Division 2

Signs, in compliance with LDC Chapter 30

Storage, Open, recreational vehicles, boats and similar items for residents only, limited to locations shown on the MCP and 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

b. **Site Development Regulations** - Limited to the standards shown in Attachment B, except that a minimum of 20 feet will be maintained for stacking in driveways.

Maximum Height: Three stories, or 45 feet, whichever is the lesser amount

c. **Commercial uses are limited to the following:**

If the Golf Driving Range is open after daylight hours, all lighting must comply with LDC Section 34-936(g), must be of the lowest intensity meeting life safety codes, and must be shielded and directed away from any adjacent residential area.

3. The following conditions address environmental issues:

a. The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan for Schulman Parcel" counter stamped May 19, 1999 is hereby adopted. Prior to local Development Order Approval, the location of the American alligator management plan signage must be delineated on the development order plans for Division of Planning, Environmental Sciences review and approval. The warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

b. The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19, 1999 is hereby adopted. If gopher tortoises are moved out of harm's way utilizing the "bucket trapping method," all buckets must be checked for tortoises a minimum of three times a day. An alternative method of tortoise relocation may be proposed (with details) at the time of local Development Order submittal. Any revisions to the tortoise management plan are subject to Division of Planning, Environmental Sciences review and approval.

c. The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19, 1999 must be revised for Division of Planning, Environmental Sciences staff review and approval at the time of local Development Order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer per LDC Appendix H, or commit to a detailed relocation management plan. Should the Applicant demonstrate it is necessary to

impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

d. A final detailed scrub jay management plan must be provided to the Division of Planning, Environmental Sciences for review and approval at the time of local Development Order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19, 1999. The finalized scrub jay management plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local Development Order Approval.

e. Open space must be provided per the open space table on the MCP counter stamped July 15, 1999. The open space table provides 643.9 acres of preserve area and lakes. The golf course tract provides 531 acres of open space. All individual tracts, excluding tracts of single-family lots greater than 6,500 square feet, must provide a minimum of 10 percent open space within the tract. Individual tract open space may be met with private open space.

f. Indigenous open space must be provided per the "Impact and Mitigation Plan" dated February 22, 1999 revised May 5, 1999. The preserves must be delineated on the local Development Order plans when they are within or adjacent to the development phase or tract being developed.

g. Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. An on-site preconstruction meeting must be held with Division of Planning/Environmental Sciences Staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

4. The following recommendations are presented in order to mitigate future hurricane damage and/or loss of life, as well as to ensure compliance with comprehensive plan objectives.

a. The Applicant must establish a homeowners' or residents' association that will provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who 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. The Applicant must formulate an emergency hurricane notification and evacuation plan, which will be subject to review and approval by the Lee County Office of Emergency Management.

c. If access to this development or any portions thereof, is through a security gate or similar device, which is not manned 24 hours a day, it must be equipped with an override strip installed in a glass covered box to be used by drivers of emergency vehicles to gain entry, consistent with LDC Section 34-1749.

d. Because this development creates the need for 50 or more shelter spaces, or adds 15 minutes or more to the existing evacuation time, the Developer must cooperate with the Division of Public Safety/Emergency Management in determining and participating in a means to lessen those impacts on the County's hurricane preparedness process and public safety. Those "means" could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes. The choice of "means" will rest with the Developer, so long as the choice adequately mitigates the adverse impacts.

5. The following conditions are included to address Lee Plan consistency issues:

a. The portion of the property within the Rural future land use category must maintain densities of one dwelling unit per acre or less. No more than 1,499 dwelling units may be constructed in the Rural designated areas of the project.

b. Given the limited existing available Rural 2020 Planning Community Acreage Allocation at the time of rezoning, the available Rural allocation must be determined by the Planning Division, prior to any Development Order Approval for residential use in the Rural portions of the site. No Development Order will be issued or approved if the acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Lee Plan Table 1(b), Acreage Allocation Table (per Lee Plan Policy 1.7.6). In order to develop more Rural acreage with residential uses, the Lee Plan must be amended to change the Rural residential acreage allocation for the Fort Myers Shores planning community in Table 1(b). Adequate data and analysis to support this amendment must be submitted by the Applicant at the time of the request for the Lee Plan amendment. Development in excess of the current Table 1(b) allocations will not be permitted until Table 1(b) is amended accordingly.

6. The following conditions are included to address concerns about the golf course:

a. Fertilizers with a low leaching potential (slow release) must be used, must not be applied after active growth of the turfgrass has ceased, and must be kept to the lowest reasonable levels; and

b. To reduce sources of pollutants, especially nutrients and pesticides associated with the golf course, the golf course manager must implement a chemicals management plan which includes an integrated pest management (IPM) program and a nutrient management program such that nutrients and pesticides are used only when absolutely necessary. The program must address prevention, diagnosis, and limited treatment with pesticides when necessary rather than blanket treatment with broad spectrum pesticides as insurance against all pest species. The application of pesticides will involve only the

purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is prohibited. The IPM program must minimize the use of pesticides and must include the use of the US Department of Agriculture - Natural Resources Conservation Service (USDA-NRCS) Soil Pesticide Interaction Rating guide to select pesticides for use that have a minimum potential for leaching or loss from runoff. The nutrient management program must be based upon the USDA-NRCS Nutrient Management Standard and must include the use of soil tests to determine needed applications of nutrients. Only EPA-approved chemicals may be used. No turf managed areas (including fairways, tees, and greens) are permitted within 35 feet of wetlands or preserve areas. This chemicals management plan must be submitted to and approved by Lee County Planning Division Staff prior to the Development Order approval.

c. 1) The golf course manager must coordinate the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.

2) The utilization of a golf course manager licensed by the state to use restricted pesticides and experienced in the principles of IPM is required. The golf course manager is responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater.

d. 1) The storage, mixing, and loading of fertilizer and pesticides must be designed to prevent/minimize the pollution of the natural environment.

2) The golf course must comply with the "Best Management Practices for Golf Course Maintenance Departments," prepared by the Florida Department of Environmental Protection, May 1995, as amended.

f. 1) The golf course must be planted with a turfgrass cultivated variety that is drought and pest resistant, while requiring relatively low fertilizer use;

2) The irrigation system must operate on an "as needed" basis through the utilization of weather forecasting and ongoing assessment of the moisture content of the soil.

g. 1) All fairways, greens, and tees must be elevated above the 25-year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system.

2) Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems.

h. 1) An annual monitoring report of ground water and surface water quality is required for the golf course operation. The monitoring program must include: testing to assess whether there are any herbicide, pesticide or fertilizer pollution of the water within

the area of the golf course; identifying the locations for the ground water monitoring and testing on a map(s); setting forth the testing and recording requirements. The Developer must submit the test results with the monitoring report to the Lee County Planning Division. The monitoring program will be established and operated at the expense of the Developer, or other comparable legal entity charged with the legal responsibility of managing the golf course. This plan will be evaluated in accordance with the directives of Chapter 17-302, F.A.C., water quality standards.

2) If groundwater or surface water pollution occurs, as that term is defined by the rules or regulations in effect at the time, and should the pollution be caused by the application of fertilizers, herbicides or pesticides to the golf course, the application must cease until there is a revised management plan. If mitigation is necessary to address the pollution, a mitigation plan approved by Lee County must be implemented by the Developer.

7. 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 constructing model homes within Hawk's haven, the lots upon which the model homes will be constructed will have been shown on a preliminary plat filed concurrently with the required local development order for this project. Such model home(s) will comply with all setbacks set forth within the Property Development Regulations for Hawk's Haven or the Land Development Code, whichever applies. Should setback problems arise after construction of a model home, it will be the responsibility of the owner/developer to resolve the setback problem.

d. Dry models are prohibited.

8. In addition to the single access from S.R. 80, the developer must submit for review and subsequent approval, a plan that demonstrates whether there is a need for an emergency access to the project prior to the approval of any development orders for dwelling units after the first 584 units have been approved. If an emergency access is deemed to be necessary, documents must be submitted with the plan that demonstrate the project's legal ability to provide emergency access. The emergency access, if deemed to be necessary, will provide a connection to Buckingham Road. Any road used for emergency access must be constructed or improved to the degree required for the use of emergency vehicles. If it is determined that no emergency access is needed, the Applicant will meet the provision of LDC Section 10-291(3) LDC with the single access from S.R. 80.

9. Bona fide agricultural uses that are now in existence may continue until the development commences. However, no development activity of any kind may occur on the property, including clearing of vegetation or cutting of trees, unless such activity is reviewed and approved in accordance with all applicable Lee County regulations as if no agricultural

use existed on the property. The purpose of this condition is to eliminate any exemption or other special considerations or procedures that might otherwise be available under Lee County regulations by virtue of the existing agricultural uses on the property.

10. Construction traffic must enter and exit this project from S.R. 80 until 200 units have been constructed in the project. Thereafter, construction access may be permitted from Buckingham Road (if the Applicant has maintained such an access). In no event, will construction traffic be permitted on Hickey Creek Road.

11. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC Section 34-2174(a).

12. Approval of this zoning request does not address access onto S.R. 80, since Lee County has no jurisdiction over that roadway. The Developer must pursue this access approval with the 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.

13. 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 Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

14. This development must comply with all of the requirements of the LDC at the time of local Development Order Approval, except as may be granted by deviations approved as part of this planned development.

15. If required to do so by Florida Statutes, the Developer will provide access to the internal "out parcels" which are the separate tracts encapsulated by this project.

16. If the Developer constructs structures other than conventional single-family homes within 100 feet of any of the "out parcels," the Developer must provide a 25-foot-wide enhanced vegetative buffer completely around the out parcel. In addition, the enhanced vegetative buffer must utilize native vegetation, indigenous to the plant community in which it is to be planted. The vegetation must be installed prior to any vertical construction and it must be installed according to the following density and size:

a. Six trees per 100 linear feet - At installation, trees must be a minimum of 12 to 14 feet tall, with a 2½-inch minimum caliper and a 5-foot minimum canopy. No palm trees, or completely deciduous trees may be used to meet the requirements of this enhanced buffer.

b. Thirty-three shrubs per 100 linear feet - 1) At installation, all shrubs must be 18 to 24 inches in height, 3-gallon pots, and spaced 30 to 36 inches on center; and 2) all shrubs used to meet the enhanced buffer requirements must reach a mature height in excess of six feet under normal growing conditions.

If these "out parcels" come under the control of the Developer prior to construction within the 100-foot-wide area, then compliance with this condition is not required.

B. DEVIATIONS:

Deviation (1) seeks relief from LDC Section 10-385(d)(3)(a), which specifies a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the spine road where no homes exist. The Hearing Examiner recommends DENIAL of the deviation as proposed, i.e., to eliminate the fire hydrants, but recommends APPROVAL to allow the placement of a hydrant at the midpoint of each section along the "spine" road. For purposes of this Deviation, "section" is defined as the distance along the spine roadway between intersection roadways, measured along and from the roadway centerlines.

Deviation (2) seeks relief from LDC Section 34-934, Note 23, which limits the operation of a Real Estate Sales Office to five years, to allow the Sales Office to operate for a period of ten years to coincide with the expected buildout of the project. The Hearing Examiner recommends APPROVAL of the Deviation.

IV. HEARING EXAMINER DISCUSSION:

The Applicant, FL Tampa West, Inc., in reference to Hawk's Haven, is requesting a rezoning for a 1,797.45-acre parcel from the AG-2 (Agricultural) zoning district to the RPD (Residential Planned Development) zoning district. The parcel is located at S.R. 80, about one-half mile east of Buckingham Road. If approved, the Applicant will develop up to1,598 dwelling units (in a mix of housing types), and two golf courses.

The site is in the Rural, Suburban, and Wetlands land use categories. The surrounding land uses are a mixture of Rural, Urban Community, and Suburban. To the north of the site is S.R. 80, and some AG-2 zoned property (part of which is occupied by the Hickey Creek subdivision, and part of which is undeveloped). To the east is the Hickey Creek Mitigation Park. To the south is a canal, and then mostly unoccupied lots within Lehigh Acres. To the west are mixed agricultural and residential uses (Riverdale Estates and Riverdale Shores, etc.).

The Staff has recommended approval of the request with a detailed list of conditions. It is the differences between the Applicant and the Staff on some of the conditions that took up most of the public hearing on this matter. They managed to work out most of the differences at the hearing with one or two exceptions. For the most part, there was agreement that such a project was compatible with the surrounding uses and was consistent with the Lee Plan and the Land Development Code (LDC).

The Staff recognized that the request represented one of the rare occasions where a golf course community was being recommended for approval in a predominantly rural area. However, because of the availability of the full panoply of public facilities in the area, the site is well suited for the intended purposes. Water and sewer service was provided to the area in the 1980's in anticipation of growth that has not yet taken place. This project is a welcome addition to the area in the eyes of the utilities that serve the area. Fire and rescue service is

also available to the expected residents. The testimony provided by the Applicants, and substantiated by the Staff, is that the transportation infrastructure is sufficient to handle the anticipated demand.

The Staff also noted that the project is a great improvement over what could be done on the property if no zoning took place. The type and location of dwelling units, buffering, open space, environmental protections, and other planned refinements, are a vast improvement over what can go there under the current AG-2 zoning.

As envisioned by the Applicant, the project will be a low density project that will be about one-third open space, with two golf courses, lakes, and preserve areas. The vast majority of the planned homes will back onto a golf course, water, or open space. Access will be from a single "spine road" from S.R. 80 in the northwest corner of the site. It will be four laned for the first 500 or 600 feet and then will taper down to two lanes for the remainder of its length. The goal is to have no homes visible from the road. Those "Estate Lots" that are expected to be along the road will be buffered from the road with vegetation and will be set back at least 70 feet from the road. The Suburban portion of the site will have a density of about three dwelling units per acre, and the Rural portion (about 80 acres of the site) will have a density under one dwelling unit to the acre. There will be no shifting of density between these two land use categories. These densities are well within the limitations placed on density by the Lee Plan.

The Applicant will be locating bike paths and walking paths along the "spine road" as well as throughout the site. They will also have large open areas for team sports. There are management plans for several listed species (see Condition 3 for the detailed management plans provided by the Applicant).

The list of uses is limited to those usually found in a golf club community. There will be a clubhouse with golf and tennis pro shops. The only commercial uses on the site are limited to those shops. There will be model homes, and a real estate sales office. Sales will be limited to the development itself. The Applicant has asked that it be permitted to operate the sales office for a period of ten years (the anticipated build-out time for the project), rather than five years as specified in the LDC. Since the sales are limited to the project, this is a reasonable request. It is the subject of Deviation (2), and it has been recommended for approval.

Hurricane preparedness and mitigation have been addressed in Condition 4. The Applicant will have to address the mitigation of the project's impact, and to take actions necessary to lessen those impacts. There are also conditions that address the impact the golf courses will have on the soil and water quality of the area. Basically, the Applicant will have to follow the "Best Management Practices for Golf Course Maintenance Departments" prepared by the Florida Department of Environmental Protection. There will also be annual monitoring of ground water and surface water quality.

The two issues on which the Applicant and the Staff could not agree dealt with access. The first issue was whether the site required two full access points to meet the County's standards for projects of this size. The Staff cited Section10-291(3) of the LDC as requiring two full

access points for any project over five acres in size. The Applicant noted that the cited section did not "require" two "full" access points. Instead, the provision said "where practical" the development "must provide two or more means of ingress or egress for the development."[1]

As noted, the main access to the site will be from S.R. 80 in the northwest portion of the site. The Staff listed two other possible full access points in the Staff Report. One would come into the site from the south through Lehigh Acres (through Sunshine Boulevard). The second would be from Hickey Creek Road in the northern part of the site. There was extensive testimony with respect to the "practicality" of either of these roads for full access. The verbal and visual evidence with respect to the Lehigh Acres (Sunshine Boulevard) access was compelling in demonstrating that this would be a most impractical access for emergency vehicles to say nothing of a full access. This area of Lehigh Acres is platted but not developed. It consists of deteriorated roads that do not meet County standards. They are covered with debris (e.g., discarded hot water heaters, etc.), and are overrun with weeds and other nuisance vegetation. One witness estimated that it would cost the County $4 million to bring them up to County standards.

It would also be necessary to bridge the 60-foot-wide canal that separates the subject parcel from Lehigh Acres (an area not owned by the Applicant). Even if all of this could be done there was testimony that described the circuitous route that emergency vehicles would have to take to reach the eastern portion of the site. A portion of the site which, incidently, is in the vicinity of the wetlands preserve area, slated to be developed last.

As a full access, this location makes even less sense. Traffic to the site would have to go through the same circuitous course noted above. This is a very rural area of Lehigh Acres, and if the bullet holes in the "Stop" signs are any indication, one which might prove dangerous to travelers.

The other secondary access proposed by the Staff would be via the northern portion of the site from Hickey Creek Road. This single issue was the one that brought the greatest public opposition to the project. For the most part, there was only token opposition with the exception of this issue. It was noted that Hickey Creek Road is more of a country road at this location, and that is it used for walking, riding bicycles, and horseback riding, and is very little traveled. It was also pointed out that to use this road as full access to the subject project would result in bringing a substantial number of vehicles through an established, sparsely populated rural community. Such an occurrence is not favored by the LDC or the Lee Plan. It would seem, therefore, that this is not a practical location for a full access, although it could serve as an emergency access if not for the availability of an alternative location; Buckingham Road.

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[1] The full section reads as follows:

(3) Where practical, any residential development of more than five acres or any commercial or industrial development of more than ten acres must provide two or more means of ingress or egress for the development. Additional access points may be needed for continuation of an existing street pattern, to provide access to adjoining properties, or where additional access is needed to provide alternate access for emergency services. Where feasible, these alternate access points should not be on the same roadway.

Buckingham Road is an access that is available to the Applicant, and one that may be used for some of the construction traffic to and from the site. It is in an area that will have little, if any, impact on residential areas, and it could provide emergency vehicles with access to the site if that should prove to be necessary. If the testimony given at the hearing is to be believed, it will not be necessary. The unrebutted testimony of the Applicant's traffic experts was that the design of this project does not necessitate a second full access point. Using the worst-case scenario, they established that the 4-laned entrance from S.R. 80 would easily handle the traffic. Furthermore, the fire authorities concurred that they did not need a second access because of the wide, boulevard style entrance into the project.

Finally, it was noted that there are at least six other golf course communities in Lee County that have one access or one full access and one emergency access, and they are operating without incident.[2]

With this testimony in mind, it is necessary to address the question of whether Section 10–291(3) requires two "full" accesses. There was testimony from the Staff that they have always interpreted this Section of the LDC to mean two "full" access points, and that is how they are interpreting it now. That is one way to read that Section, however, it is clear that the word "full" or some equivalent is never used in that paragraph. This provision of the LDC requires, "where practical, two or more means of ingress or egress," no more and no less. Therefore, if it proves to be impractical, one access is sufficient. If it proves to be practical, the second access need not be a full access. If this provision is interpreted to require two full accesses, then a limited access (e.g., right-in/right-out only) could never be acceptable. Clearly, that is not the County's policy, because such arrangements are routinely made.

There was some discussion that suggested that to have anything less than two full accesses for this project, it would first be necessary to obtain a deviation from Section 10-291(3). This position was not adopted, nor was it deemed to be necessary. As such, there is no recommendation for a deviation.[3]

The other access issue was concerned with several internal "outparcels" that are owned by third parties, and whether it was the County's responsibility to guarantee access to these parcels. The Staff's position was that Section 10–291(1) requires the County to avoid the creation of remnants and landlocked areas. To this end, they recommended a condition that required the Applicant to provide legal access to the internal "out parcels." This access would be via an easement that met all County local road standards and that had to connect to a designated public right-of-way.

The Applicant took the position that this was a "taking" by the government for a private purpose. The Applicant acknowledged that it might have some responsibility to provide

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[2] West Bay Club; Villages At Country Creek; Las Brisas (part of Spanish Wells); Fiddlesticks; Wildcat Run; and Eagle Ridge.

[3] If the BOCC is of the opinion that a deviation is necessary, then the Deviation should read as follows:

> Deviation (3) seeks relief from LDC Section 10-291(3) which specifies that any residential development of more than five acres must provide two or more means of ingress or egress, to allow one full access and one emergency access from Buckingham Road, should it prove to be necessary.

access under Florida Statutes, but that this was a private matter beyond the scope of a rezoning hearing. What the Staff was asking the Applicant to do, in their opinion, was not only to provide access (apparently without cost to the outparcel owner), but also to provide an easement to accomplish this condition.

Section 10-291(3) states: "The development must be designed so as not to create remnants and landlocked areas, unless those areas are established as common areas." Since the development is not "creating remnants or landlocked areas," because these areas will exist whether the rezoning is approved or not approved, this provision would seem not to apply in this instance. However, to simply ignore the situation would be to perpetuate an undesirable condition. Fortunately, access to "encapsulated" parcels is addressed in the Florida Statutes. Since this is a private matter, it should be left to the parties to resolve it without any County involvement. Therefore, Condition 15 has been drafted to require the parties to privately resolve this issue, or to use the Florida Statutes, to reach some consensus.

As noted, the major opposition to this project involved the use of Hickey Creek Road as a full access to the project. If it is approved as recommended, this issue will have been resolved in favor of the residents of the Hickey Creek subdivision. However, there was other opposition. It was over the increased development in an area that has been rural for some time. This perception by the opponents will not be changed by comments made by the Applicant or the Staff. To keep the request in perspective, the project will be a low density development containing more than 600 acres of open space, reserve areas, wetlands, lakes, and golf courses. It is far superior to what can now be placed on the site, and the extensive conditions that address buffering, setbacks, and density will make this a project that is fully compatible with the bucolic character of the surrounding uses. The project is also fully consistent with the Lee Plan and the LDC.

It is recommended that the Lee County Board of County Commissioners approve the rezoning and the deviations, as conditioned.

V. FINDINGS AND CONCLUSIONS:

Based upon the staff report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

A. That the Applicant has proved entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and any other applicable code or regulation.

B. That the request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.

C. That the request is consistent with the densities, intensities and general uses set forth in the Lee Plan.

D. That the request is compatible with existing or planned uses in the surrounding area.

E. That approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development.

F. That the request will not adversely affect environmentally critical areas and natural resources.

G. That the proposed use or mix of uses is appropriate at the subject location.

H. That the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest.

I. That the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

J. That the requested deviations enhance the achievement of the objectives of the planned development.

K. That the requested deviations preserve and promote the general intent of Chapter 34, Land Development Code, to protect the public health, safety and welfare.

L. That, where the change proposed is within a future urban area category, urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

VI. LIST OF EXHIBITS:

Hawk's Haven Master Concept Plan, stamped Received Jul 15 1999 Zoning Counter

STAFF'S EXHIBITS

Résumés of Lee County Staff are on file with the Hearing Examiner's Office and are incorporated herein.

1 Composite Exhibit: Fax to Kay Deselem, from Scott Hofmeister, received 08/16/99, with attachments: 08/12/99 letter from Development Services to Mr. Hofmeister with Zoning Map (Attachment A to Staff Report); 08/17/99 letter from Mr. Hofmeister to BOCC, re: concerns over project and potential for his parcel to be landlocked; and copy of Trim Notice for his parcel

2 Resolution Z-97-089, Case 9-07-164.03Z 01.01, Sahdev, Inc., in ref. to Estero River Bay PDDO

3 Letter to Kay Deselem, from Stephanie Keyes, Facilities Planner, The School District of Lee County, dated 06/15/99, re: construction entrance impacts on Buckingham Exceptional School and on the District's East Transportation Facility

4 Road Rankings

APPLICANT'S EXHIBITS

Résumés of Applicant's consultants are on file with the Hearing Examiner's Office and are incorporated herein.

1 Requested Revisions to Staff Conditions

2 Deed from N. H. & Catherine Hunter and Louise B. Hunter, to Lee-Dade Properties, Inc., dated 11/15/56, recorded as Deed 263, Page 186

3 Resumé - Andrew T. Sullivan, NCARB, AIA, AICP, President/Principal, Sullivan Associates, Inc.

4 Hawk's Haven Master Concept Plan, Sheet 1 of 1, dated 03/16/99, prepared by Sullivan Associates, Inc., and Consul-Tech Engineering, Inc. [color/board exhibit]

5 Hawk's Haven Master Concept Plan, Sheet 1 of 1, dated 02/22/99, prepared by Sullivan Associates, Inc., and Consul-Tech Engineering, Inc. [board exhibit]

6 Sketch showing driveway lengths and building setbacks from road right-of-way

7 Resumé - Timothy A. Shaw, Environmental Scientist, Consult-Tech Engineering, Inc.

8 Resumé - Michael A. Troxell, P.E., McMahon Associates, Inc.

9.a Road Conditions in Lehigh (15 photographs) [board exhibit]

9.b Locational maps [board exhibit/reverse of 9.a]

10 Composite Exhibit: Letter to Mike Roeder, from Warren G. Bleckley, Fort Myers Shores Civic Association, Inc., dated 06/05/99, re: support for project; Letter to Mr. Roeder, from R. L. McWilliams, East Lee County Council, dated 05/25/99, re: support for project with copy of minutes from 05/15/99 Council meeting

11 Composite Exhibit: Resolution Z-96-005, Case 95-06-148.03Z, Atlantic Gulf Communities Corporation, in ref. to Estero Pointe; Resolution ZAB-86-34, Case 86-2-13 DCI, Villages at Country Creek; and Resolution Z-95-004, Case 95-01-007.03Z, Frank S. Scarlati, Jr., Trustee, in ref. to Las Brisas

12 Soils, Vegetation and Ground Cover Map for Hawk's Haven, Sheet 1 of 1, dated 02/22/99, revised 05/05/99, stamped received May 19, 1999 by the Permit Counter

13 Zoning/Intergraph Map

OTHER EXHIBITS:

Morris

1 Letter/Presentation

Wheaton

1 Letter/Presentation

Cella

1 Resumé - Kris Cella, CEO, Cella & Associates, Inc. (transportation consultant)

2 Letter/Presentation

3 Composite Exhibit: Letters from James L. & Alicia C. Waller; Lisa & Curtis Dodd and Debbie & Charles Maxwell; Mildred Ruttman; Johnna C. Michaelkiewicz; David & Kimberly Wallen; Ray & Susan Wagoner; Vincent E. & Barbara A. Mingione; Mr. & Mrs. Dave C. Pryor; Gary B.Stilwell; F.M. & Katherine Wallace; Hugh Roth & Ginger Patterson; Larry McGuire; David & Joleen Sasser; Don & Janet Jones; William A. & Judith A. Watkins; Hal A. & Louise D. Cope; and Matthew & Julie Morello

VII. PRESENTATION SUMMARY:

SEE OFFICIAL COURT REPORTER TRANSCRIPT.

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Jim HUMPHREY, Esquire, and Mike ROEDER, Director of Planning,% Humphrey & Knott, P.A., 1625 Hendry St., Ft. Myers, FL 33901

2. Andrew T. SULLIVAN, % Sullivan Associates, Inc., 2314 Market St., Philadelphia, PA 19103

3. David McKEE, and Timothy A. SHAW, % Consul-Tech Engineering, Inc., 24831 Old 41 Rd., Bonita Springs, FL 34135

4. Michael A. Troxell, P.E., McMahon Associates, Inc., no address provided

5. Frank STRINGER, Vice President/General Manager, % Forest City Land Group, 5307 Fox Hunt, Wesley Chapel, FL 33543

ADDITIONAL COUNTY STAFF:

1. Dawn PERRY-LEHNERT, Assistant County Attorney, Lee County, P. O. Box 398, Ft. Myers, FL 33902-0398

2. Matt NOBLE, Division of Planning, Lee County, P. O. Box 398, Ft. Myers, FL 33902-0398

3. Kim TREBATOSKI and Betsie Newton HIATT, Division of Planning/Environmental Sciences Program, Lee County, P.O. Box 398, Ft. Myers, FL 33902-0398

4. Don BLACKBURN, Development Services Division, Lee County, P. O. Box 398, Ft. Myers, FL 33902-0398

PUBLIC PARTICIPATION:

A. THE FOLLOWING PERSONS TESTIFIED OR SUBMITTED EVIDENCE FOR THE RECORD AT THE HEARING (SEE SECTION VII.):

For:

1. R. L. McWILLIAMS, Chairman, East Lee County Council, 13855 Sleepy Hollow Lane SE, Ft. Myers, FL 33905

2. William ROUNSIFER, P. O. Box 50354, Ft. Myers, FL 33994

3. Milton S. SAGER, 1280 Bluffs Cir., Dunedin, FL 34698

Against:

1. Dr. A. D. ALI, 17140 Oak Creek Rd., Alva, FL 33920

2. Claudette HALLAM, 17621 Oak Creek Rd., Alva, FL 33920

3. Jack BRADDY, 1826 S.E. 29th Ln., Cape Coral, FL 33904

General:

1. Armon BOONSOPON, Amtel Group, Inc., 2500 Edwards Dr., Ft. Myers, FL 33901 [drainage concerns]

2. Kris CELLA McGUIRE, 17371 Oak Creek Rd., Alva, FL 33920 [opposed to connection to Hickey Creek Road]

3. Charles MORRIS, 17630 Oak Creek Rd., Alva, FL 33920 [letter/presentation - opposed to road connection to Hickey Creek Road; concerned about schools, water/sewer service, blasting, effect of golf course on existing area wells]

4. George WHEATON, 16860 Fox Den S.W., Ft. Myers, FL 33908 [representing Martha W. Pruyn, owner of outparcel within proposed development] [letter/presentation - requesting access to Mrs. Pruyn's property]

5. Hugh KINSEY, Esquire, P. O. Box 400, Ft. Myers, FL 33902 [representing Scott Hofmeister]

6. Janet JONES, 17221 Oak Creek Rd., Alva, FL 33920 [opposed to Hickey Creek Road connection]

B. THE FOLLOWING PERSONS SUBMITTED A LETTER/COMMENT CARD, OR OTHERWISE REQUESTED A COPY OF THE HEARING EXAMINER RECOMMENDATION:

For:

1. Fred BURSON, 2260 Bay St., Ste. 11, Ft. Myers, FL 33901

2. R. L. McWILLIAMS, Chairman, East Lee County Council, 13855 Sleepy Hollow Lane SE, Ft. Myers, FL 33905 [letter supporting development - endorse plan of development; believe will add to value of East Lee County and its image]

3. Lilly S. SAGER, 1280 Bluffs Cir., Dunedin, FL 34698

Against:

1. Richard HALLAM, 17621 Oak Creek Rd., Alva, FL 33920

2. Dirk KRUZAN & Rebecca HAMILTON, 17651 Frank Rd., Alva, FL 33920

3. Lorie MAUCH, 1826 S.E. 29th Ln., Cape Coral, FL 33904

4. William G. McILTROT, 3950 Ellis Rd., Ft. Myers, FL 33905 [letter in opposition - development will destroy rural environment of Alva/Olga/Buckingham areas, add to traffic problems, and have negative environmental impact]

5. John K. McILTROT, 10271 Deer Run Rd., Ft. Myers, FL 33912 [letter in opposition - development inconsistent with the area's rural lifestyle, will lead to traffic problems, and destroy area's delicate scrub ecosystem/prime habitat for protected species]

LETTERS OPPOSING ROAD CONNECTION TO HICKEY ROAD: [see also Cella testimony]

1. Hal A. & Louise D. COPE, 17721 Frank Rd., Alva, FL 33920-3511

2. Lisa B. & Curtis DODD, 17801 Oak Creek Rd., Alva, FL 33920

3. Don & Janet JONES, 17221 Oak Creek Rd., Alva, FL 33920

4. Debbie & Charles MAXWELL, 17571 Oak Creek Rd., Alva, FL 33920

5. Larry McGUIRE, 17371 Oak Creek Rd., Alva, FL 33920

6. Johnna C. MICHAELKIEWICZ, 17930 Oak Creek Rd., Alva, FL 33920

7. Vincent E. & Barbara A. MINGIONE, 17301 Oak Creek Rd., Alva, FL 33920

8. Matthew & Julie MORELLO, 17651 Oak Creek Rd., Alva, FL 33920

9. M/M Dave C. PRYOR, 17901 Oak Creek Rd., Alva, FL 33920

10. Hugh ROTH & Ginger PATTERSON, 17341 Oak Creek Rd., Alva, FL 33920

11. Mildred RUTTMAN, 17200 Oak Creek Rd., Alva, FL 33920

12. David & Joleen SASSER, 17541 Oak Creek Rd., Alva, FL 33920

13. Gary B. STILWELL, 17521 Oak Creek Rd., Alva, FL 33920

14. Ray & Susan WAGONER, 2470 Hickey Creek Rd., Alva, FL 33920

15. F. M. & Katherine WALLACE, 17900 Oak Creek Rd., Alva, FL 33920

16. David & Kimberly WALLEN, 17450 Oak Creek Rd., Alva, FL 33920

17. James L. & Alicia C. WALLER, 17270 Oak Creek Rd., Alva, FL 33920

18. William A. & Judith A. WATKINS, 17711 Oak Creek Rd., Alva, FL 33920

General:

1. Frances DONOHUE, P. O. Box 272, Alva, FL 33920 [asked questions/no formal presentation]

2. Scott HOFMEISTER, 108 Barbara St., Louisville, CO 80027 [letter - concerned that development will landlock his 10-acre parcel; requesting access; concerns about lack of advance notice of hearing]

3. Robert McWILLIAMS, no address provided [asked questions/no formal presentation]

4. Wallace & Cecilia STORCH, 2600 Hickey Creek Rd., Alva, FL 33920

5. Stanley G. WISE, 14938 Wise Way S.E., Ft. Myers, FL 33905 [asked questions/no formal presentation]

IX. LEGAL DESCRIPTION:

ALL OF THAT LAND DESCRIBED IN OFFICIAL RECORDS BOOK 976, PAGE 551-554, LEE COUNTY PUBLIC RECORDS, LYING SOUTH OF STATE ROAD 80, ALL IN TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 1: THE NW-1/4, OF THE SW-1/4, OF THE NW-114, OF SECTION 27, SUBJECT TO AN EASEMENT TO FLORIDA POWER & LIGHT, AS DESCRIBED IN DEED BOOK 208, PAGE 67, LEE COUNTY RECORDS.

PARCEL NO. 2: THE NE-1/4, OF THE NE-1/4, OF THE SW-1/4, OF SECTION 27.

PARCEL NO. 5: THE S-1/2, OF THE S-1/2, OF THE SE-1/4, OF SECTION 25, LYING SOUTH OF THE FORMER (NOW ABANDONED) SEABOARD AIRLINE RAILROAD COMPANY RIGHT-OF-WAY, SUBJECT TO A 50-FOOT EASEMENT TO FLORIDA POWER AND LIGHT AS DESCRIBED IN DEED BOOK 234, PAGE 26, LEE COUNTY RECORDS.

PARCEL NO. 6: ALL THAT PART OF THE S-1/2, OF THE SW-1/4, OF THE SE-1/4, AND THE S-1/2, OF THE S-1/2, OF THE SW-1/4, OF SECTION 26, WHICH LIES SOUTH OF THE FORMER (NOW ABANDONED) SEABOARD ALL FLORIDA RAILROAD COMPANY RIGHT-OF-WAY, SUBJECT TO A 50-FOOT EASEMENT TO FLORIDA POWER AND LIGHT AS DESCRIBED IN DEED BOOK 234, PAGE 26, LEE COUNTY RECORDS.

PARCEL NO. 7:

(A) ALL THAT PART OF THE S-1/2, OF THE S-1/2, OF THE SE-1/4, OF SECTION 27, WHICH LIES SOUTH OF THE FORMER (NOW ABANDONED) SEABOARD AIRLINE RAILROAD COMPANY RIGHT-OF-WAY.

(B) THAT PART OF THE S-1/2, OF THE SW-1/4, OF THE SW-1/4, OF SECTION 27, WHICH LIES SOUTH OF THE FORMER (NOW ABANDONED) SEABOARD AIRLINE RAILROAD RIGHT-OF-WAY, IN SECTION 27.

(C) THE SE-1/4, OF THE SE-1/4, OF THE SW-1/4, IN SECTION 27, LESS THE FORMER (NOW ABANDONED) SEABOARD ALL FLORIDA RAILROAD COMPANY RIGHT-OF-WAY, SUBJECT TO A 50-FOOT EASEMENT TO FLORIDA POWER AND LIGHT AS DESCRIBED IN DEED BOOK 234, PAGE 26, LEE COUNTY RECORDS AND SUBJECT OF A 60-FOOT ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 8: THAT PORTION OF THE NW-1/4, OF THE NW-1/4, OF SECTION 27, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 80.

PARCEL NO. 9: THAT PORTION OF THE W-1/2, OF THE NE-1/4, OF THE NW-1/4 OF SECTION 27, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 80, SUBJECT TO A 70-FOOT LATERAL DITCH EASEMENT LEFT OF STATION 595+20, AS DESCRIBED IN DEED BOOK 175, PAGE 445.

PARCEL NO. 10: THE N-1/2, OF THE SE-1/4, OF THE NW-114, OF SECTION 27, SUBJECT OF A 60-FOOT ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 11:

(A) THE SE-1/4, OF THE SE-114, OF THE NW-1/4, OF SECTION 27, LESS THAT PORTION OF SECTION 27, ALONG THE EAST LINE OF THE WEST ONE-HALF THEREOF, TO THE SOUTH LINE OF THE SE-1/4, OF THE SE-1/4, OF THE NW-1/4, THEREOF; DEDICATED AS A PUBLIC COUNTY ROAD.

(B) THE SW-1/4, OF THE SE-1/4, OF THE NW-1/4, OF SECTION 27, SUBJECT OF A 60-FOOT ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 12: THE S-1/2, OF THE SW-1/4, OF THE NW-1/4, OF SECTION 27.

PARCEL NO. 13: THE N-1/2, OF THE NW-1/4, OF THE SW-1/4, OF SECTION 27.

PARCEL NO. 14: THE SE-1/4, OF THE NW-1/4, OF THE SW-1/4, OF SECTION 27.

PARCEL NO. 15: THE W-1/2, OF THE NE-1/4, OF THE SW-1/4, OF SECTION 27, SUBJECT OF A 60-FOOT ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 16: THE SE-1/4, OF THE NE-1/4, OF THE SW-1/4, OF SECTION 27, SUBJECT OF A 60-FOOT ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 17: THE N-1/2, OF THE SE-1/4, OF THE SW-1/4, OF SECTION 27, SUBJECT OF A 60-FOOT ROAD EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 843, PAGE 864, LEE COUNTY RECORDS.

PARCEL NO. 18: THAT PORTION OF THE S-1/2, OF THE SW-1/4, OF THE SW-1/4, OF SECTION 27, NORTH OF THE SEABOARD AIRLINE FLORIDA RAILROAD COMPANY RIGHT-OF-WAY.

PARCEL NO. 19: THE N-1/2 OF SECTION 34.

PARCEL NO. 20: THE N-1/2 AND THE SW-1/4 AND THE S-1/2, OF THE SW-1/4, OF THE SE-1/4, IN SECTION 35.

PARCEL NO. 21: ALL OF SECTION 36.

AND FROM OFFICIAL RECORDS BOOK 843, PAGES 855-861, BY THE QUIT CLAIM DEED IN OFFICIAL RECORDS BOOK 976, PAGE 549, ALL IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THE FOLLOWING DESCRIBED LAND:

PARCEL NO. 22: NORTH 50 FEET OF RAILROAD RIGHT-OF-WAY FROM WEST LINE OF SECTION 27 TO CENTER LINE OF SECTION 27.

PARCEL NO. 24: THAT PORTION OF THE ABANDONED SEABOARD AIRLINE RAILROAD COMPANY RIGHT-OF-WAY BETWEEN FORT MYERS AND ALVA, FLORIDA, LYING AND BEING IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 26 EAST; AND THE SOUTHERLY 50 FEET OF SAID RIGHT-OF-WAY LYING IN SECTIONS 26 AND 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST.

CONTAINING 1,797.449 ACRES.

SUBJECT TO THE FOLLOWING:

(a) THE PROPERTY HEREIN IS SUBJECT TO AN EASEMENT TO THE FLORIDA POWER & LIGHT COMPANY RECORDED IN DEED BOOK 280, PAGE 67, LEE COUNTY PUBLIC RECORDS, AND UTILITY EASEMENTS TO FLORIDA POWER & LIGHT COMPANY RECORDED IN DEED BOOK 234, PAGE 26, DEED BOOK 234, PAGE 28, DEED BOOK 262, PAGE 143, DEED BOOK 230, PAGE 106, AS MODIFIED BY AMENDMENT TO RIGHT-OF-WAY AGREEMENT FILED NOVEMBER 15, 1956, IN MISC. BOOK 43, PAGE 37 AND THE UNRECORDED EASEMENT DATED JANUARY 16, 1958.

(b) OUTFALL DITCHES AS SET FORTH IN DEEDS TO THE STATE OF FLORIDA RECORDED IN DEED BOOK 175, PAGE 445, AND DEED BOOK 175, PAGE 492, LEE COUNTY PUBLIC RECORDS, WHICH AFFECT PARCEL NOS. 8, 9 AND 10 HEREIN.

(c) RIGHT-OF-WAY FOR ROAD TWENTY (20) FEET WIDE ALONG SOUTH AND WEST SIDE OF THE TRACT DESCRIBED HEREIN, WHICH AFFECTS PARCEL NO. 11

(d) EASEMENT RESERVATION AS SET FORTH IN DEED FROM N. H. HUNTER et al TO LEE-DADE PROPERTIED, INC., DATED NOVEMBER 15, 1956, RECORDED IN DEED BOOK 263, PAGE 186, INVOLVING A ONE-SQUARE-ACRE PARCEL IN THE SW CORNER OF THE N-1/2 OF SECTION 34, WHICH AFFECTS PARCEL NO. 19 HEREIN.

(e) EASEMENT FOR INGRESS AND EGRESS THROUGH SECTION 27 FROM ROUTE 80 TO THE NORTH LINE OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST BY MARTIN BLUM AND BEN M. BELON, AS TRUSTEES, AND EMMETT J. KELLY AND A. DOUGLAS GRACE, JR., AS TRUSTEES, RECORDED IN OFFICIAL RECORD BOOK 843, PAGE 862, LEE COUNTY PUBLIC RECORDS.

(f) 100-FOOT EASEMENT ROAD ALONG SECTIONS 28 AND 33 BOUNDARY FROM BUCKINGHAM-OLGA ROAD TO EAST LINE OF SECTIONS 289 AND 33. (FROM DEED BOOK 263, PAGE 186, LEE COUNTY PUBLIC RECORDS)

X. UNAUTHORIZED COMMUNICATIONS:

Unauthorized communications shall include any direct or indirect communication in any form, whether written, verbal or graphic, with the Hearing Examiner, or the Hearing Examiner's staff, any individual County Commissioner or their executive assistant, by any person outside of a public hearing and not on the record concerning substantive issues in any proposed or pending matter relating to appeals, variances, rezonings, special exceptions, or any other matter assigned by statute, ordinance or administrative code to the Hearing Examiner for decision or recommendation. . . . [Administrative Code AC-2-5]

No person shall knowingly have or attempt to initiate an unauthorized communication with the Hearing Examiner or any county commissioner [or their staff]. . . . [LDC Section 34-52(a)(1), emphasis added]

Any person who knowingly makes or attempts to initiate an unauthorized communication . . . [may] be subject to civil or criminal penalties which may include: [Section 34-52(b)(1), emphasis added]

Revocation, suspension or amendment of any permit variance, special exception or rezoning granted as a result of the Hearing Examiner action which is the subject of the unauthorized communication. [LDC Section 34-52(b)(1)b.2.]; OR

A fine not exceeding $500.00 per offense, by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. [LDC Section 1-5(c)]

XI. HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS:

A. This recommendation is made this 9th day of September, 1999. A copy will be forwarded to the offices of the Lee County Board of County Commissioners.

B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

C. The Board of County Commissioners will hold a hearing at which they will consider the record made before the Hearing Examiner. The Department of Community Development will send written notice to all hearing participants of the date of this hearing before the Board of County Commissioners. Only participants, or their representatives, will be allowed to address the Board. The content of all statements by persons addressing the Board shall be strictly limited to the correctness of Findings of Fact or Conclusions of Law contained in the recommendation, or to allege the discovery of relevant new evidence which was not known by the speaker at the time of the earlier hearing before the Hearing Examiner and not otherwise disclosed in the record.

D. The original file containing the original documents used in the hearing before the Hearing Examiner will be brought by the Staff to the hearing before the Board of County Commissioners. Any or all of the documents in the file are available on request at any time to any County Commissioner.

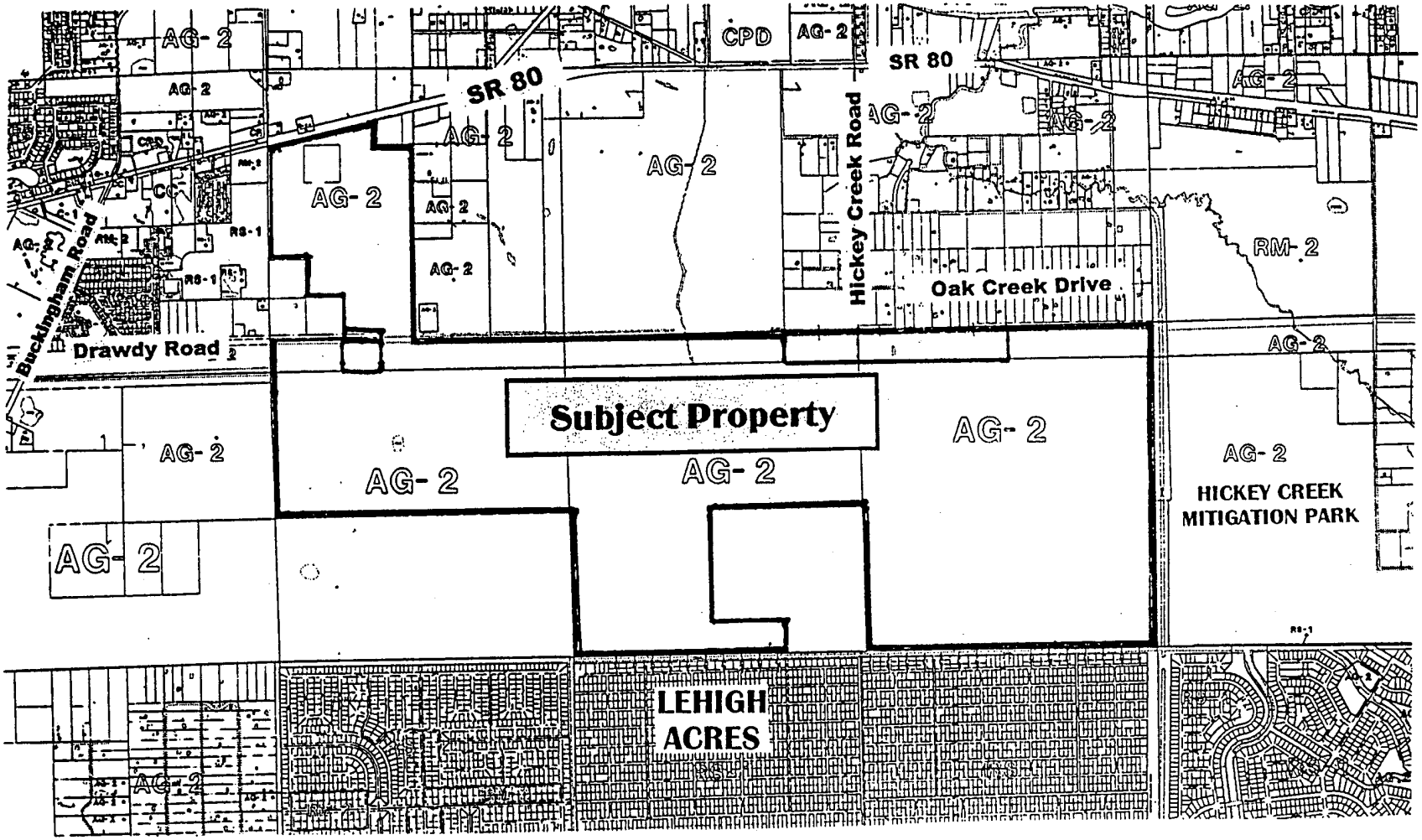
XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

A verbatim transcript of the testimony presented at the hearing can be purchased from the court reporting service under contract to the Hearing Examiner's Office. The original documents and file in connection with this matter are located at the Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, Florida.

SALVATORE TERRITO
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: 941/479-8100
Facsimile: 941/479-8106

ZONING MAP

N



ATTACHMENT A

ATTACHMENT E

DEVELOPMENT STANDARDS

LAND USE	SETBACKS				DISTANCE
	ROAD	SIDE	REAR	WATER	BETWEEN BLDGS.
SINGLE FAMILY:					
50' X 100' LOT	15'	5'	15'	20'	10'
60' X 100' LOT	15'	5'	15'	20'	10'
75' X 110' LOT	20'	7.5'	20'	20'	15'
100' X 160' LOT	25'	10'	20'	20'	10'
MULTI-FAMILY	25'	15'	20'	20'	30'
TWO-FAMILY ATTACHED	20'	0-7.5'	15'	20'	15'
ZERO LOT LINE	15'	0-7.5'	15'	20'	15'
TOWNHOUSE	15'	0-7.5'	15'	20'	15'
ACCESSORY STRUCTURES FOR SINGLE FAMILY*	20'	5'	5'	10'	15'
	25'	15'	20'	20'	20'
AMENITIES: CLUB HOUSE MAINTENANCE BLDG.					

*ACCESSORY STRUCTURES DEFINED AS POOLS, POOL DECKS, & SCREENED ENCLOSURES.

B

ATTACHMENT E

East Lee County Council

Striving to improve the quality of life in the Greater Palm Beach Boulevard Area

ELCC Meeting
Meeting Minutes of September 27, 2004
6:30 P.M.

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Call to Order: Doug Vaught opened meeting with Pledge of Allegiance.

Announcements: No smoking at this facility

Sheriff's Department, Corporal Joel Bennett:
- Community policing officer. Car thefts occurring, attempted robberies at Winn Dixie and Rib City.

Rowing Club, Mary Rawl:
- Working on some legal issues
- 04/05 budget includes dock permitting
- Looking for new name – Caloosa Crew?

August Minutes approved with correction – street at light is Louise (Leeward Yacht Club)

Committees:
Landscaping at SR80/I-75 – Kris Cella:
- Palm Beach MSTBU can/will now fund maintenance at that location – should improve appearance.
- Also county has $200,000 to install new plantings in this fiscal year.

Planning Committee, Mike Roeder:
- Need to advertise LDC meetings in paper. Will meet next month at 5:00 p.m. and advertise.
- Met with county regarding Caloosahatchee Shores this month. Told county we needed them to hire a design professional to help implement the plans. The staff was not Apposed, but will not promote it. We will have to get with other Plans and lobby commissioners.
- Planning Committee will meet October 11th at 5:30 pm here to hear from the Olga sub-committee regarding Caloosahatchee Estates. October 21st at 6:30 p.m. here will be a Town Hall meeting on the same subject.
- We will invite Wayne Daltry to be our speaker on community plans/smart growth at October East Lee County Council meeting.

Presentation: Hawks Haven - Matt Uhle, Jim Harvey, Grady Miars
Matt Uhle, Knott, Consoer Ebelini, Hart & Swett – 1999 zoning plan review
- 1598 units on 1800 acres
- Agreed at that time not to access Hickory Creek, still won't.
- Acquired (1) 140 ac. and (1) 8 ac. parcel
- Received environmental permits, won't change
- Plan amendment changed and land on west boundary to outlying suburban at 2 u/ac.
- School board has acquired a site within the project
- Levitt will do active adult community
- May - Amendment. Approved to change layout but couldn't increase density.
- 1598 units on 1800 acre = .9u/ac→1999 units on 1950 ac= 1u/ac
- Filed application for Comprehensive Plan Amendment to go to Outlying Suburban – 2u/ac. (now mostly

ATTACHMENT F

East Lee County Council

Striving to Improve the quality of life in the Greater Palm Beach Boulevard Area

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rural at 1u/ac)
- Public Hearing next year sometime
- If that is approved, will increase to 2500 units.

Grady Miars, Landmar
- Used to work for The Bonita Bay Group
- 36-hole golf course no longer marketable
- First section of road will be public
- Fire station and information center planned for, up front, possibly also church, post office
- Far west property has been sold to Levitt for age-restricted at 570 units
- Then 50' and 65' lots in single-family community close to school with 699 units. Pulte and Ryland will be builders.
- Third community will be Davis Love, designed 27-hole golf course and be bundled with purchase.
- Will relocate 200 oak trees
- Want old Florida low country look, not Mediterranean.
- Linear Park under FPL easement
- Break ground in November and first leg of road.
- Open info center July next year.
- Models open January 2006 for all three communities
- Fall 2006 golf course open

Jim Harvey – Lanmar, Regional Manager for West Coast
- Duke Energy Fortune 500 company became partner in 1999.
- Six active golf communities. Have also done some high-rise and some redevelopment work
- Heavy into design and programming
- Want to stay involved and give back to community.

Question & Answer
- ◊ Plan Grady reviewed with us has 1999 units
- ◊ 7-10 year project to build out
- ◊ Guess 700 kids generated from this project. School will be elementary for 1000 kids.
- ◊ Levitt project will be all detached single family similar to Cascades.
- ◊ Max 200 units in condominiums
- ◊ 3,364 units are requested in Comp. Plan application. Lanmar won't ask for that many units in zoning and only condition that will change is traffic. Ultimate proposal is 1.3 u/ac.
- ◊ What if ownership changes? Subsequent developers would be subject to public hearing process.
- ◊ Kris Cella: Hickory Creek opposes increase to 2 u/ac.
- ◊ Willing to consider sewing as a "relief valve" for Orange River by taking stormwater runoff their site, but it is not currently permitted.
- ◊ Have two emergency access points in addition to main access at SR80. No permanent access thru Portico.
- ◊ Can maintain SR80 at LOS C at 1999 units, don't know about increase to 2500+
- ◊ Could put new Comp. Plan category on less than the entire property in order to reduce total units possible.

East Lee County Council

Striving to improve the quality of life in the Greater Palm Beach Boulevard Area

- ◊ Sales Prices:
  - $170 - $400,000 at Levitt
  - $190 - $400,000 (avg. $250) – sf
  - $210 - $1,000,000 – golf community

- ◊ Traffic light will go in when they can meet the FDOT – required warrants.
- ◊ Environmental buffers are now larger than in original 1999 plan.
- ◊ Working with Lee County Utilities.

Consensus: No need to go Planning Committee for this proposal. They will come back to us before going to Comp. Plan.

Old Business:

- Radio control club got land across from Red Socks practice fields (Joe Fanelli)

New Business:

- Babcock Ranch proposal – petition to buy the Ranch (Karl). Sign now or in October. Can give 20 minute PowerPoint.

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ATTACHMENT F

DCI2004-00054

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EXHIBITS 6-G & 6-I

JUSTIFICATION FOR REZONING

DCI2004-00054

The proposed amendment to add 148 acres and 400 dwelling units to the approved * Hawks Haven RPD is consistent with the Lee Plan in general and the following objectives and policies in particular:

1. **Policy 1.1.5:** The proposed residential use within the portion of the project that is designated Suburban is consistent with the permitted uses and maximum density for that category.

2. **Policy 1.4.1:** Similarly, the proposed use and density within the portion of the project that is designated Rural is also consistent with the permitted uses and maximum density for that category.

3. **Objective 2.1:** The amendment will permit property that abuts the current version of Hawks Haven to be integrated into the project. As such, it will promote a compact and contiguous growth pattern.

4. **Objective 2.2:** The project will be served by public water and sewer facilities. The TIS indicates that all arterial and collector road segments within the study area will operate at an adequate level of service. The project will, therefore, have access to adequate public facilities.

5. **Policy 4.1.1:** The project has been designed to accommodate a school site, large wetland preservation areas, and a substantial buffer for the Hickey Creek Mitigation Park.

6. **Policy 5.1.5:** The project is a low density residential development. Substantial portions of the perimeter are shown as golf course or conservation areas. No access is being requested on Hickey Creek Road. A canal separates Hawks Haven from the platted lands to the south, which are largely undeveloped, in any event. The revised MCP is, therefore, compatible with the neighborhood.

7. **Policy 5.1.11:** The maximum density for each individual land use category within the project will not be exceeded.

8. **Standards 11.1 and 11.2:** As noted above, the project will be served by public water and sewer facilities.

ATTACHMENT G

In accordance with LDC sections 34-145 and 34-373, the applicant further states the following:

1. The application is consistent with the Lee Plan, including the maximum density in each applicable land use category, as noted above;

2. The project will be served by adequate public facilities and will not create an excessive burden on the transportation network, as noted above and in the TIS;

3. The project is compatible with the neighborhood and will not cause damage, hazard or nuisance to the public or to nearby uses; and

4. The project has been permitted by SFWMD and the ACOE. Preservation areas required by the permits have been shown on the MCP. 463 acres of indigenous vegetation are designated on the plan. No new wetland impacts will be created as a result of the addition of the 400 units and the 148 acres.

ATTACHMENT G

Schedule of Uses
EXHIBIT 6-M

Banks and Financial Establishments, Group I
Business Services, Group I
Consumption on Premises
Convenience Store
Day Care Center, Adult and Child
Drive-through, in connection with any other approved use
Pharmacy
EMS, Fire, or Sheriff's Station
Essential Services
Excavation, Water Retention
Food Stores, Group I
Hardware Store
Laundry or Dry Cleaning, Group I
Personal Services, Group I
Place of Worship
Real Estate Sales Office
Repair Shop, Group I
Restaurant, Groups I, II, and III
Specialty Retail Shops, Group I

ATTACHMENT G

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Schedule of Uses / Residential
EXHIBIT 6-M

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICE
AGRICULTURAL USES (CATTLE RAISING IN UNDEVELOPED PHASES
PRIOR TO DEVELOPMENT AND NURSERY OPERATIONS FOR
PLANTINGS USED ON-SITE
CLUBS - COUNTRY AND PRIVATE
CONSUMPTION ON PREMISES (SEC. 34-1261)
DWELLING UNITS
SINGLE-FAMILY RESIDENCE
TWO-FAMILY ATTACHED
TOWNHOUSE
MULTIPLE FAMILY BUILDING
ZERO LOT LINE
ENTRANCE GATES AND GATEHOUSE
EXCAVATION - WATER RETENTION
FENCES AND WALLS
GOLF AND TENNIS PRO SHOPS
GOLF DRIVING RANGE AND TRAINING FACILITY
MODEL HOME, UNIT, DISPLAY CENTER (INCLUDING INFORMATION
CENTER FOR OVERALL DEVELOPMENT)
PARKS, GROUP I
PARKING LOT ACCESSORY
REAL ESTATE SALES OFFICE
RECREATIONAL FACILITIES - PRIVATE / ON SITE INCLUDING TENNIS COURTS
RESIDENTIAL ACCESSORY USES
SIGNS IN COMPLIANCE WITH CHAPTER 30
STORAGE, OPEN (RECREATIONAL VEHICLE, BOATS AND SIMILAR ITEMS
BY RESIDENTS ONLY AT A DESIGNATED TEMPORARY USES
LOCATION)
TEMPORARY FACILITIES (SALES, DESIGN CENTER, CONSTRUCTION)
COUNTY PUBLIC SCHOOL FACILITIES
PUBLIC SAFETY STATION

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Property Development Regulations / Town Center
(CN-1 Standards)

- Minimum lot area and dimensions:

Minimum Lot Size:	
Nonresidential uses (square feet):	
Corner lot	10,000
Interior lot	10,000
Lot width (feet)	75
Lot depth (feet)	100

- Minimum Setbacks:

Side yard (feet)	15
Rear yard (feet)	20

Maximum Height (feet)	35
Maximum Height (in stories)	2
Maximum lot coverage (percent of total lot area)	40%

DCT2004-00054

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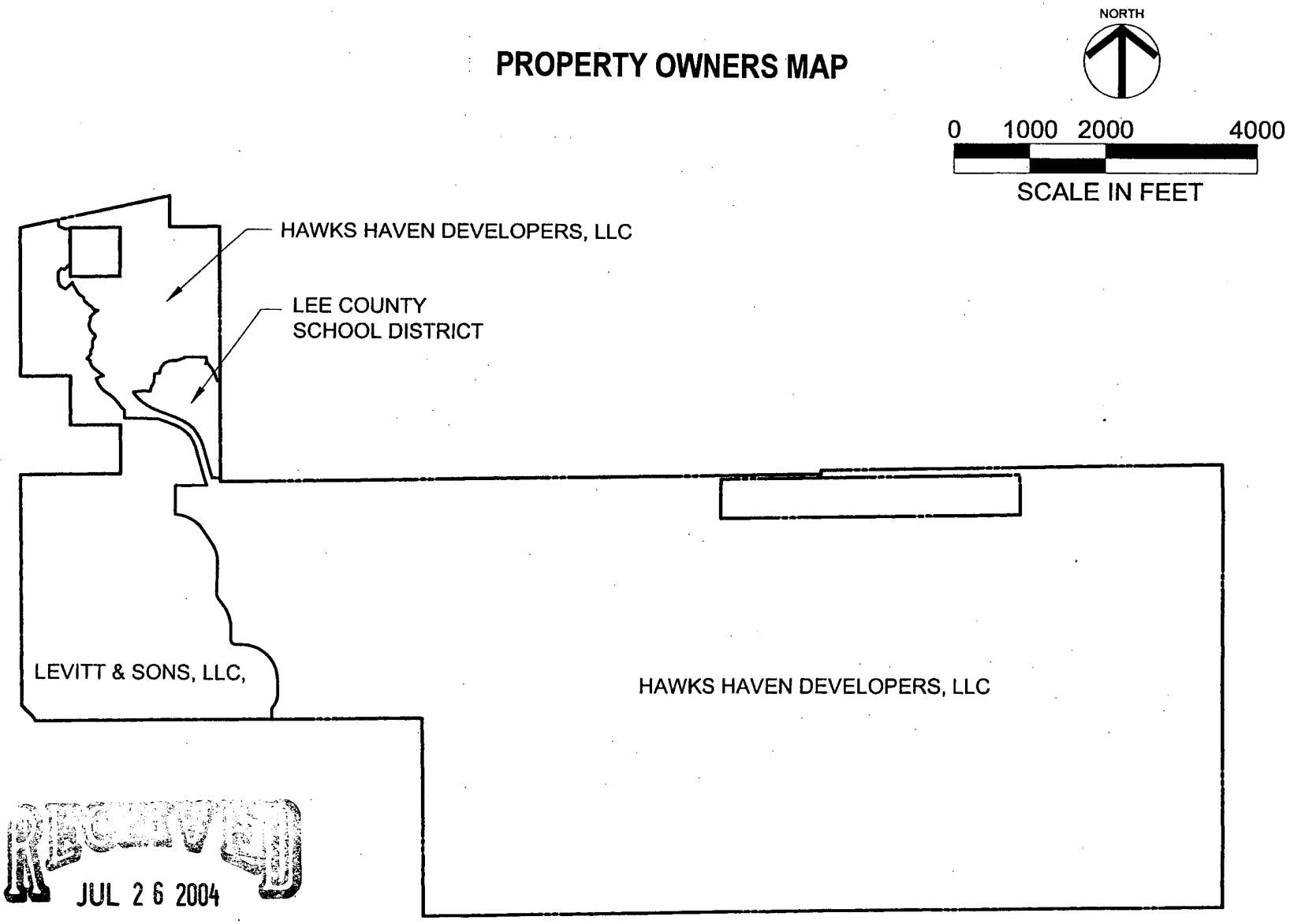
EXHIBIT PH-2.C.2.

PROPERTY OWNERS MAP



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CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
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2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 · SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

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LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\EXHIBITS\
PLOT DATE	MON, 8-23-2004 - 2:02 PM
PLOT BY	TOM HOLMLUND
DESIGN BY	GREGG LATHROP
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

HAWK'S HAVEN CDD

HAWK'S HAVEN
CURRENT
OWNERSHIP MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1 OF 1

DCI 2004 00054

SCHEDULE OF DEVIATIONS AND JUSTIFICATIONS
EXHIBIT 6-N

RECEIVED
FEB 25 2005
PERMIT COUNTER

1. **A DEVIATION FROM LDC SECTION 10-385 (d)(3)(a); HYDRANT SPACING.** SPECIFIES A MAXIMUM FIRE HYDRANT SPACING OF 800 FEET IN THE ONE AND TWO DWELLING UNIT AREA TO ELIMINATE THIS REQUIREMENT IN AREAS ALONG THE SPINE ROAD WHERE NO HOMES EXIST.

   JUSTIFICATION: THIS DEVIATION HAS ALREADY BEEN APPROVED AND IS PART OF THE EXISTING RPD ZONING

2. **A DEVIATION FROM LDC SECTION LDC 34-2015(2)(d); DESIGN.** REQUIREMENT TO PROVIDE ALL PARKING LOT SPACES WITH SUFFICIENT MANEUVERING ROOM TO ALLOW AN EXITING VEHICLE TO LEAVE THE PARKING LOT IN A FORWARD MOTION, TO ALLOW VEHICLES EXITING PARKING FOR MULTI-FAMILY RESIDENTIAL PARCELS, RECREATIONAL AMENITIES AND GUEST PARKING TO BACK ONTO PRIVATE ROADS.

   JUSTIFICATION: THIS IS MORE OF A CLARIFICATION THAN A DEVIATION. THE MULTI-FAMILY WILL BE CONVEYED AS CONDOMINIUM UNITS, WHICH TYPICALLY ARE SERVED BY PARKING LOTS. BACK OUT PARKING IN THE LAND DEVELOPMENT CODE REFERS TO BACK OUT PARKING ONTO A RIGHT-OF-WAY. SINCE THE MULTI-FAMILY CONDOMINIUM UNITS MAY HAVE GARAGES, IT APPEARS PHYSICALLY THE SAME AS TOWN HOME FEE SIMPLE UNITS, WHICH BACK OUT INTO A RIGHT-OF0WAY. THEREFORE, TECHNICALLY, THERE IS NO NEED FOR A DEVIATION, HOWEVER; COUNTY STAFF SOMETIMES PUTS THE MULTI-FAMILY CONDOMINIUMS AS FEE SIMPLE BACKING INTO A RIGHT-OF-WAY. AGAIN, THAT IS NOT THE CASE AND THIS DEVIATION IS MORE OF A CLARIFICATION THAN AN ACTUAL DEVIATION.

3. **A DEVIATION FROM LDC SECTION 10-329(d)(4); EXCAVATION BANK SLOPES.** THE DESIGN OF SHORELINES OF RETENTION AND DETENTION AREAS MUST BE SINUOUS RATHER THAN STRAIGHT, AS DESCRIBED IN DIVISION 6 OF THIS ARTICLE. THE BANKS OF EXCAVATIONS PERMITTED UNDER THIS SECTION MUST BE SLOPED AT A RATIO NOT GREATER THAN 4 HORIZONTAL TO 1 VERTICAL FROM THE TOP OF THE EXCAVATION TO A WATER DEPTH OF FOUR FEET BELOW THE DRY SEASON WATER TABLE. THE SLOPES MUST BE NOT GREATER THAN 2 HORIZONTAL TO 1 VERTICAL THEREAFTER, EXCEPT WHERE THE DIRECTOR OF DEVELOPMENT SERVICES DETERMINES THAT GEOLOGIC

CONDITIONS WOULD PERMIT A STABLE SLOPE AT STEEPER THAN A TWO TO ONE RATIO. EXCAVATION BANK SLOPES MUST COMPLY WITH THE SHORELINE CONFIGURATION, SLOPE REQUIREMENTS AND PLANTING REQUIREMENTS FOR MIMICKING NATURAL SYSTEM SPECIFIED IN SECTION 10-418.

4. **A DEVIATION FROM LDC SECTION 34-2194(b): OTHER BODIES OF WATER.** EXCEPT AS PROVIDED IN THIS SECTION OR ELSEWHERE IN THIS CHAPTER, BUILDINGS AND STRUCTURES MAY NOT BE PLACED CLOSER THAN 25 FEET TO A CANAL OR TO A BAY OR OTHER WATER BODY OR THE DISTANCE REQUIRED BY THE PROVISIONS OF CHAPTER 6, ARTICLE IV, PERTAINING TO FLOOD HAZARD REDUCTION, WHICHEVER IS GREATER.

JUSTIFICATION: DEVIATIONS 3 AND 4 ARE INTENDED TO PROVIDE FLEXIBILITY TO IMPROVE THE AESTHETICS OF THE PROJECT. IF THEY ARE APPROVED, THE DEVELOPER WILL BE ABLE TO CREATE AN ENTRANCE ROAD WITH THE APPEARANCE OF A BRIDGE, AND ATTRACTIVE DESIGN FEATURES SUCH AS OVERHANGING DECKS AND DISAPPEARING EDGE POOLS WILL BE PERMITTED IN THE AMENITY CENTERS. ADEQUATE SAFEGUARDS HAVE BEEN PROVIDED WITHIN THE REQUESTS TO PROTECT PUBLIC HEALTH AND SAFETY.

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DCI2004-00054

TRAFFIC IMPACT STATEMENT

FOR

RECEIVED
JUL 26 2004
PERMIT COUNTER

HAWK'S HAVEN

RE-ZONING APPLICATION

PROJECT 0404.01

ATTACHMENT H

Prepared by:

Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
(239) 278-3090

May 24, 2004

EXHIBIT 6-L

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III. PROPOSED DEVELOPMENT

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I. INTRODUCTION

Metro Transportation Group, Inc. (Metro) has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for zoning. This report has been completed in compliance with guidelines established in the Lee County Traffic Impact Statement Guidelines. The development site is located to the south of S.R. 80 (Palm Beach Boulevard) and east of Buckingham Road in the Fort Myers Shores area of Lee County, Florida.

Hawks' Haven is currently zoned to permit the construction of up to 1,598 residential dwelling units and a golf course on approximately 1,800 acres. The original zoning was approved in 1999 under Resolution Z-99-56. The proposed re-zoning would increase the size of the project to approximately 1,945 acres and permit the construction of up to 1,999 residential dwelling units. Access to the property is proposed via Palm Beach Boulevard (State Route 80). **Figure 1** illustrates the location of the subject site.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation will be completed and analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The subject site is bordered by agricultural land to the east, west and north with a short portion of the property fronting directly on Palm Beach Boulevard. To the south are platted lots within the Lehigh Acres area of Lee County. Access to the site will be provided via a single access to Palm Beach Boulevard.

Palm Beach Boulevard (S.R. 80) is a four lane divided arterial roadway in the vicinity of the subject site. Palm Beach Boulevard, east of Hickey Creek, is currently under construction to a four lane divided cross section, which will extend east to the Hendry County line. Between Buckingham Road and S.R. 31, Palm Beach Boulevard is also a four lane divided roadway. West of S.R. 31, Palm Beach Boulevard is a six-lane roadway.

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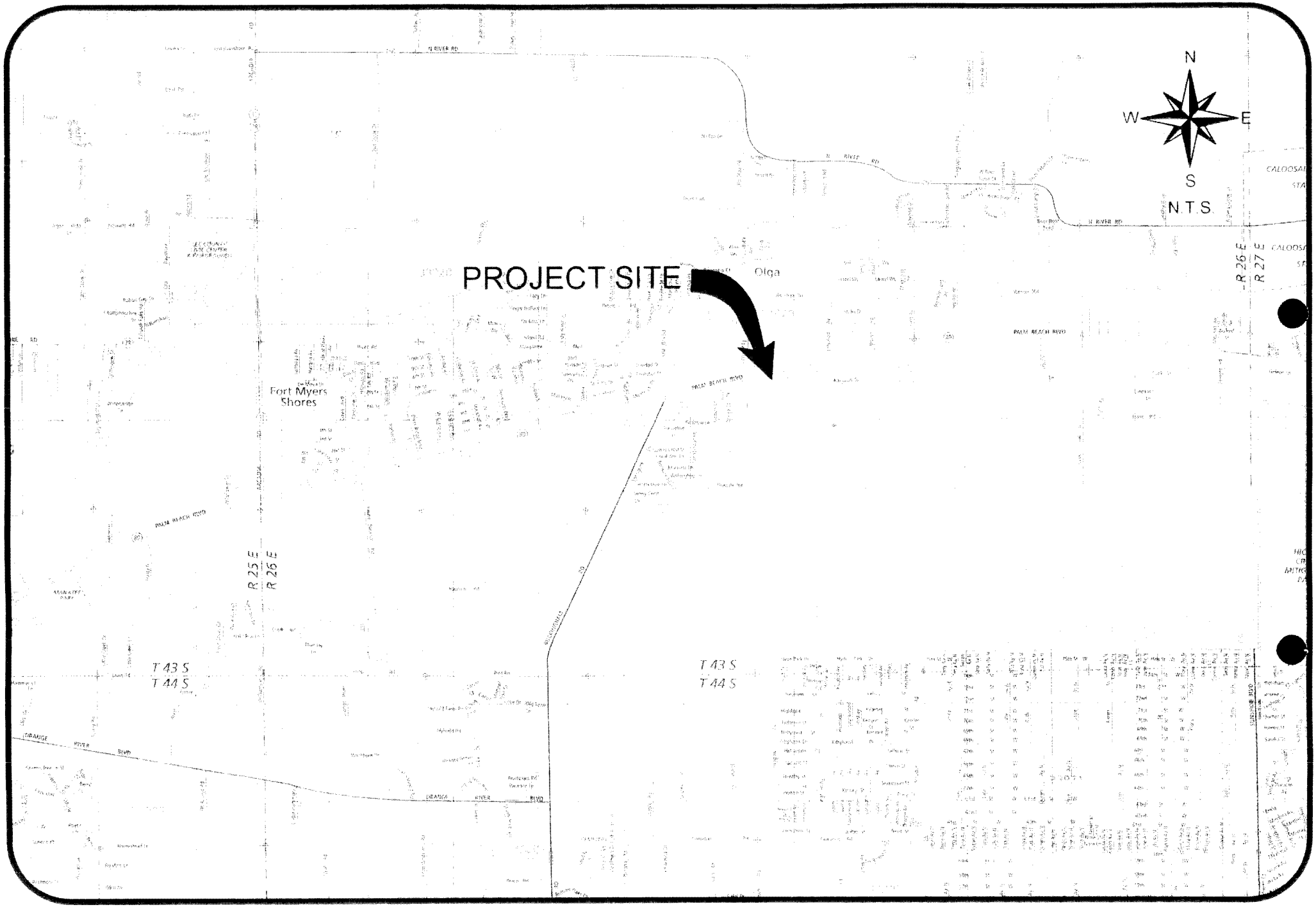

METRO

PROJECT LOCATION MAP
HAWK'S HAVEN

Figure 1

Near the subject site, Palm Beach Boulevard has a posted speed limit of 55 mph and is under the jurisdiction of the Florida Department of Transportation (FDOT).

III. PROPOSED DEVELOPMENT

The Hawk's Haven development is a an existing Residential Planned Development within the Fort Myers Shores planning community in Lee County. The proposed zoning amendment will increase the land area of the RPD as well as the permitted maximum density within the project. The re-zoning request is to include an additional approximately 145 acres of land and allow for an additional 401 residential units within the project. **Table 1** summarizes the existing zoning density and the proposed density of the project. With the re-zoning application, the residential uses are further refined. Table 1 indicates the proposed breakdown between conventional single family uses, multi-family dwelling units and an active adult community that will include age-restricted residential units.

Table 1
Hawk's Haven
Existing and Proposed Development

Existing Zoning		Proposed Zoning	
Use	Amount	Use	Amount
Single Family	1,598 Units	Single Family	1,347 Units
Golf Course (Private)	36 Holes (544 acres)	Multi-Family	102 Units
		Active Adult	550 Units
		School	1,000 Students (Elementary)
		Golf Course	36 Holes

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled Trip Generation, 7th Edition. Land Use Code 210 (Single Family Detached Housing) was utilized for trip generation purposes for the proposed single family units, Land Use Code 230 (Residential Condominium/Townhouse) was utilized for the multi-family units, Land Use Code 251 (Senior Adult Housing – Detached) was used for the Active Adult Community, Land Use Code 520 (Elementary School) was used for the school and Land Use Code 430 (Golf

Course) was used for the golf course. The equations for these land uses are contained in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the Hawk's Haven as currently approved and the trip generation as proposed under the re-zoning. In addition, the daily trip generation is included in Table 2.

Table 2
Trip Generation
Hawk's Haven

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
As Currently Zoned							
Single Family (LUC 210)	280	850	1,130	820	480	1,300	13,310
Golf Course (LUC 430)	85	30	115	55	110	165	2,745
Less Internal Capture [1]	-35	-30	-65	-45	-45	-90	-1,535
Total	330	850	1,180	830	545	1,375	14,520
Proposed Zoning							
Single Family (LUC 210)	235	715	950	700	415	1,115	11,375
Multi-Family (LUC 230)	10	45	55	40	20	60	655
Active Adult (LUC 251)	45	75	120	105	65	170	2,305
School (LUC 520)	210	170	380	115	145	260	1,290
Golf Course (LUC 430)	10	0	10	5	10	15	200
Less Internal Capture [2]	-105	-85	-190	-60	-75	-135	-645
Total	405	920	1,325	905	580	1,485	15,180

1 Internal Capture for original zoning taken from TIS prepared for zoning case, dated January 2000, revised March 2000, prepared by McMahon Associates, Inc.

2 Internal Capture for proposed zoning assumed ±50% of elementary school children will originate from within the community. Also assumed the golf course was private and the majority of trips for this use were generated internally.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Link Specific Level of Service Tables provided by the Lee County Department of Transportation.

The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. Based on current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. **Figure 2** indicates the projected trip distribution of the development traffic.

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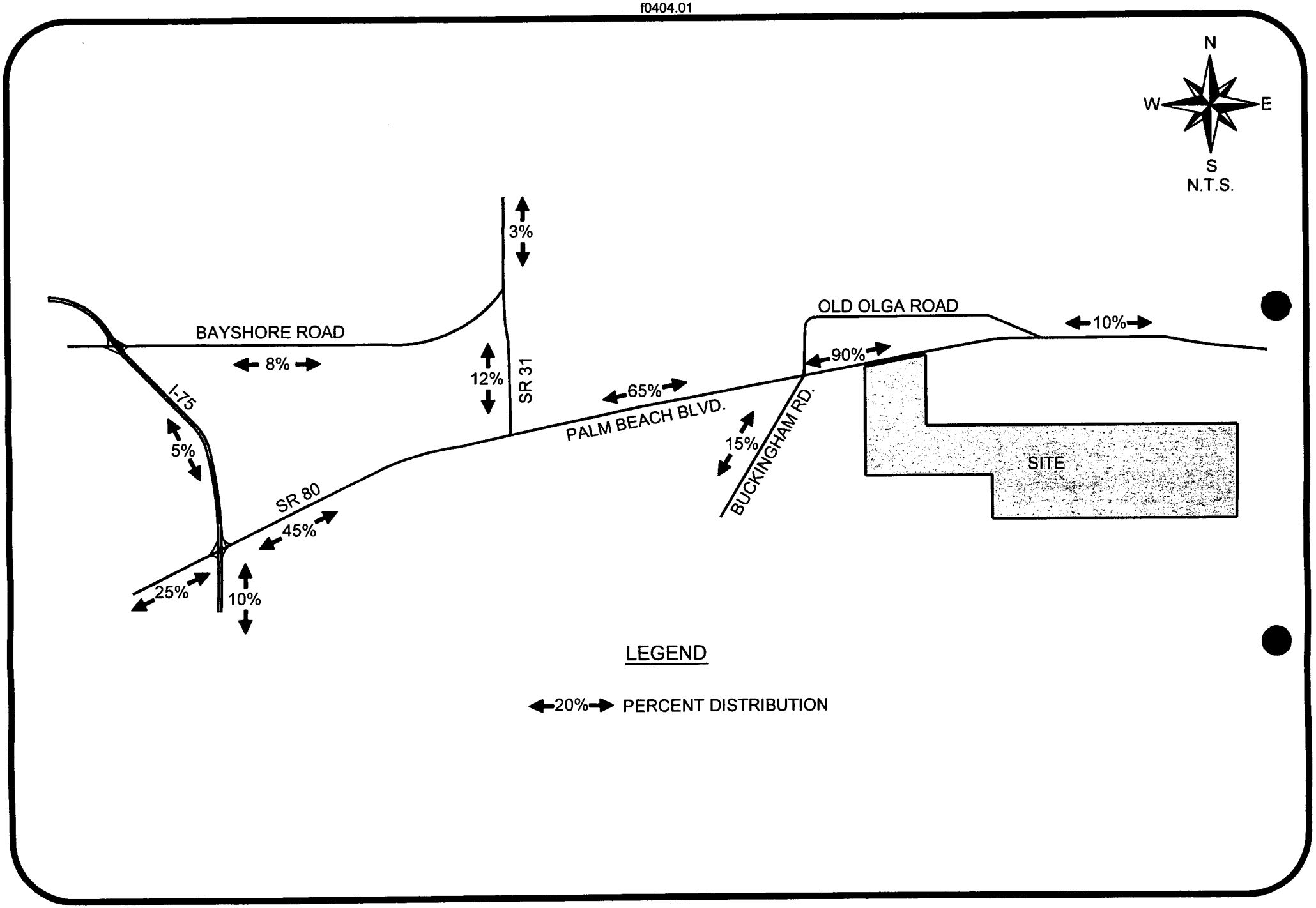

METRO

PROJECT TRAFFIC DISTRIBUTION
HAWK'S HAVEN

Figure 2

V. FUTURE TRAFFIC CONDITIONS

In order to determine which links and intersections were significantly impacted, the peak hour project traffic was compared to the 10% LOS "C" hourly traffic volumes for all links receiving a substantial amount of project traffic. The Level of Service threshold volumes were taken from the Lee County Link Specific Level of Service Spreadsheet as provided by the Lee County Department of Transportation. **Table 1A** in the Appendix provides a detail of the impact percentages. Based on the significant impact criteria, the roadway links projected to be significantly impacted are Palm Beach Boulevard between I-75 and the project entrance, Bayshore Road west of S.R. 31, S.R. 31 north of Palm Beach Boulevard and Buckingham Road south of Palm Beach Boulevard.

The build-out of the residential subdivision is anticipated to be completed by the year 2009. Therefore, the analysis year was selected as 2010. In order to calculate the future background traffic volumes for the project build-out year of 2010, an annual growth rate was determined for all links and intersections under study. The compound growth factors used were derived from the 2003 Lee County Traffic Count Report. The methodology utilized to obtain the growth factors is illustrated by **Table 2A** located in the Appendix of this report. The project traffic for the A.M. and P.M. peak hours was distributed to the surrounding roadway network based on directions of approach and distributions as previously discussed.

Future traffic volumes were determined after combining the background traffic and the project traffic at build-out (see Table 2A). The future 2010 peak hour traffic volumes without development traffic and the corresponding Levels of Service are shown in **Figure 3**. Development traffic and total traffic (i.e. background + development traffic) are also shown by link in Figure 3, along with the corresponding levels of service.

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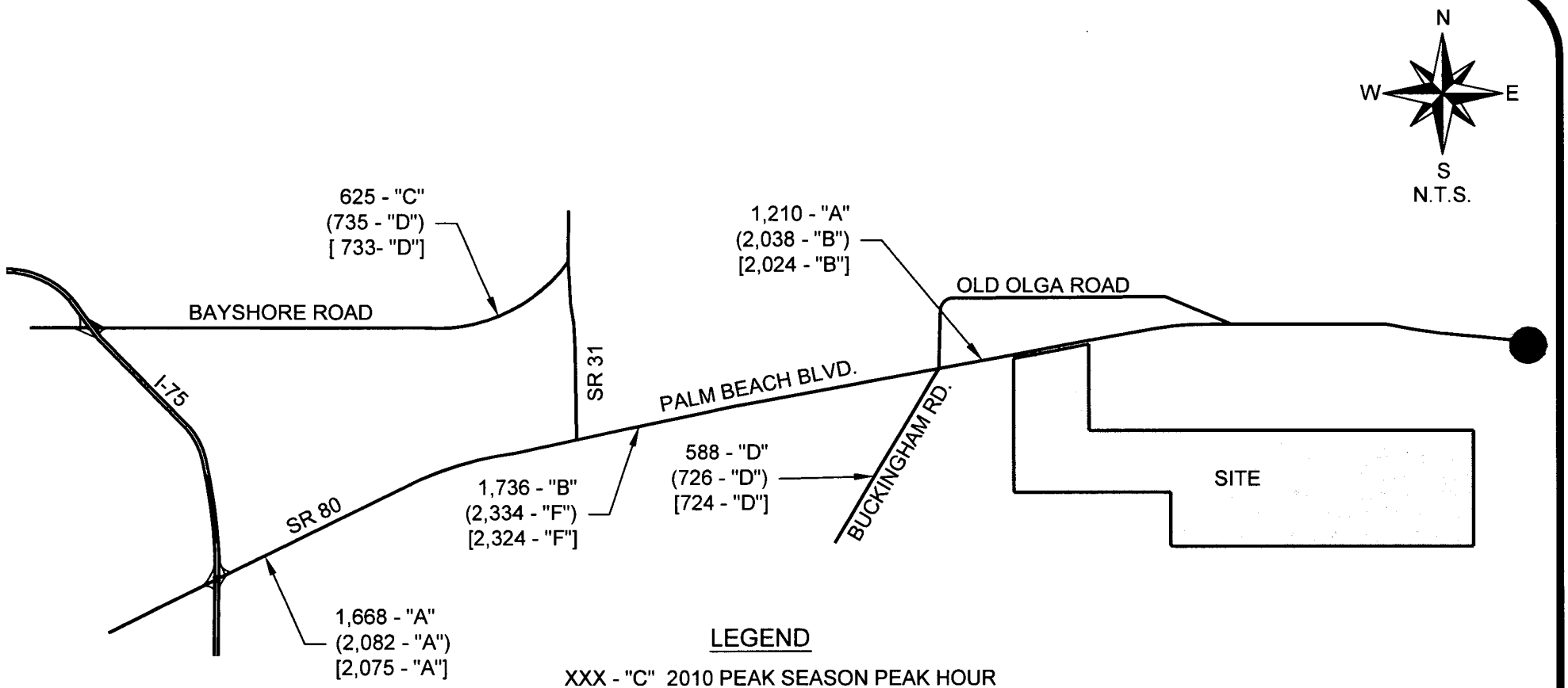

LEGEND

XXX - "C" 2010 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2010 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS AM PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2010 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS PM PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION

METRO

2010 100th HIGHEST HOUR
LEVEL OF SERVICE ANALYSIS

Figure 3

VI. LEVEL OF SERVICE DETERMINATIONS AND IMPROVEMENTS

Figure 3 details the Levels of Service for all arterials accessed by the proposed development. These Levels of Service were derived based on the Lee County Link Specific Directional Service Volume Tables. **Table 1A** in the Appendix details the calculations to determine the Level of Service on the analyzed links.

Based on the information indicated within Figure 3, Palm Beach Boulevard is shown to operate at or above the adopted Level of Service Volume for the link directly adjacent to the subject site as well as the link between I-75 and S.R. 31. The adopted Level of Service for Palm Beach Boulevard in this area is currently a LOS "B". Palm Beach Boulevard is part of the Federal Intrastate Highway System (FIHS), as designated by the Florida Department of Transportation. FIHS roadways, pursuant to the LEE PLAN, have a higher LOS designation than do other county and state roads. An urban boundary study currently underway by FDOT will re-classify this area as Urban, thereby decreasing the adopted Level of Service to LOS "C". This study has not been finalized, thereby LOS "B" is the current adopted Level of Service for Palm Beach Boulevard. Palm Beach Boulevard is projected to maintain LOS "A" conditions in 2010 from I-75 to S.R. 31 and LOS "B" conditions from Buckingham Road to the site access drive.

The only link within the Study area that is projected to experience future Level of Service problems is Palm Beach Boulevard between S.R. 31 and Buckingham Road. This existing 4-lane roadway segment is approximately 2.5 miles in length. FDOT nor Lee County have any plans to widen this segment of Palm Beach Boulevard. The current MPO 2020 Financially Feasible Plan does not indicate the need for the widening of Palm Beach Boulevard beyond it's current condition through the year 2020. An evaluation of this roadway will be completed as part of the updated Evaluation and Appraisal Report and the updated 2030 Long Range Transportation Plan, currently underway at the County and Metropolitan Planning Organization. The existing long range transportation model does not have the proper land uses on the Hawks Haven property, which has been zoned to permit up to 1,598 units since 1999. A Level of Service analysis of the existing zoning indicates that based on today's traffic conditions, projected to the year 2010, future

widening on Palm Beach Boulevard would be necessary. In fact, the projected 2020 peak season weekday daily traffic volume (PSWDT) on Palm Beach Boulevard east of S.R. 31 in the current MPO 2020 travel model (FSUTMS) indicates a projected volume of 32,250 PSWDT. Based on the most recent Lee County Traffic Report, the 2003 weekday Annual Average Daily Traffic (AADT) was counted at 27,900 vehicles. Therefore, the travel model currently in use by the MPO is only showing an annual growth rate of approximately eight-tenths of one percent per year (0.08% per year) on Palm Beach Boulevard east of S.R. 31.

When the MPO travel model is updated and the zonal data is modified to indicate the future developments in the area (Hawks Haven, The Verandah, Buckingham 320, and other projects to the east on Palm Beach Boulevard, the need for widening Palm Beach Boulevard between S.R. 31 and Buckingham Road will be further defined.

Palm Beach Boulevard is also a State maintained roadway. Therefore, the impact fees collected by this project (estimated to be approximately $4.8 Million), will not be used for this project since the Board of County Commissioners recently voted to raise the impact fees only to support Lee County roadway projects. It is recommended that the MPO, the Fort Myers Shores area as well as Lee County further evaluate the future need for widening Palm Beach Boulevard between S.R. 31 and Buckingham Road. At the local Development Order stage for Hawks Haven, the Level of Service will only be evaluated on Palm Beach Boulevard east of Buckingham Road. Therefore, the current Hawks Haven project could be constructed to it's ultimate build-out and no Level of Service analysis would need to be conducted on Palm Beach Boulevard west of Buckingham Road.

Access to the subject site will be provided via a single access drive to Palm Beach Boulevard. An assignment of the development traffic to the site access drive was completed and is shown on **Figure 4**. Based on the future intensity of the project, it is likely that a traffic signal will be warranted at this intersection in the future. The Developer is aware that the cost of design, construction and implementation of the signal will be the sole responsibility of the Developer when and if a signal is warranted.

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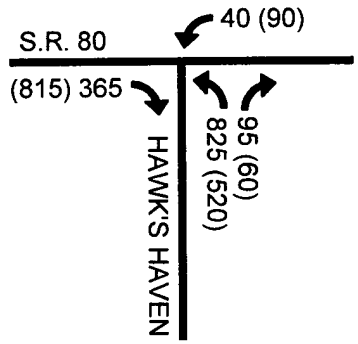

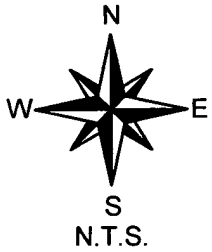

LEGEND

← 000 WEEK DAY AM PEAK HOUR TRAFFIC
← (000) WEEK DAY PM PEAK HOUR TRAFFIC

METRO

SITE TRAFFIC ASSIGNMENT
HAWK'S HAVEN

Figure 4

Capacity analyses were conducted for the site access drive and Palm Beach Boulevard for the build-out traffic conditions. It was assumed that the intersection would be signalized at build-out of the project, therefore, the capacity analyses completed assume signalization. The access drive should be constructed to permit future northbound dual left turn lanes exiting the property to travel west on Palm Beach Boulevard. Turn lanes will be warranted at the site access drive intersection with Palm Beach Boulevard. The number and length of these turn lanes will be further evaluated at the Local Development Order stage.

VII. CONCLUSION

Based on the analysis prepared within this report, the re-zoning of the Hawks Haven RPD will not have any more of a significant impact on the surrounding roadways that the existing RPD is projected to have on the roadways. Future traffic conditions on Palm Beach Boulevard adjacent to the subject site (east of Buckingham Road) indicate that this roadway will operate within the adopted Level of Service standards as prescribed in the LEE PLAN for this roadway (LOS "B") in 2010 with the build-out of this subject site as proposed.

Future projected conditions on Palm Beach Boulevard between S.R. 31 and Buckingham Road indicate the potential need to widen this segment to 6-lanes in the next 5 to 10 years. The current MPO plan, which does not include the existing zoning of the subject parcel, does not indicate the need for the widening of Palm Beach Boulevard beyond the current 4-lane section through the year 2020. Regardless, at the time of local Development Order, with the subject site as currently zoned or as proposed, the Level of Service is evaluated on Palm Beach Boulevard east of Buckingham Road, which is projected to operate within acceptable standards.

Turn lane analysis will be completed at the Local Development Order stage to determine the need for turn lanes along Palm Beach Boulevard at the site access drive intersection.

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TABLE 1A & TABLE 2A

WITH PROPOSED RE-ZONING

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
PROPOSED ZONING (1,999 UNITS)

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1325 VPH IN= 405 OUT= 920

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1485 VPH IN= 905 OUT= 580

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Rd.	W. of S.R. 31	2LN	210	420	690	1080	1120	8.00%	74	10.7%
Buckingham Road	S. of State Road 80	2LN	130	310	530	870	940	15.00%	138	26.0%
	E. of Alvin Avenue	2LN	130	310	530	870	940	5.00%	46	8.7%
I-75	S. of Palm Beach Blvd	4LF	1270	2110	2940	3580	3980	10.0%	92	3.1%
	S. of Bayshore Road	4LF	1270	2110	2940	3580	3980	5.0%	46	1.6%
	N. of Bayshore Road	4LF	1270	2110	2940	3580	3980	2.0%	18	0.6%
Palm Beach Blvd.	E. of City Limits	4LN	0	810	1790	1980	2030	15.00%	138	7.7%
(S.R. 80)	E. of Ortiz	6LN	0	1220	2730	2970	3040	25.00%	230	8.4%
	E. of I-75	6LN	2570	3070	3080	3080	3080	45.00%	414	13.4%
	E. of S.R. 31	4LN	1690	2040	2050	2050	2050	65.00%	598	29.2%
	E. of Buckingham Rd.	4LN	1690	2040	2050	2050	2050	90.00%	828	40.4%
	E. of H ickey Creek	4LN *	1690	2040	2050	2050	2050	10.00%	92	4.5%
State Route 31	N. of Palm Beach	2LN	220	440	710	1120	1170	12.00%	110	15.5%
	N. of Bayshore Rd.	2LN	220	440	710	1120	1170	3.00%	28	3.9%

* 4 Lane SR 80 under construction from Hickey Creek to Lee County line

Denotes significantly impacted link

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
100th HIGHEST HOUR LEVEL OF SERVICE ANALYSIS ON SIGNIFICANTLY IMPACTED LINKS
PROPOSED ZONING (1,999 UNITS)

Truck Adjustment = *0.900*

TOTAL PROJECT TRAFFIC AM =	1325	VPH	IN =	405	OUT=	920
TOTAL PROJECT TRAFFIC PM =	1485	VPH	IN=	905	OUT=	580

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bayshore Rd.	E. of SR 31	11	8300	10100	9	2.20%	449	523	8.00%	74	72	597	595
Buckingham Road	S. of State Road 80	11	5200	7300	9	3.84%	452	588	15.00%	138	136	726	724
Palm Beach Blvd.	E. of I-75	5	21000	25000	8	2.20%	1432	1668	45.00%	414	407	2082	2075
(S.R. 80)	E. of S.R. 31	5	23600	27900	9	1.88%	1524	1736	65.00%	598	588	2334	2324
	E. of Buckingham Rd.	5	13400	18100	8	3.50%	951	1210	90.00%	828	815	2038	2024
State Route 31	N. of Palm Beach	5	6300	9500	9	4.67%	454	625	12.00%	110	109	735	733

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

TABLE 1A & TABLE 2A

AS CURRENTLY APPROVED

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
EXISTING ZONING (1,598 UNITS)

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1180 VPH IN= 330 OUT= 850

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1375 VPH IN= 830 OUT= 545

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Rd.	W. of S.R. 31	2LN	210	420	690	1080	1120	8.00%	68	9.9%
Buckingham Road	S. of State Road 80	2LN	130	310	530	870	940	15.00%	128	24.1%
	E. of Alvin Avenue	2LN	130	310	530	870	940	5.00%	43	8.0%
I-75	S. of Palm Beach Blvd	4LF	1270	2110	2940	3580	3980	10.0%	85	2.9%
	S. of Bayshore Road	4LF	1270	2110	2940	3580	3980	5.0%	43	1.4%
	N. of Bayshore Road	4LF	1270	2110	2940	3580	3980	2.0%	17	0.6%
Palm Beach Blvd.	E. of City Limits	4LN	0	810	1790	1980	2030	15.00%	128	7.1%
(S.R. 80)	E. of Ortiz	6LN	0	1220	2730	2970	3040	25.00%	213	7.8%
	E. of I-75	6LN	2570	3070	3080	3080	3080	45.00%	383	12.4%
	E. of S.R. 31	4LN	1690	2040	2050	2050	2050	65.00%	553	27.0%
	E. of Buckingham Rd.	4LN	1690	2040	2050	2050	2050	90.00%	765	37.3%
	E. of H ickey Creek	4LN *	1690	2040	2050	2050	2050	10.00%	85	4.1%
State Route 31	N. of Palm Beach	2LN	220	440	710	1120	1170	12.00%	102	14.4%
	N. of Bayshore Rd.	2LN	220	440	710	1120	1170	3.00%	26	3.6%

* 4 Lane SR 80 under construction from Hickey Creek to Lee County line

Denotes significantly impacted link

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
100th HIGHEST HOUR LEVEL OF SERVICE ANALYSIS ON SIGNIFICANTLY IMPACTED LINKS
EXISTING ZONING (1,598 UNITS)

Truck Adjustment = 0.900

P. C. S.	K	D
I-75 Lee	0.099	0.58

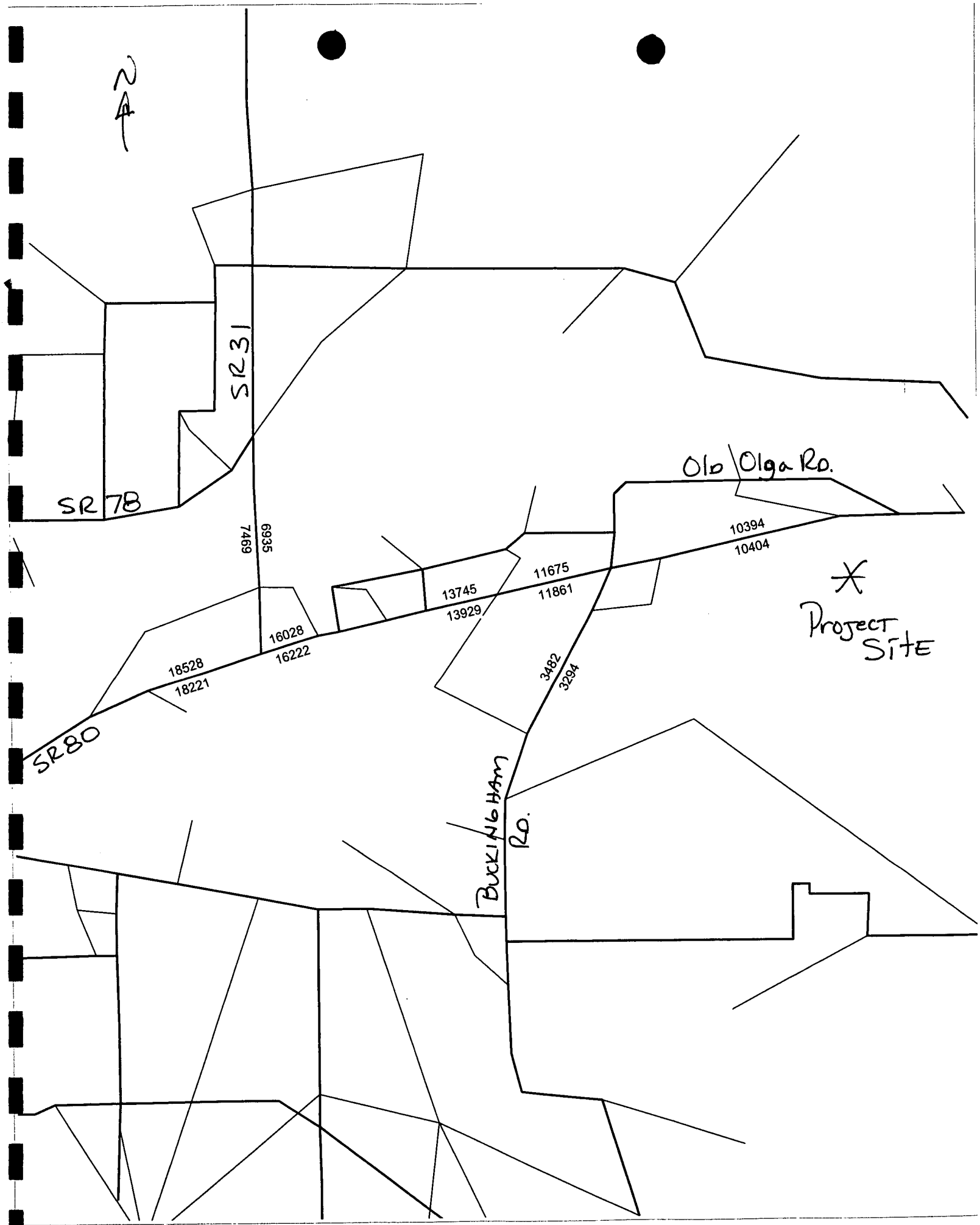
TOTAL PROJECT TRAFFIC AM =	1180	VPH	IN =	330	OUT=	850
TOTAL PROJECT TRAFFIC PM =	1375	VPH	IN=	830	OUT=	545

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bayshore Rd.	E. of SR 31	11	8300	10100	9	2.20%	449	523	8.00%	68	66	591	589
Buckingham Road	S. of State Road 80	11	5200	7300	9	3.84%	452	588	15.00%	128	125	716	713
Palm Beach Blvd.	E. of I-75	5	21000	25000	8	2.20%	1432	1668	45.00%	383	374	2051	2042
(S.R. 80)	E. of S.R. 31	5	23600	27900	9	1.88%	1524	1736	65.00%	553	540	2288	2275
	E. of Buckingham Rd.	5	13400	18100	8	3.50%	951	1210	90.00%	765	747	1975	1957
State Route 31	N. of Palm Beach	5	6300	9500	9	4.67%	454	625	12.00%	102	100	727	724

* The Truck Factor was factored for the I-75 count data.

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

FSUTMS 2020 FINANCIALLY FEASIBLE PLAN PEAK SEASON WEEKDAY TRAFFIC VOLUMES



2020 FF Plan MPO

Viper Software by Citilabs

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SHORT REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	5/20/2004	Jurisdiction	Lee Co./FDOT
Time Period	PM Peak Hour	Analysis Year	2010

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Num. of Lanes	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume (vph)		750	815	90	1120		520		60			
% Heavy veh		0	0	0	0		0		0			
PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Actuated (P/A)		A	A	A	A		A		A			
Startup lost time		2.0	2.0	2.0	2.0		2.0		2.0			
Ext. eff. green		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type		3	3	3	3		3		3			
Unit Extension		3.0	3.0	3.0	3.0		3.0		3.0			
Ped/Bike/RTOR Volume	0		225				0		15	0		
Lane Width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N		N
Parking/hr												
Bus stops/hr		0	0	0	0		0		0			
Unit Extension		3.0	3.0	3.0	3.0		3.0		3.0			

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =

Duration of Analysis (hrs) = 0.25 | Cycle Length C = 120.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adj. flow rate		806	634	97	1204		559		48			
Lane group cap.		1655	1386	220	2016		1255		579			
v/c ratio		0.49	0.46	0.44	0.60		0.45		0.08			
Green ratio		0.46	0.86	0.46	0.56		0.36		0.36			
Unif. delay d1		22.7	2.0	22.1	17.6		29.4		25.5			
Delay factor k		0.11	0.11	0.11	0.19		0.11		0.11			
Increm. delay d2		0.2	0.2	1.4	0.5		0.3		0.1			
PF factor		1.000	1.000	1.000	1.000		1.000		1.000			
Control delay		22.9	2.2	23.5	18.1		29.6		25.5			
Lane group LOS		C	A	C	B		C		C			
Apprch. delay	13.8			18.5			29.3					
Approach LOS	B			B			C					
Intersec. delay	18.4			Intersection LOS						B		

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SHORT REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	5/20/2004	Jurisdiction	Lee Co./FDOT
Time Period	AM Peak Hour	Analysis Year	2010

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Num. of Lanes	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume (vph)		1120	365	40	750		825		95			
% Heavy veh		0	0	0	0		0		0			
PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Actuated (P/A)		A	A	A	A		A		A			
Startup lost time		2.0	2.0	2.0	2.0		2.0		2.0			
Ext. eff. green		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type		3	3	3	3		3		3			
Unit Extension		3.0	3.0	3.0	3.0		3.0		3.0			
Ped/Bike/RTOR Volume	0		165				0		15	0		
Lane Width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N		N
Parking/hr												
Bus stops/hr		0	0	0	0		0		0			
Unit Extension		3.0	3.0	3.0	3.0		3.0		3.0			

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis (hrs) = 0.25						Cycle Length C = 120.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adj. flow rate		1204	215	43	806		887		86			
Lane group cap.		1655	1386	91	2016		1255		579			
v/c ratio		0.73	0.16	0.47	0.40		0.71		0.15			
Green ratio		0.46	0.86	0.46	0.56		0.36		0.36			
Unif. delay d1		26.4	1.4	22.5	15.1		33.1		26.1			
Delay factor k		0.29	0.11	0.11	0.11		0.27		0.11			
Increm. delay d2		1.6	0.1	3.8	0.1		1.8		0.1			
PF factor		1.000	1.000	1.000	1.000		1.000		1.000			
Control delay		28.1	1.4	26.3	15.2		34.9		26.2			
Lane group LOS		C	A	C	B		C		C			
Apprch. delay	24.0			15.8			34.2					
Approach LOS	C			B			C					
Intersec. delay	24.9			Intersection LOS						C		

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TRIP GENERATION EQUATIONS
HAWKS HAVEN
ITE TRIP GENERATION REPORT, 7th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Residential Condominium/Townhouse (LUC 230)	Ln (T) = 0.80 Ln (X) + 0.26	Ln (T) = 0.82 Ln (X) + 0.32	Ln (T) = 0.85 Ln (X) + 2.55
T = Trips, X = Units			
Elementary School (LUC 520)	Ln (T) = 1.11 Ln (X) – 1.73	Ln (T) = 1.08 Ln (X) – 1.9	T = 1.29 (X)
T = Trips, X = Students			
Adult Community (LUC 251)	Ln (T) = 0.86 Ln (X) - 0.63	Ln (T) = 0.72 Ln (X) + 0.58	Ln (T) = 0.85 Ln (X) + 2.38
T = Trips, X = Units			
Single Family Detached Housing (LUC 210)	T = 0.70 (X) + 9.43	Ln (T) = 0.90 Ln (X) + 0.53	Ln (T) = 0.92 Ln (X) + 2.71
T = Trips, X = Units			

METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 239-278-3090
FAX 239-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

September 21, 2004

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Mr. Matt Uhle
Knott Consoer
1625 Hendry Street
Fort Myers, FL 33901

RE: Sufficiency Comments
Hawks Haven RPD
DCI2004-00054

DCI2004-00054

ATTACHMENT H

Dear Mr. Uhle:

Metro Transportation Group Inc. (Metro) has reviewed the comments issued by Lee County regarding the above referenced zoning application. A discussion was held with Mr. Bob Rentz of Lee County Development Services prior to responding to the comments issued by Lee County, dated August 11, 2004. The comments, and our response, are listed below.

TIS Checklist

> *S.R. 80 east of Buckingham Road: Based on the 2003 Traffic Count report data from 1995 to 2003, the compound growth rate would be 3.83%. Applying this rate to the Concurrency Report peak hour, peak season, peak direction volume of 951, then adding the project traffic, would yield a volume of 2,065, which is a level of service "F".*
>
> *Based on the information provided on Table 2A, the annual growth rate for the roadway segment of SR 80, east of Buckingham Road, shall be 3.8%, not 3.5% as used in the TIS.*
>
> *The Table 2A indicates there will be 1,210 trips of PM peak hour directional traffic volumes (background traffic and P.C. Station #5 shows eastbound being peak direction) in Year 2010 on SR 80, east of Buckingham Road. However, there are only 750 trips on the eastbound through movement in the intersection analysis. The intersection analysis needs to be reanalyzed.*

Table 2A was revised to reflect an annual growth rate of 3.83%. Since the previous traffic analysis was prepared, the Master Concept Plan for this project has been revised to include additional internal amenities that would increase the rate of internal capture that will occur in this project. The previous analysis included trip reductions for the school site as a large percentage of school children are anticipated to originate from within the project. The trips

for the golf course were assumed to be internal as well as the golf course will be private and only open for memberships from residents of the project. Additional features that were added to the Master Concept Plan since this original TIS (dated May 24, 2004) include the addition of a "town center" type area that will include amenities for the residents of the golf community as well as the single family community. The amenity area will include a restaurant, fitness center and community center. In addition, there will be restaurant and associated amenities provided within the golf course community that will be separate from the amenities just described. Discussions with Mr. Rentz occurred after the issuance of the sufficiency comments with regards to a discount in the external trip generation due to the potential for internal capture, mainly due to the two full service restaurants that will be available to residents of this community. The two restaurants, and the additional amenities, will be located within the gated community and only available to residents of the community.

Based on the discussion, a trip reduction of 3% was applied to the residential trip generation for the project to account for potential internal capture that may occur as a result of the amenities being provided within the project. This is consistent with the zoning TIS that was prepared for the previous re-zoning of this parcel when a reduction was applied for internal capture (there was no school as part of the previous re-zoning done in 2000). In the previous TIS, a 6% reduction was applied to the residential trip generation. The updated Master Concept Plan being submitted with this zoning request identifies more amenities available for the residents. The revised trip generation is shown below in **Table 2**.

Table 2
Revised Trip Generation

Proposed Zoning							
Single Family (LUC 210)	235	715	950	700	415	1,115	11,375
Multi-Family (LUC 230)	10	45	55	40	20	60	655
Active Adult (LUC 251)	45	75	120	105	65	170	2,305
School (LUC 520)	210	170	380	115	145	260	1,290
Golf Course (LUC 430)	10	0	10	5	10	15	200
Less Internal Capture [1]	-105	-85	-190	-60	-75	-135	-645
Less Internal Capture [2]	-10	-20	-30	-20	-15	-35	-340
Total	395	900	1,295	885	565	1,450	14,840

[1] Internal Capture for proposed zoning assumed ±50% of elementary school children will originate from within the community. Also assumed the golf course was private and the majority of trips for this use were generated internally.
[2] Internal Capture between the residential uses and the internal commercial uses (3% of residential trips)

Tables 1A and 2A were revised to reflect the new trip external trip generation and are attached for reference. With the slight reduction in trips, Palm Beach Boulevard (S.R. 80) east of Buckingham Road is show to operate at LOS "C" at build-out (2010).

The HCS analysis for the site access drive was revised and is attached for reference.

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

Sincerely,

Ted B. Treesh
Principal/Regional Manager

Attachments

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TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
PROPOSED ZONING (1,999 UNITS)

Revised 9-21-04

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1295 VPH IN= 395 OUT= 900

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1450 VPH IN= 885 OUT= 565

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Rd.	W. of S.R. 31	2LN	210	420	690	1080	1120	8.00%	72	10.4%
Buckingham Road	S. of State Road 80	2LN	130	310	530	870	940	15.00%	135	25.5%
	E. of Alvin Avenue	2LN	130	310	530	870	940	5.00%	45	8.5%
I-75	S. of Palm Beach Blvd	4LF	1270	2110	2940	3580	3980	10.0%	90	3.1%
	S. of Bayshore Road	4LF	1270	2110	2940	3580	3980	5.0%	45	1.5%
	N. of Bayshore Road	4LF	1270	2110	2940	3580	3980	2.0%	18	0.6%
Palm Beach Blvd.	E. of City Limits	4LN	0	810	1790	1980	2030	15.00%	135	7.5%
(S.R. 80)	E. of Ortiz	6LN	0	1220	2730	2970	3040	25.00%	225	8.2%
	E. of I-75	6LN	2570	3070	3080	3080	3080	45.00%	405	13.1%
	E. of S.R. 31	4LN	1690	2040	2050	2050	2050	65.00%	585	28.5%
	E. of Buckingham Rd.	4LN	1690	2040	2050	2050	2050	90.00%	810	39.5%
	E. of H ickey Creek	4LN *	1690	2040	2050	2050	2050	10.00%	90	4.4%
State Route 31	N. of Palm Beach	2LN	220	440	710	1120	1170	12.00%	108	15.2%
	N. of Bayshore Rd.	2LN	220	440	710	1120	1170	3.00%	27	3.8%

* 4 Lane SR 80 under construction from Hickey Creek to Lee County line

Denotes significantly impacted link

DCI2004-00054

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
100th HIGHEST HOUR LEVEL OF SERVICE ANALYSIS ON SIGNIFICANTLY IMPACTED LINKS
PROPOSED ZONING (1,999 UNITS)

Truck Adjustment = 0.900

Revised 9/21/04

TOTAL PROJECT TRAFFIC AM =	1295	VPH	IN = 395	OUT=	900
TOTAL PROJECT TRAFFIC PM =	1450	VPH	IN= 885	OUT=	565

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bayshore Rd.	E. of SR 31	11	8300	10100	9	2.20%	449	523	8.00%	72	71	595	594
Buckingham Road	S. of State Road 80	11	5200	7300	9	3.84%	452	588	15.00%	135	133	723	721
Palm Beach Blvd.	E. of I-75	5	21000	25000	8	2.20%	1432	1668	45.00%	405	398	2073	2066
(S.R. 80)	E. of S.R. 31	5	23600	27900	9	1.88%	1524	1736	65.00%	585	575	2321	2311
	E. of Buckingham Rd.	5	13400	18100	8	3.83%	951	1237	90.00%	810	797	2047	2034
State Route 31	N. of Palm Beach	5	6300	9500	9	4.67%	454	625	12.00%	108	106	733	731

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

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		2010 BCKGRND + AM PROJ LOS	2010 BCKGRND + PM PROJ LOS
Palm Beach Blvd.	E. of I-75	A	A
(S.R. 80)	E. of S.R. 31	F	F
	E. of Buckingham Rd.	C	C

DCI2004-00054

HCS2000™ DETAILED REPORT

RECEIVED OCT 26 2004 PERMIT COUNTER

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	9/27/2004	Jurisdiction	Lee Co./FDOT
Time Period	AM Peak Hour	Analysis Year	2010
		Project ID	Hawks Haven Re-Zoning

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume, V (vph)		900	365	40	1240		825		95			
% Heavy vehicles, %HV		0	0	0	0		0		0			
Peak-hour factor, PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Pretimed (P) or actuated (A)		A	A	A	A		A		A			
Start-up lost time, l_1		2.0	2.0	2.0	2.0		2.0		2.0			
Extension of effective green, e		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type, AT		3	3	3	3		3		3			
Unit extension, UE		3.0	3.0	3.0	3.0		3.0		3.0			
Filtering/metering, I		1.000	1.000	1.000	1.000		1.000	1.000	1.000			
Initial unmet demand, Q_b		0.0	0.0	0.0	0.0		0.0		0.0			
Ped / Bike / RTOR volumes	0		165				0		15	0		
Lane width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N		N
Parking maneuvers, N_m												
Buses stopping, N_B		0	0	0	0		0		0			
Min. time for pedestrians, G_p	3.2						3.2			3.2		

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis, T = 0.25						Cycle Length, C = 120.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		968	215	43	1333		887		86			
Lane group capacity, c		1655	1386	266	2016		1255		579			
v/c ratio, X		0.58	0.16	0.16	0.66		0.71		0.15			
Total green ratio, g/C		0.46	0.86	0.56	0.56		0.36		0.36			
Uniform delay, d_1		24.1	1.4	15.0	18.6		33.1		26.1			
Progression factor, PF		1.000	1.000	1.000	1.000		1.000		1.000			
Delay calibration, k		0.18	0.11	0.11	0.24		0.27		0.11			
Incremental delay, d_2		0.5	0.1	0.3	0.8		1.8		0.1			
Initial queue delay, d_3												
Control delay		24.6	1.4	15.2	19.4		34.9		26.2			

DCI2004-00054

Lane group LOS		C	A	B	B		C		C			
Approach delay	20.4			19.2			34.2					
Approach LOS	C			B			C					
Intersection delay	23.7			$X_c = 0.68$			Intersection LOS			C		

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CS2000™ DETAILED REPORT

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General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	9/27/2004	Jurisdiction	Lee Co./FDOT
Time Period	PM Peak Hour	Analysis Year	2010
		Project ID	Hawks Haven Re-Zoning

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume, V (vph)		1240	815	90	900		520		60			
% Heavy vehicles, %HV		0	0	0	0		0		0			
Peak-hour factor, PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Pretimed (P) or actuated (A)		A	A	A	A		A		A			
Start-up lost time, l_1		2.0	2.0	2.0	2.0		2.0		2.0			
Extension of effective green, e		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type, AT		3	3	3	3		3		3			
Unit extension, UE		3.0	3.0	3.0	3.0		3.0		3.0			
Filtering/metering, I		1.000	1.000	1.000	1.000		1.000	1.000	1.000			
Initial unmet demand, Q_b		0.0	0.0	0.0	0.0		0.0		0.0			
Ped / Bike / RTOR volumes	0		225				0		15	0		
Lane width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N		N
Parking maneuvers, N_m												
Buses stopping, N_B		0	0	0	0		0		0			
Min. time for pedestrians, G_p		3.2					3.2			3.2		

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis, T = 0.25						Cycle Length, C = 120.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		1333	634	97	968		559		48			
Lane group capacity, c		1655	1386	169	2016		1255		579			
v/c ratio, X		0.81	0.46	0.57	0.48		0.45		0.08			
Total green ratio, g/C		0.46	0.86	0.56	0.56		0.36		0.36			
Uniform delay, d_1		27.9	2.0	21.8	16.0		29.4		25.5			
Progression factor, PF		1.000	1.000	1.000	1.000		1.000		1.000			
Delay calibration, k		0.35	0.11	0.17	0.11		0.11		0.11			
Incremental delay, d_2		3.0	0.2	4.7	0.2		0.3		0.1			
Initial queue delay, d_3												
Control delay		30.9	2.2	26.5	16.2		29.6		25.5			

DCI2004-00054

Lane group LOS			A	C	B		C		C			
Approach delay	21.7			17.1			29.3					
Approach LOS	C			B			C					
Intersection delay	21.6			$X_c = 0.67$			Intersection LOS			C		

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METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 239-278-3090
FAX 239-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

October 20, 2004

ATTACHMENT H

Mr. Matt Uhle
Knott, Consoer, Ebelini, Hart & Swett
1625 Hendry Street
Fort Myers, FL 33901

RE: Sufficiency Comments
Hawks Haven RPD
DCI2004-00054

DCI2004-00054

Dear Mr. Uhle:

Metro Transportation Group Inc. (Metro) has reviewed the comments issued by Lee County regarding the above referenced zoning application. A discussion was held with Mr. Bob Rentz of Lee County Development Services prior to responding to the comments issued by Lee County, dated August 11, 2004. The comments, and our response, are listed below.

TIS Checklist

S.R. 80 east of Buckingham Road: Based on the 2003 Traffic Count report data from 1995 to 2003, the compound growth rate would be 3.83%. Applying this rate to the Concurrency Report peak hour, peak season, peak direction volume of 951, then adding the project traffic, would yield a volume of 2,065, which is a level of service "F".

Based on the information provided on Table 2A, the annual growth rate for the roadway segment of SR 80, east of Buckingham Road, shall be 3.8%, not 3.5% as used in the TIS.

The Table 2A indicates there will be 1,210 trips of PM peak hour directional traffic volumes (background traffic and P.C. Station #5 shows eastbound being peak direction) in Year 2010 on SR 80, east of Buckingham Road. However, there are only 750 trips on the eastbound through movement in the intersection analysis. The intersection analysis needs to be reanalyzed.

Table 2A was revised to reflect an annual growth rate of 3.83%. Since the previous traffic analysis was prepared, the Master Concept Plan for this project has been revised to include additional internal amenities as well as a commercial "town center" concept that would increase the rate of internal capture that will occur in this project. The previous analysis included trip reductions for the school site as a large percentage of school children are

anticipated to originate from within the project. The trips for the golf course were assumed to be internal as well as the golf course will be private and only open for memberships from residents of the project. Additional features that were added to the Master Concept Plan since this original TIS (dated May 24, 2004) include the addition of a "town center" type area that will include convenience type retail and office facilities that will primarily be utilized by the residents of the project. The "town center" will be located in advance of any gates serving the community and will therefore be open to the public, but the site will be situated on the Master Concept Plan so that it is not designed to serve the motoring public on S.R. 80. The "town center" is proposed to contain a maximum of 30,000 square feet and will not have any single tenant more than 5,000 square feet to 7,000 square feet. There will also be no external signage along S.R. 80 for the "town center" tenants. Anticipated tenants of the "town center" could be an insurance agent, dry cleaners, real estate agent, hair salon, veterinarian or even a place of worship to serve the residents of Hawks Haven.

In addition to the "town center", additional amenities for the residents of the golf community as well as the single family estates community are being proposed within the gates of the community. These facilities will be located behind the gates and will be limited to use by the residents of the golf community and single family home community only. An amenity on the main spine roadway will include a restaurant, fitness center and community center. In addition, there will be a restaurant and associated amenities provided within the golf course community that will be separate from the amenities just described.

Discussions with Mr. Rentz occurred after the issuance of the sufficiency comments with regards to a discount in the external trip generation due to the potential for internal capture and pass-by trips. Based on the discussion, a trip reduction of 6% was applied to the residential trip generation for the project to account for potential internal capture that may occur as a result of the amenities being provided within the project. This is consistent with the zoning TIS that was prepared for the previous re-zoning of this parcel when a reduction was applied for internal capture (there was no school or "town center" as part of the previous re-zoning done in 2000). The updated Master Concept Plan being submitted with this zoning request identifies more amenities available for the residents. In addition, an internal capture rate was applied to the retail uses due to the reasons previously described. It was assumed that 30% of the retail trips would be "captured" from the project, which is most likely an underestimation due to the location of the "town center" and types of tenants anticipated. The revised trip generation is shown below in **Table 2**.

Table 2
Revised Trip Generation

Proposed Zoning							
Single Family (LUC 210)	235	715	950	700	415	1,115	11,375
Multi-Family (LUC 230)	10	45	55	40	20	60	655
Active Adult (LUC 251)	45	75	120	105	65	170	2,305
School (LUC 520)	210	170	380	115	145	260	1,290
Golf Course (LUC 430)	10	0	10	5	10	15	200
Retail (LUC 814)	0	0	0	40	45	95	1,320
Less Internal Capture [1]	-105	-85	-190	-60	-75	-135	-645
Less Internal Capture [2]	-15	-45	-60	-45	-25	-70	-720
Less Retail Pass-by [3]	0	0	0	-10	-15	-25	-395
Total	390	875	1265	890	585	1,485	15,385

[1] Internal Capture for proposed zoning assumed ± 50% of elementary school children will originate from within the community. Also assumed the golf course was private and the majority of trips for this use were generated internally.
[2] Internal Capture between the residential uses and the internal commercial uses (3% of residential trips)
[3] Internal Capture of 30% for the retail uses was assumed. Land Use Code 814 – Specialty Retail Center was utilized for the trip generation of the "town center" due to the limited amount of floor area per tenant that will be permitted.

Tables 1A and 2A were revised to reflect the new trip external trip generation and are attached for reference. With the slight reduction in trips, Palm Beach Boulevard (S.R. 80) east of Buckingham Road is show to operate at LOS "C" at build-out (2010).

The HCS analysis for the site access drive was revised and is attached for reference.

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

Sincerely,

Ted B. Treesh
Principal/Regional Manager

Attachments

DCI2004-00054

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
PROPOSED ZONING (1,999 UNITS)

Revised 10-19-04

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1295 VPH IN= 390 OUT= 875

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1450 VPH IN= 890 OUT= 585

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Rd.	W. of S.R. 31	2LN	210	420	690	1080	1120	8.00%	71	10.3%
Buckingham Road	S. of State Road 80	2LN	130	310	530	870	940	15.00%	134	25.2%
	E. of Alvin Avenue	2LN	130	310	530	870	940	5.00%	45	8.4%
I-75	S. of Palm Beach Blvd	4LF	1270	2110	2940	3580	3980	10.0%	89	3.0%
	S. of Bayshore Road	4LF	1270	2110	2940	3580	3980	5.0%	45	1.5%
	N. of Bayshore Road	4LF	1270	2110	2940	3580	3980	2.0%	18	0.6%
Palm Beach Blvd.	E. of City Limits	4LN	0	810	1790	1980	2030	15.00%	134	7.5%
(S.R. 80)	E. of Ortiz	6LN	0	1220	2730	2970	3040	25.00%	223	8.2%
	E. of I-75	6LN	2570	3070	3080	3080	3080	45.00%	401	13.0%
	E. of S.R. 31	4LN	1690	2040	2050	2050	2050	65.00%	579	28.2%
	E. of Buckingham Rd.	4LN	1690	2040	2050	2050	2050	90.00%	801	39.1%
	E. of H ickey Creek	4LN *	1690	2040	2050	2050	2050	10.00%	89	4.3%
State Route 31	N. of Palm Beach	2LN	220	440	710	1120	1170	12.00%	107	15.0%
	N. of Bayshore Rd.	2LN	220	440	710	1120	1170	3.00%	27	3.8%

* 4 Lane SR 80 under construction from Hickey Creek to Lee County line

Denotes significantly impacted link

DCI2004-000054

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
100th HIGHEST HOUR LEVEL OF SERVICE ANALYSIS ON SIGNIFICANTLY IMPACTED LINKS
PROPOSED ZONING (1,999 UNITS)

Truck Adjustment = 0.900

Revised 10/19/04

TOTAL PROJECT TRAFFIC AM =	1265	VPH	IN = 390	OUT=	875
TOTAL PROJECT TRAFFIC PM =	1485	VPH	IN= 890	OUT=	585

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bayshore Rd.	E. of SR 31	11	8300	10100	9	2.20%	449	523	8.00%	70	71	593	594
Buckingham Road	S. of State Road 80	11	5200	7300	9	3.84%	452	588	15.00%	131	134	720	722
Palm Beach Blvd.	E. of I-75	5	21000	25000	8	2.20%	1432	1668	45.00%	394	401	2062	2069
(S.R. 80)	E. of S.R. 31	5	23600	27900	9	1.88%	1524	1736	65.00%	569	579	2305	2314
	E. of Buckingham Rd.	5	13400	18100	8	3.83%	951	1237	90.00%	788	801	2025	2038
State Route 31	N. of Palm Beach	5	6300	9500	9	4.67%	454	625	12.00%	105	107	730	732

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

		2010 BCKGRND + AM PROJ LOS	2010 BCKGRND + PM PROJ LOS
Palm Beach Blvd.	E. of I-75	A	A
(S.R. 80)	E. of S.R. 31	F	F
	E. of Buckingham Rd.	C	C

DCI2004-00054

HCS2000™ DETAILED REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	9/27/2004	Jurisdiction	Lee Co./FDOT
Time Period	AM Peak Hour	Analysis Year	2010
		Project ID	Hawks Haven Re-Zoning

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume, V (vph)		900	365	40	1240		825		95			
% Heavy vehicles, %HV		0	0	0	0		0		0			
Peak-hour factor, PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Pretimed (P) or actuated (A)		A	A	A	A		A		A			
Start-up lost time, l_1		2.0	2.0	2.0	2.0		2.0		2.0			
Extension of effective green, e		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type, AT		3	3	3	3		3		3			
Unit extension, UE		3.0	3.0	3.0	3.0		3.0		3.0			
Filtering/metering, I		1.000	1.000	1.000	1.000		1.000	1.000	1.000			
Initial unmet demand, Q_b		0.0	0.0	0.0	0.0		0.0		0.0			
Ped / Bike / RTOR volumes	0		165				0		15	0		
Lane width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N		N
Parking maneuvers, N_m												
Buses stopping, N_B		0	0	0	0		0		0			
Min. time for pedestrians, G_p		3.2					3.2			3.2		

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =

Duration of Analysis, T = 0.25 | Cycle Length, C = 120.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		968	215	43	1333		887		86			
Lane group capacity, c		1655	1386	266	2016		1255		579			
v/c ratio, X		0.58	0.16	0.16	0.66		0.71		0.15			
Total green ratio, g/C		0.46	0.86	0.56	0.56		0.36		0.36			
Uniform delay, d_1		24.1	1.4	15.0	18.6		33.1		26.1			
Progression factor, PF		1.000	1.000	1.000	1.000		1.000		1.000			
Delay calibration, k		0.18	0.11	0.11	0.24		0.27		0.11			
Incremental delay, d_2		0.5	0.1	0.3	0.8		1.8		0.1			
Initial queue delay, d_3												
Control delay		24.6	1.4	15.2	19.4		34.9		26.2			

DCI2004-00054

Lane group LOS			A	B	B		C		C			
Approach delay	20.4			19.2			34.2					
Approach LOS	C			B			C					
Intersection delay	23.7			$X_c = 0.68$			Intersection LOS			C		

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HCS2000™ DETAILED REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	9/27/2004	Jurisdiction	Lee Co./FDOT
Time Period	PM Peak Hour	Analysis Year	2010
		Project ID	Hawks Haven Re-Zoning

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume, V (vph)		1240	815	90	900		520		60			
% Heavy vehicles, %HV		0	0	0	0		0		0			
Peak-hour factor, PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Pretimed (P) or actuated (A)		A	A	A	A		A		A			
Start-up lost time, l_1		2.0	2.0	2.0	2.0		2.0		2.0			
Extension of effective green, e		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type, AT		3	3	3	3		3		3			
Unit extension, UE		3.0	3.0	3.0	3.0		3.0		3.0			
Filtering/metering, I		1.000	1.000	1.000	1.000		1.000	1.000	1.000			
Initial unmet demand, Q_b		0.0	0.0	0.0	0.0		0.0		0.0			
Ped / Bike / RTOR volumes	0		225				0		15	0		
Lane width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N		N
Parking maneuvers, N_m												
Buses stopping, N_B		0	0	0	0		0		0			
Min. time for pedestrians, G_p		3.2					3.2			3.2		

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis, T = 0.25						Cycle Length, C = 120.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		1333	634	97	968		559		48			
Lane group capacity, c		1655	1386	169	2016		1255		579			
v/c ratio, X		0.81	0.46	0.57	0.48		0.45		0.08			
Total green ratio, g/C		0.46	0.86	0.56	0.56		0.36		0.36			
Uniform delay, d_1		27.9	2.0	21.8	16.0		29.4		25.5			
Progression factor, PF		1.000	1.000	1.000	1.000		1.000		1.000			
Delay calibration, k		0.35	0.11	0.17	0.11		0.11		0.11			
Incremental delay, d_2		3.0	0.2	4.7	0.2		0.3		0.1			
Initial queue delay, d_3												
Control delay		30.9	2.2	26.5	16.2		29.6		25.5			

DCI2004-00054

Lane group LOS			A	C	B		C		C			
Approach delay	21.7			17.1			29.3					
Approach LOS	C			B			C					
Intersection delay	21.6			$X_c = 0.67$			Intersection LOS			C		

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HAWK'S HAVEN
LEE COUNTY PROTECTED SPECIES SURVEY

October 2004

ATTACHMENT I

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067

Project No. 03PEG931

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Appendix A. Aerial with FLUCFCS, Wetlands, Survey Transects, and Protected Species Locations A-1

INTRODUCTION

This report documents the Lee County Protected Species Survey (PSS) conducted by Passarella and Associates, Inc. for the 1,946.26± acre Hawk's Haven property. The purpose of the survey was to review the property for protected species in accordance with Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat).

The Hawk's Haven property is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The project's surrounding land uses include Lehigh Acres to the south; State Road 80 to the north; Hickey's Creek Mitigation Park to the east; undeveloped, forested land and the (currently under construction) residential development Hawk's Preserve to the west.

Protected species surveys were previously completed on the Hawk's Haven 140± acre and 7.5± acre additions in May 2004 and Hawk's Haven Phase I in September 2004. The reports for these phases have been previously provided to Lee County staff. This report includes the survey information from both of these reports, as well as the results of an updated survey for the remainder of the property.

LAND USES AND VEGETATION ASSOCIATIONS

Vegetation associations and land uses for the Hawk's Haven property were delineated using 2002 rectified (scale 1" = 500') color aerials and on-site field surveys conducted in August 2003. During the surveys, preliminary lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation 1999). Level IV was used to denote hydrologic conditions and exotic species disturbance. Table 1 provides a breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows. The resulting FLUCFCS map with acreages is provided as Figure 2.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
211	Improved Pasture	427.08	21.9
242	Sod Farm	227.65	11.7
3209	Shrub and Brushland, Disturbed	79.07	4.1
321	Palmetto Prairie	61.70	3.2
3219	Palmetto Prairie, Disturbed	41.24	2.1
411	Pine Flatwoods	29.24	1.5
4119	Pine Flatwoods, Disturbed	440.33	22.6

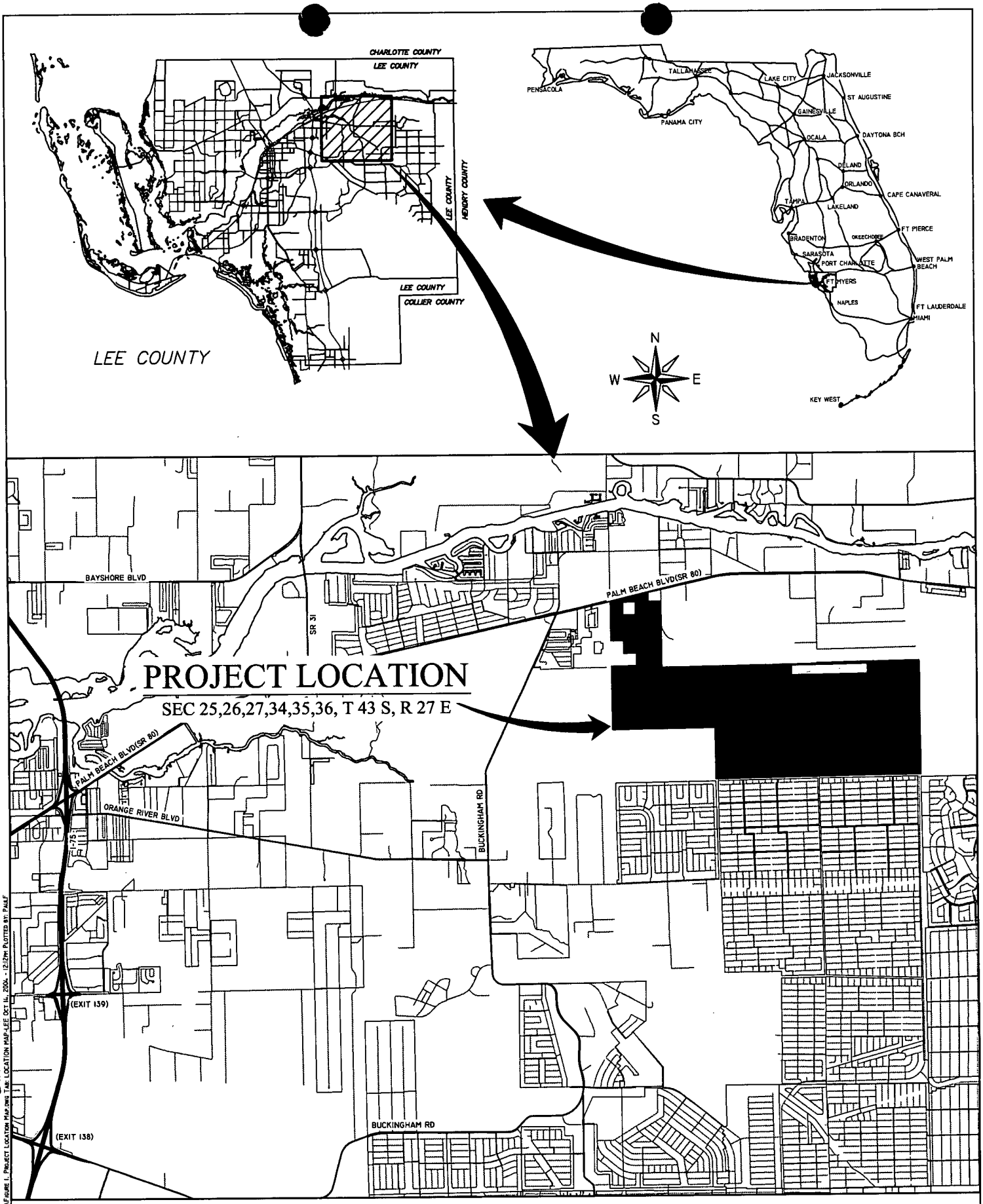


FIGURE 1. PROJECT LOCATION MAP
HAWK'S HAVEN

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: DB DATE: 5/26/04

J:\2003\03PEG931\2004\PSS\FIGURE 1. PROJECT LOCATION MAP.DWG TAB: LOCATION MAP-LEE OCT 16, 2004 - 12:12PM PLOTTED BY: PAULF

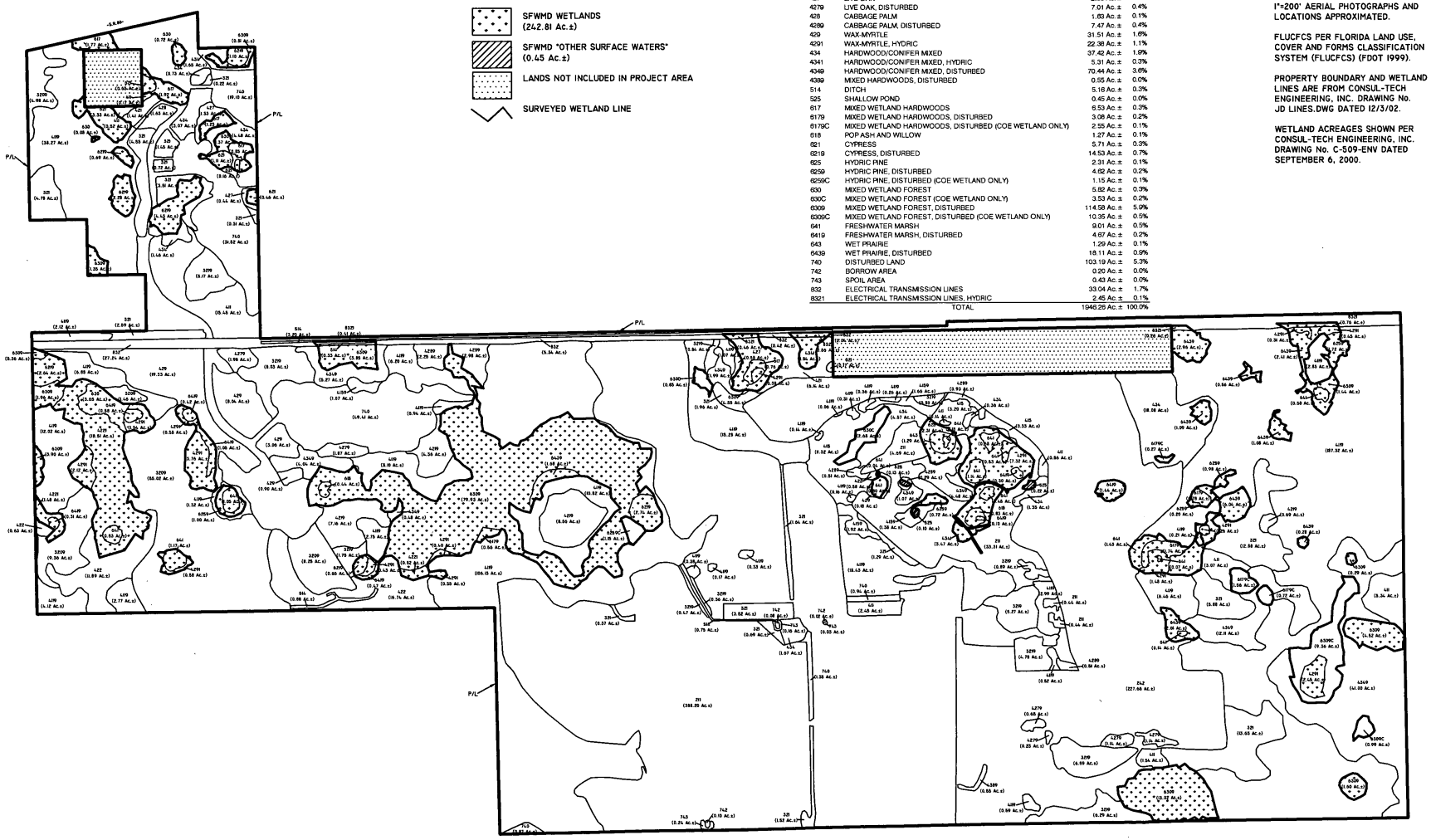
Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
415	Pine	14.85	0.8
4159	Pine, Disturbed	6.03	0.3
421	Xeric Oak	7.55	0.4
4219	Xeric Oak, Disturbed	20.77	1.1
422	Brazilian Pepper	29.84	1.5
4221	Brazilian Pepper, Hydric	20.81	1.1
427	Live Oak	2.35	0.1
4279	Live Oak, Disturbed	7.01	0.4
428	Cabbage Palm	1.63	0.1
4289	Cabbage Palm, Disturbed	7.47	0.4
429	Wax-Myrtle	31.51	1.6
4291	Wax-Myrtle/Willow, Hydric	22.38	1.1
434	Hardwood-Conifer Mixed	37.42	1.9
4341	Hardwood-Conifer, Hydric	5.31	0.3
4349	Hardwood-Conifer, Disturbed	70.44	3.6
4389	Mixed Hardwoods, Disturbed	0.55	<0.1
514	Ditch	5.16	0.3
525	Shallow Pond	0.45	<0.1
617	Mixed Wetland Hardwoods	6.53	0.3
6179	Mixed Wetland Hardwoods, Disturbed	3.08	0.2
6179C	Mixed Wetland Hardwoods, Disturbed (COE Wetland Only)	2.55	0.1
618	Pop Ash and Willow	1.27	0.1
621	Cypress	5.71	0.3
6219	Cypress, Disturbed	14.53	0.7
625	Hydric Pine	2.31	0.1
6259	Hydric Pine, Disturbed	4.62	0.2
6259C	Hydric Pine, Disturbed (COE Wetland Only)	1.15	0.1

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	427.09 Ac.±	21.9%
242	SOD FARM	227.85 Ac.±	11.7%
3209	SHRUB AND BRUSHLAND, DISTURBED	79.07 Ac.±	4.1%
321	PALMETTO PRAIRIE	61.70 Ac.±	3.2%
3219	PALMETTO PRAIRIE, DISTURBED	41.24 Ac.±	2.1%
411	PINE FLATWOODS	29.24 Ac.±	1.5%
4119	PINE FLATWOODS, DISTURBED	440.33 Ac.±	22.6%
415	PINE FLATWOODS, GRAMINOID GROUND COVER	14.85 Ac.±	0.8%
4159	MIXED PINE FLATWOODS, DISTURBED	6.03 Ac.±	0.3%
421	XERIC OAK	7.55 Ac.±	0.4%
4219	XERIC OAK, DISTURBED	20.77 Ac.±	1.1%
422	BRAZILIAN PEPPER	29.84 Ac.±	1.5%
4221	BRAZILIAN PEPPER, HYDRIC	20.81 Ac.±	1.1%
427	LIVE OAK	2.35 Ac.±	0.1%
4279	LIVE OAK, DISTURBED	7.01 Ac.±	0.4%
428	CABBAGE PALM	1.83 Ac.±	0.1%
4289	CABBAGE PALM, DISTURBED	7.47 Ac.±	0.4%
429	WAX-MYRTLE	31.51 Ac.±	1.6%
4291	WAX-MYRTLE, HYDRIC	22.38 Ac.±	1.1%
434	HARDWOOD/CONIFER MIXED	37.42 Ac.±	1.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	5.31 Ac.±	0.3%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	70.44 Ac.±	3.6%
4389	MIXED HARDWOODS, DISTURBED	0.55 Ac.±	0.0%
514	DITCH	5.16 Ac.±	0.3%
525	SHALLOW POND	0.45 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	6.53 Ac.±	0.3%
6179	MIXED WETLAND HARDWOODS, DISTURBED	3.06 Ac.±	0.2%
6179C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	2.55 Ac.±	0.1%
618	POP ASH AND WILLOW	1.27 Ac.±	0.1%
621	CYPRESS	5.71 Ac.±	0.3%
6219	CYPRESS, DISTURBED	14.53 Ac.±	0.7%
625	HYDRIC PINE	2.31 Ac.±	0.1%
6259	HYDRIC PINE, DISTURBED	4.62 Ac.±	0.2%
6259C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	5.82 Ac.±	0.3%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	3.53 Ac.±	0.2%
6309	MIXED WETLAND FOREST, DISTURBED	114.58 Ac.±	5.9%
6309C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	9.01 Ac.±	0.5%
6419	FRESHWATER MARSH, DISTURBED	4.67 Ac.±	0.2%
643	WET PRAIRIE	1.29 Ac.±	0.1%
6439	WET PRAIRIE, DISTURBED	18.11 Ac.±	0.9%
740	DISTURBED LAND	103.19 Ac.±	5.3%
742	BORROW AREA	0.20 Ac.±	0.0%
743	SPOIL AREA	0.43 Ac.±	0.0%
832	ELECTRICAL TRANSMISSION LINES	33.04 Ac.±	1.7%
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	2.45 Ac.±	0.1%
	TOTAL	1946.28 Ac.±	100.0%

LEGEND:

- SFWMD WETLANDS (242.81 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (0.45 Ac.±)
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE



SCALE: 1" = 500'

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

WETLAND ACREAGES SHOWN PER CONSUL-TECH ENGINEERING, INC. DRAWING No. C-509-ENV DATED SEPTEMBER 6, 2000.

REVISIONS	DESIGNED BY J.H.	DATE 9/21/04	HORIZONTAL SCALE 1"=500'
	CHECKED BY K.C.P.	DATE 9/21/04	VERTICAL SCALE N/A
	DRAWN BY W.C.	DATE 9/21/04	SEC./TWP./RNG. 25,26,27,34,35,36/43/26

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

HAWK'S HAVEN
SFWMD FLUCFCS AND WETLANDS MAP

DRAWING No.: 03PEG931
SHEET No.: FIGURE 2

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
630	Mixed Wetland Forest	5.82	0.3
630C	Mixed Wetland Forest (COE Wetland Only)	3.53	0.2
6309	Mixed Wetland Forest, Disturbed	114.58	5.9
6309C	Mixed Wetland Forest, Disturbed (COE Wetland Only)	10.35	0.5
641	Freshwater Marsh	9.01	0.5
6419	Freshwater Marsh, Disturbed	4.67	0.2
643	Wet Prairie	1.29	0.1
6439	Wet Prairie, Disturbed	18.11	0.9
740	Disturbed Land	103.19	5.3
742	Borrow Area	0.20	<0.1
743	Spoil Area	0.43	<0.1
832	Utility Easement	33.04	1.7
8321	Utility Easement, Hydric	2.45	0.1
TOTAL		**1,946.26**	**100.0**

Improved Pasture (FLUCFCS Code 211)

This habitat type occupies 427.08± acres or 21.9 percent of the property. The canopy and sub-canopy are open. Occasional canopy and sub-canopy vegetation includes live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), and Brazilian pepper (*Schinus terebinthifolius).* The ground cover is dominated by bahiagrass (*Paspalum notatum*) with St. Augustine grass (*Stenotaphrum secundatum*), water drop-wort (*Oxypolis* sp.), blackroot (*Pterocaulon virgatum*), caesarweed (*Urena lobata*), five-leaf sneezeweed (*Helenium amarum*), Baldwin flatsedge (*Cyperus globulosus*), pawpaw (*Asimina reticulata*), prickly pear (*Opuntia* sp.), smutgrass (*Sporobolus indicus*), greenbriar (*Smilax* sp.), and grapevine (*Vitis rotundifolia*).

Sod Farm (FLUCFCS Code 242)

These areas are occupied by active agricultural operations and account for 227.65± acres or 11.7 percent of the property.

Shrub and Brushland, Disturbed (FLUCFCS Code 3209)

This habitat occupies 79.07± acres or 4.1 percent of the property. The canopy has widely scattered slash pine (*Pinus elliotii*), cabbage palm, and earleaf acacia (*Acacia auriculifomis*). The sub-canopy consists of cabbage palm, Brazilian pepper, and slash pine. The ground cover contains greenbriar, bahiagrass, grapevine, Johnson grass (*Sorghum halepense*), and caesarweed.

Palmetto Prairie (FLUCFCS Code 321)
This upland habitat type occupies 61.70± acres or 3.2 percent of the property. The canopy contains scattered slash pine, live oak, and cabbage palm. The sub-canopy consists of Brazilian pepper, beauty-berry (*Callicarpa americana*), wax-myrtle (*Myrica cerifera*), and winged sumac (*Rhus copallina*). The ground cover includes saw palmetto (*Serenoa repens*) and grapevine.

Palmetto Prairie, Disturbed (FLUCFCS Code 3219)
This upland habitat type occupies 41.24± acres or 2.1 percent of the property and is similar to that of FLUCFCS Code 321, except with higher concentrations of Brazilian pepper.

Pine Flatwoods (FLUCFCS Code 411)
This upland habitat occupies 29.24± acres or 1.5 percent of the property. The canopy contains slash pine. The sub-canopy contains wax-myrtle, dahoon holly (*Ilex cassine*), and cabbage palm. Ground cover includes saw palmetto, bahiagrass, and staggerbush (*Lyonia fruiticosa*).

Pine Flatwoods, Disturbed (FLUCFCS Code 4119)
This upland habitat type occupies 440.33± acres or 22.6 percent of the property and is similar to that of FLUCFCS Code 411, except with higher concentrations of melaleuca (*Melaleuca quinquenervia*) and Brazilian pepper.

Pine (FLUCFCS Code 415)
This habitat occupies 14.85± acres or 0.8 percent of the property. The canopy is dominated by slash pine. The sub-canopy consists of slash pine and wax-myrtle. The ground cover is bushy goldenrod (*Euthamia* spp.), yellow-eyed grass (*Xyris flabelliformis*), lovegrass (*Eragrostis* spp.), bahiagrass, and chocolateweed (*Melochia corchorifolia*).

Pine, Disturbed (FLUCFCS Code 4159)
This upland habitat type occupies 6.03± acres or 0.3 percent of the property and is similar to that of FLUCFCS Code 415, except with higher concentrations of Brazilian pepper and melaleuca.

Xeric Oak (FLUCFCS Code 421)
This upland habitat type occupies 7.55± acres or 0.4 percent of the property. Canopy and sub-canopy contains myrtle oak (*Quercus myrtifolia*), Chapman's oak (*Quercus chapmanii*), sand live oak (*Quercus geminata*), and live oak. Ground cover includes saw palmetto, tarflower (*Bejaria racemosa*), staggerbush, hogplum (*Prunus umbellata*), and greenbrier.

Xeric Oak, Disturbed (FLUCFCS Code 4219)
This upland habitat type occupies 20.77± acres or 1.1 percent of the property. This habitat is similar to that of FLUCFCS Code 421, except with higher concentrations of Brazilian pepper.

Brazilian Pepper (FLUCFCS Code 422)
This upland community type occupies 29.84± acres or 1.5 percent of the property. The canopy is open. The sub-canopy is dominated by Brazilian pepper. The ground cover includes Brazilian pepper, saw palmetto, grapevine, and greenbriar.

Brazilian Pepper, Hydric (FLUCFCS Code 4221)
This wetland habitat type occupies 20.81± acres or 1.1 percent of the property. The canopy contains scattered cabbage palm. The sub-canopy is dominated by Brazilian pepper with willow (*Salix caroliniana*). The ground cover is mostly open with peppervine (*Ampelopsis arborea*).

Live Oak (FLUCFCS Code 427)
This upland community type occupies 2.35± acres or 0.1 percent of the property. The canopy consists of live oak, swamp laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes myrsine (*Rapanea punctata*), saw palmetto, beauty-berry, bracken fern (*Pteridium aquilinum*), grapevine, poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*).

Live Oak, Disturbed (FLUCFCS Code 4279)
This upland community type occupies 7.01± acres or 0.4 percent of the property. This habitat is similar to that of FLUCFCS Code 427, except with higher concentrations of Brazilian pepper.

Cabbage Palm (FLUCFCS Code 428)
This upland habitat type occupies 1.63± acres or 0.1 percent of the property. The canopy and sub-canopy contain cabbage palm. The ground cover includes wild coffee and beauty-berry.

Cabbage Palm, Disturbed (FLUCFCS Code 4289)
This habitat type occupies 7.47± acres or 0.4 percent of the property. This habitat is similar to that of FLUCFCS Code 428, except with higher concentrations of Brazilian pepper.

Wax-Myrtle (FLUCFCS Code 429)
This upland habitat type occupies 31.51± acres or 1.6 percent of the property. The canopy and sub-canopy are open. Ground cover includes wax-myrtle, Brazilian pepper, bahiagrass, whitetop sedge (*Rhynchospora colorata*), and asiatic pennywort (*Centella asiatica*).

Wax-Myrtle/Willow, Hydric (FLUCFCS Code 4291)
This wetland community type occupies 22.38± acres or 1.1 percent of the property. The canopy is open with scattered cypress (*Taxodium distichum*). The sub-canopy contains wax-myrtle, willow, buttonbush (*Cephalanthus occidentalis*), flowering dogwood (*Cornus florida*), and Brazilian pepper. The ground cover includes peppervine, grapevine, swamp laurel oak, iris (*Iris* sp.), sawgrass (*Cladium jamaicense*), and asiatic pennywort.

Hardwood-Conifer Mixed (FLUCFCS Code 434)
This upland habitat type occupies 37.42± acres or 1.9 percent of the property. The canopy contains slash pine, live oak, and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes bahiagrass, caesarweed, Brazilian pepper, and cabbage palm.

Hardwood-Conifer, Hydric (FLUCFCS Code 4341)
This wetland community occupies 5.31± acres or 0.3 percent of the property. The canopy includes slash pine, laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy includes

laurel oak and cabbage palm. The ground cover is mostly open with scattered yellow-eyed grass, gulfdune paspalum (*Paspalum monostachyum*), and flatsedge (*Cyperus* sp.).

Hardwood-Conifer, Disturbed (FLUCFCS Code 4349)
This upland community type occupies 70.44± acres or 3.6 percent of the property. This habitat is similar to that of FLUCFCS Code 434, except with higher concentrations of Brazilian pepper.

Mixed Hardwoods, Disturbed (FLUCFCS Code 4389)
This upland habitat occupies 0.55± acre or less than 0.1 percent of the property. The canopy includes live oak and laurel oak. The sub-canopy includes myrsine, dahoon holly, and wax-myrtle. The ground cover includes scattered saw palmetto.

Ditch (FLUCFCS Code 514)
This habitat type occupies 5.16± acres or 0.3 percent of the property. The canopy is open. The sub-canopy contains Brazilian pepper, wax-myrtle, and willow. The ground cover contains dotted smartweed (*Polygonum punctatum*) and cattail (*Typha* sp.).

Shallow Pond (FLUCFCS Code 525)
This land use is maintained for agricultural purposes and occupies 0.45± acre or less than 0.1 percent of the property.

Mixed Wetland Hardwoods (FLUCFCS Codes 617)
This wetland habitat occupies 6.53± acres or 0.3 percent of the property. The canopy contains red maple (*Acer rubrum*), swamp laurel oak, cypress, cabbage palm, pop ash *(Fraxinus caroliniana)*, and American elm (*Ulmus americana*). The sub-canopy includes wax-myrtle, buttonbush, and cabbage palm. The ground cover includes swamp fern (*Blechnum serrulatum*), sawgrass, smartweed, and yellow-eyed grass.

Mixed Wetland Hardwoods, Disturbed and Mixed Wetland Hardwoods, Disturbed (COE Wetland Only) (FLUCFCS Codes 6179 and 6179C)
These wetland community types occupy 3.08± and 2.55± acres or 0.2 and 0.1 percent of the property, respectively. This habitat is similar to that of FLUCFCS Code 617, except with higher concentrations of Brazilian pepper.

Pop Ash and Willow (FLUCFCS Code 618)
This wetland habitat occupies 1.27± acres or 0.1 percent of the property. The canopy and sub-canopy contain pop ash and willow. The ground cover is mostly open with scattered swamp fern.

Cypress (FLUCFCS Code 621)
This wetland habitat type occupies 5.71± acres or 0.3 percent of the property. The canopy is dominated by cypress. The sub-canopy contains cypress, swamp bay (*Persea palustris*), wax myrtle, and pop ash. The ground cover is mostly open with scattered swamp fern and leather fern (*Acrostichium danefolium*).

Cypress, Disturbed (FLUCFCS Code 6219)
This wetland community type occupies 14.53± acres or 0.7 percent of the property. This habitat is similar to that of FLUCFCS Code 621, except with higher concentrations of Brazilian pepper.

Hydric Pine (FLUCFCS Code 625)
This wetland habitat occupies 2.31± acres or 0.1 percent of the property. The canopy is slash pine. The sub-canopy is mostly open with scattered slash pine and cabbage palm. The ground cover includes gulfdune paspalum, wiregrass (*Aristida stricta*), sawgrass, flatsedge, yellow-eyed grass, and beaksedge (*Rhynchospora* sp.)

Hydric Pine, Disturbed and Hydric Pine, Disturbed (COE Wetland Only) (FLUCFCS Codes 6259 and 6259C)
These wetland habitats occupy 4.62± and 1.15± acres or 0.2 and 0.1 percent of the property, respectively, and are similar to that of FLUCFCS Code 625, except with greater concentrations of melaleuca.

Mixed Wetland Forest and Mixed Wetland Forest (COE Wetland Only) (FLUCFCS Codes 630 and 630C)
These wetland habitat types occupy 5.82 and 3.53± acres or 0.3 and 0.2 percent of the property, repsectively. The canopy contains cabbage palm, cypress, American elm, swamp laurel oak, and slash pine. The sub-canopy contains swamp laurel oak, cabbage palm, dahoon holly, and Brazilian pepper. The ground cover includes swamp fern, myrsine, wax-myrtle, poison ivy, iris, peppervine, greenbriar, asiatic pennywort, and day-flower (*Commelina* sp.).

Mixed Wetland Forest, Disturbed and Mixed Wetland Forest, Disturbed (COE Wetland Only) (FLUCFCS Codes 6309 and 6309C)
These wetland habitat types occupy 114.58± and 10.35± acres or 5.9 and 0.5 percent of the property, respectively. These habitats are similar to that of FLUCFCS Code 630, except with higher concentrations of Brazilian pepper.

Freshwater Marsh (FLUCFCS Code 641)
This wetland community type occupies 9.01± acres or 0.5 percent of the property. The canopy and sub-canopy are absent. The ground cover includes pickerelweed (*Pontedaria cordata*), arrowhead (*Sagittaria lancifolia*), buttonbush, and maidencane (*Panicum hemitomon*).

Freshwater Marsh, Disturbed (FLUCFCS Code 6419)
This wetland habitat occupies 4.67± acres or 0.2 percent of the property. This habitat is similar to that of FLUCFCS Code 641, except with higher concentrations of torpedograss (*Panicum repens*) and melaleuca.

Wet Prairie (FLUCFCS Code 643)
This wetland habitat occupies 1.29± acres or 0.1 percent of the property. The canopy and sub-canopy are absent. Ground cover includes pickerelweed, arrowhead, sand cordgrass (*Spartina bakeri*), corkwood (*Stilingia aquatica*), and little blue maidencane (*Amphicarpum muhlenbergianum*).

Wet Prairie, Disturbed (FLUCFCS Code 6439)
This wetland area occupies 18.11± acres or 0.9 percent of the property. This habitat is similar to that of FLUCFCS Code 643, except with higher concentrations of melaleuca.

Disturbed Land (FLUCFCS Code 740)
This upland area occupies 103.19± acres or 5.3 percent of the property. The canopy is open with scattered live oak. The sub-canopy is open. The ground cover includes dogfennel (*Eupatorium capillifolium*), fireweed (*Erechtites hieracifolia*), ragweed (*Ambrosia artemisiifolia*), caesarweed, sweet broom (*Scoparia dulcis*), hairy beggar-ticks (*Bidens pilosa*), sandspur (*Cenchrus* sp.), smutgrass (*Sporobolis indicus*), saw palmetto, peppervine, wild sensitive plant (*Chamaecrista nictitans*), and bahiagrass.

Borrow Area (FLUFCS Code 742)
This land use is maintained for agricultural purposes and occupies 0.20± acre or less than 0.1 percent of the property.

Spoil (FLUCFCS Code 743)
This upland community type occupies 0.43± acre or less than 0.1 percent of the property. Ground cover includes Brazilian pepper.

Utility Easement (FLUCFCS Code 832)
This area is occupied by Florida Power and Light electrical transmission lines and accounts for 33.04± acres or 1.7 percent of the property.

Utility Easement, Hydric (FLUCFCS Code 8321)
This area occupies 2.45± acres or 0.1 percent of the property. The canopy and sub-canopy are open. The ground cover includes torpedograss, little blue maidencane, fog fruit (*Phyla nodiflora*), bushy bluestem (*Andropogon glomeratus*), and camphorweed (*Pluchea* sp.).

METHODOLOGY AND DISCUSSION

As outlined in the LDC, surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet, if not exceed, the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Division of Environmental Sciences (DES), these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
211	Improved Pasture	Gopher Tortoise (*Gopherus polyphemus*)
		Burrowing Owl (*Athene cunicularia floridana*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Florida Panther (*Felis concolor coryi*)
242	Sod Farm*	N/A
3209	Shrub and Brushland, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
321 3219	Palmetto Prairie Palmetto Prairie, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Burrowing Owl (*Athene cunicularia floridana*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Audubon's Crested Caracara (*Polyborus plancus audubonii*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
411 4119 415 4159	Pine Flatwoods Pine Flatwoods, Disturbed Pine Pine, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Bald Eagle (*Leucocephalus haliaetus*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Red-Cockaded Woodpecker (*Picoides borealis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Black Bear (*Ursus americanus floridanus*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
	Pine Habitats (Continued)	Florida Panther (*Felis concolor coryi*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Satinleaf (*Chrysophyllum oliviforme*)
		Beautiful Pawpaw (*Deeringothemnus pulchellus*)
		Florida Coontie (*Zamia floridana*)
421 4219	Xeric Oak Xeric Oak, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Florida Scrub Jay (*Aphelocoma coerulescens coerulescens*)
		Florida Coontie (*Zamia floridana*)
422	Brazilian Pepper*	Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
4221	Brazilian Pepper, Hydric*	N/A
427 4279 428 4289	Live Oak Live Oak, Disturbed Cabbage Palm Cabbage Palm, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Simpson's Stopper (*Myrcianthes fragrans var. simpsonii*)
		Hand Adder's Tongue Fern (*Ophioglossum palmatum*)
		Twisted Air Plant (*Tillandsia flexuosa*)
		Audubon's Crested Caracara (*Polyborus plancus audubonii*)
429	Wax Myrtle*	Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
4291	Wax Myrtle/Willow, Hydric*	Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
434 4349 4389	Hardwood-Conifer Hardwood-Conifer, Disturbed Mixed Hardwoods, Disturbed	Florida Panther (*Felis concolor coryi*) Florida Black Bear (*Ursus americanus floridanus*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
514 525	Ditch Shallow Pond	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)
617 6179 621 6219 625 6259 630 6309	Mixed Wetland Hardwoods Mixed Wetland Hardwoods, Disturbed Cypress Cypress, Disturbed Hydric Pine Hydric Pine, Disturbed Mixed Wetland Forest Mixed Wetland Forest, Disturbed	American Alligator (*Alligator mississippiensis*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Limpkin (*Aramus guarauna*)
		Wood Stork (*Mycteria americana*)
		Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
		Everglades Mink (*Mustela vison evergladensis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
641 6419 643 6439	Freshwater Marsh Freshwater Marsh, Disturbed Wet Prairie Wet Prairie, Disturbed	American Alligator (*Alligator mississippiensis*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Limpkin (*Aramus guarauna*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Snail Kite (*Rostrhamus sociabilis*)
		Everglades Mink (*Mustela vison evergladensis*)
740 743	Disturbed Land * Spoil Area	Gopher Tortoise (*Gopherus polyphemus*)
832	Utility Easement*	N/A
8321	Utility Easement, Hydric*	Wood Stork (*Mycteria americana*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
8321	Utility Easement, Hydric* (Continued)	American Alligator (*Alligator mississippiensis*)
		Tri-colored Heron (*Egretta tricolor*)
		Limpkin (*Aramus guarauna*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Snail Kite (*Rostrhamus sociabilis*)
		Everglades Mink (*Mustela vison evergladensis*)

N/A Not Applicable per the LDC
*This habitat was surveyed for the species indicated as a precautionary measure.

The PSS for the 1,946.26± acre tract was conducted by Passarella and Associates, Inc. on May 25, 2004 and September 1, 2, 7, 10, 14, 15, 16, and 22, 2004. Surveys were conducted during the daylight hours. Weather conditions during the survey period are summarized in Table 3. The type of survey utilized for the PSS included meandering pedestrian transects, per Southern Biomes EIS methodology, previously approved by the county.

Table 3. Survey Dates and Weather Conditions

Survey Date	Weather Conditions
May 25, 2004	Sunny with light winds and temperatures in the mid 80's.
September 1, 2004	Partly sunny with light winds and temperatures in the low 90's
September 2, 2004	Partly sunny with light winds and temperatures in the low 90's
September 7, 2004	Cloudy with light rain and winds and temperatures in the mid 80's
September 10, 2004	Mostly sunny with strong winds and temperatures in the low 90's
September 14, 2004	Cloudy with light rain and winds and temperatures in the mid 80's
September 15, 2004	Cloudy with light rain and winds and temperatures in the mid 80's
September 16, 2004	Sunny with light winds and temperatures in the low 90's
September 22, 2004	Sunny with moderate winds and temperatures in the mid-upper 80's

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 4.

Table 4. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
211	Improved Pasture	427.08	83,716	100	90

Table 4. (Continued)

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
242	Sod Farm[2]	227.65	44,624	100	90
3209	Shrub and Brushland, Disturbed	79.07	68,885	20	80
321	Palmetto Prairie	61.70	53,753	20	80
3219	Palmetto Prairie, Disturbed	41.24	35,928	20	80
411	Pine Flatwoods	29.24	25,474	20	80
4119	Pine Flatwoods, Disturbed	440.33	383,615	20	80
415	Pine	14.85	11,644	25	90
4159	Pine, Disturbed	6.03	4,728	25	90
421	Xeric Oak	7.55	6,577	20	80
4219	Xeric Oak, Disturbed	20.77	18,095	20	80
422	Brazilian Pepper[2]	29.84	21,664	15	50
4221	Brazilian Pepper, Hydric[2]	20.81	15,108	15	50
427	Live Oak	2.35	1,843	25	90
4279	Live Oak, Disturbed	7.01	5,496	25	90
428	Cabbage Palm	1.63	1,278	25	90
4289	Cabbage Palm, Disturbed	7.47	5,857	25	90
429	Wax-Myrtle[2]	31.51	27,451	20	80
4291	Wax-Myrtle/Willow, Hydric[2]	22.38	19,497	20	80
434	Hardwood/Conifer Mixed	37.42	32,600	20	80
4341	Hardwood/Conifer Mixed	5.31	4,626	20	80
4349	Hardwood/Conifer Mixed, Disturbed	70.44	61,367	20	80
4389	Mixed Hardwoods, Disturbed	0.55	299	20	80
514	Ditch	5.16	3,371	30	90
525	Shallow Pond	0.45	220	40	90
617	Mixed Wetland Hardwoods	6.53	5,689	20	80
6179	Mixed Wetland Hardwoods, Disturbed	3.08	2,683	20	80

Table 4. (Continued)

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
6179C	Mixed Wetland Hardwoods, Disturbed (COE Wetland Only)	2.55	2,221	20	80
618	Pop Ash and Willow	1.27	1,106	20	80
621	Cypress	5.71	4,974	20	80
6219	Cypress, Disturbed	14.53	12,659	20	80
625	Hydric Pine	2.31	2,012	20	80
6259	Hydric Pine, Disturbed	4.62	4,025	20	80
6259C	Hydric Pine, Disturbed (COE Wetland Only)	1.15	1002	20	80
630	Mixed Wetland Forest	5.82	5,070	20	80
630C	Mixed Wetland Forest (COE Wetland Only)	3.53	3,075	20	80
6309	Mixed Wetland Forest, Disturbed	114.58	66,548	30	80
6309C	Mixed Wetland Forest, Disturbed (COE Wetland Only)	10.35	9,017	20	80
641	Freshwater Marsh	9.01	5,887	30	90
6419	Freshwater Marsh, Disturbed	4.67	3,051	30	90
643	Wet Prairie	1.29	843	30	90
6439	Wet Prairie, Disturbed	18.11	11,833	30	90
740	Disturbed Land[2]	103.19	59,933	30	80
742	Borrow Area[2]	0.20	98	40	90
743	Spoil	0.43	375	20	80
832	Utility Easement[2]	33.04	71,961	50	50
8321	Utility Easement, Hydric[2]	2.45	533	50	50

N/A = Not Applicable
[1]Average visibility to one side of transect
[2]Habitat surveyed as a precautionary measure

SURVEY RESULTS

During the surveys, a total of five different Lee County protected species were identified on the project site. The protected species identified included gopher tortoises, burrowing owls, Florida sandhill cranes, little blue herons, and wood storks. (Figure 3 and Appendix A). Passarella and Associates, Inc. identified 236 gopher tortoise burrows, eight burrowing owls, three burrowing owl burrows, two Florida sandhill cranes, three little blue herons, and three wood storks on the property. A copy of the May 2002 aerial photograph with the survey transects and protected species observations is provided as Appendix A.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations for observed Lee County protected species were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted August 30, 1989. The gopher tortoise densities were based on the number of active (A) and inactive (I) burrows found within each habitat. Based on past experience, a gopher tortoise burrow conversion factor of 0.3 was used to estimate gopher tortoise density. The Lee County protected species abundance calculations are provided in Table 5, while Table 6 summarizes the protected species survey findings.

Table 5. Lee County Protected Species Abundance Calculations

Protected Species Density:

$$= \{n/[L\,(w_1+w_2)]\}\ (43{,}560\ \text{ft.}^2/\text{ac})\ (C)$$

Where n= number of individuals observed or active plus inactive gopher tortoise burrows
L= length of transect
w_1= distance of visibility to the right of transect
w_2= distance of visibility to the left of transect
C= gopher tortoise conversion factor (0.3)*
* Used for gopher tortoise calculation only

<u>Gopher Tortoise</u> *(Gopherus polyphemus)*

FLUCFCS Code 242

$$= [6GT/44{,}624\ \text{ft.}\ (100\text{ft.} + 100\text{ft.})]\ (43{,}560\ \text{ft.}^2/\text{ac})\ (0.3)$$
$$= [6GT/8{,}924{,}800]\ (43{,}560\ \text{ft.}^2/\text{ac})\ (0.3)$$
$$= [6.7 \times 10^{-7}\ GT/\text{ft.}^2]\ (43{,}560\ \text{ft.}^2/\text{ac})\ (0.3)$$
$$= 0.01\ GT/\text{ac}$$

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	427.08 Ac.±	21.9%
242	SOD FARM	227.65 Ac.±	11.7%
3209	SHRUB AND BRUSHLAND, DISTURBED	79.07 Ac.±	4.1%
321	PALMETTO PRAIRIE	61.70 Ac.±	3.2%
3219	PALMETTO PRAIRIE, DISTURBED	41.24 Ac.±	2.1%
411	PINE FLATWOODS	29.24 Ac.±	1.5%
4119	PINE FLATWOODS, DISTURBED	440.33 Ac.±	22.6%
415	PINE FLATWOODS, GRAMINOID GROUND COVER	14.85 Ac.±	0.8%
4159	MIXED PINE FLATWOODS, DISTURBED	6.03 Ac.±	0.3%
421	XERIC OAK	7.55 Ac.±	0.4%
4219	XERIC OAK, DISTURBED	20.77 Ac.±	1.1%
422	BRAZILIAN PEPPER	29.84 Ac.±	1.5%
4221	BRAZILIAN PEPPER, HYDRIC	20.81 Ac.±	1.1%
427	LIVE OAK	2.35 Ac.±	0.1%
4279	LIVE OAK, DISTURBED	7.01 Ac.±	0.4%
428	CABBAGE PALM	1.63 Ac.±	0.1%
4289	CABBAGE PALM, DISTURBED	7.47 Ac.±	0.4%
429	WAX-MYRTLE	31.51 Ac.±	1.6%
4291	WAX-MYRTLE, HYDRIC	22.38 Ac.±	1.1%
434	HARDWOOD/CONIFER MIXED	37.42 Ac.±	1.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	5.31 Ac.±	0.3%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	70.44 Ac.±	3.6%
4389	MIXED HARDWOODS, DISTURBED	0.55 Ac.±	0.0%
514	DITCH	5.16 Ac.±	0.3%
525	SHALLOW POND	0.45 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	6.53 Ac.±	0.3%
6179	MIXED WETLAND HARDWOODS, DISTURBED	3.08 Ac.±	0.2%
6179C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	2.55 Ac.±	0.1%
618	POP ASH AND WILLOW	1.27 Ac.±	0.1%
621	CYPRESS	5.71 Ac.±	0.3%
6219	CYPRESS, DISTURBED	14.53 Ac.±	0.7%
625	HYDRIC PINE	2.31 Ac.±	0.1%
6259	HYDRIC PINE, DISTURBED	4.62 Ac.±	0.2%
6259C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	5.82 Ac.±	0.3%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	3.53 Ac.±	0.2%
6309	MIXED WETLAND FOREST, DISTURBED	114.58 Ac.±	5.9%
6309C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	9.01 Ac.±	0.5%
6419	FRESHWATER MARSH, DISTURBED	4.67 Ac.±	0.2%
643	WET PRAIRIE	1.29 Ac.±	0.1%
6439	WET PRAIRIE, DISTURBED	18.11 Ac.±	0.9%
740	DISTURBED LAND	103.19 Ac.±	5.3%
742	BORROW AREA	0.20 Ac.±	0.0%
743	SPOIL AREA	0.43 Ac.±	0.0%
832	ELECTRICAL TRANSMISSION LINES	33.04 Ac.±	1.7%
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	2.45 Ac.±	0.1%
	TOTAL	1946.26 Ac.±	100.0%

LEGEND:

- SFWMD WETLANDS (242.81 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (0.45 Ac.±)
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE
- • GT-187 APPROXIMATE LOCATION OF GOPHER TORTOISE BURROW (TYP.)
- WS WOOD STORK
- LBH LITTLE BLUE HERON
- BO BURROWING OWL
- FSHC FLORIDA SANDHILL CRANE

SCALE: 1" = 1200'

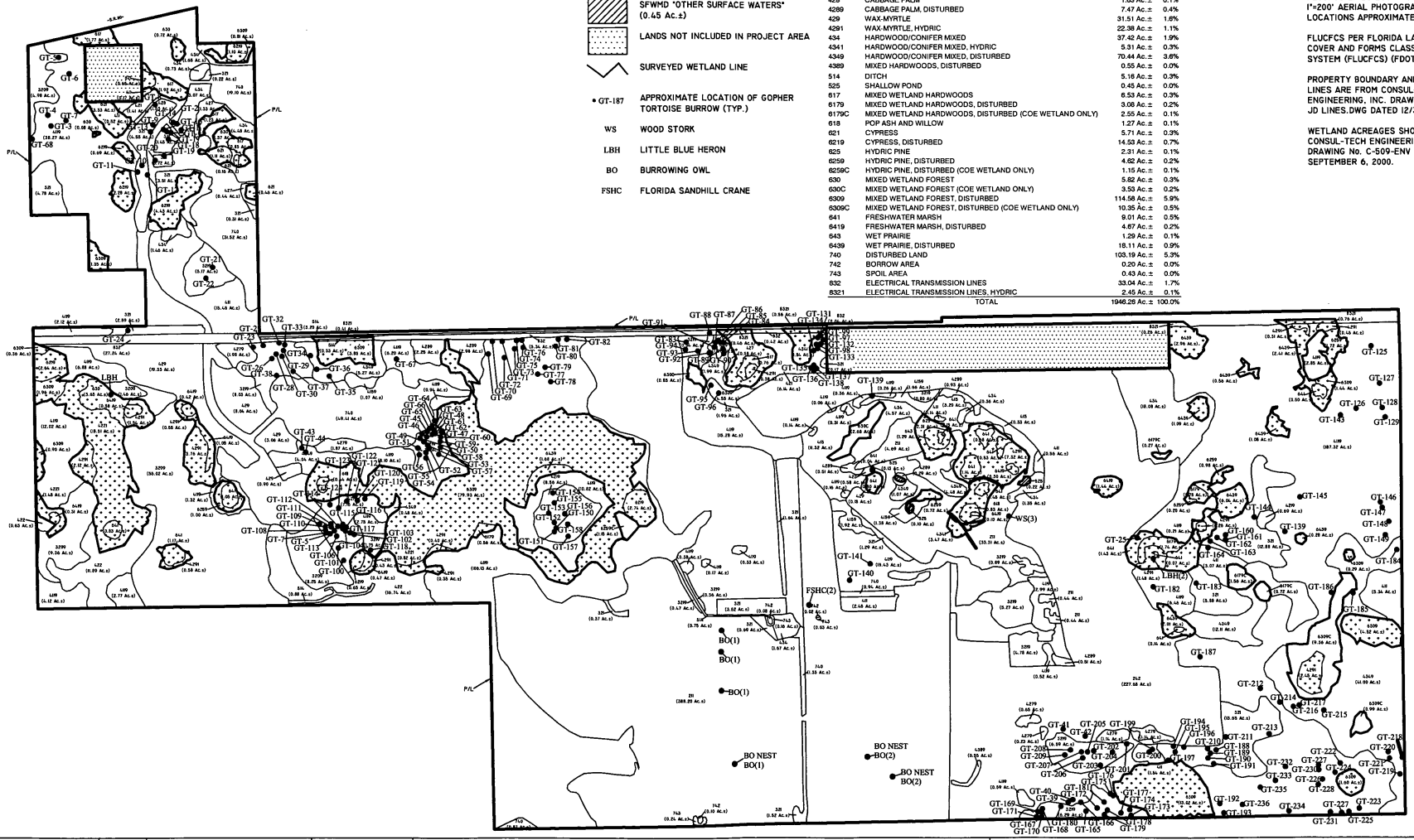
NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

WETLAND ACREAGES SHOWN PER CONSUL-TECH ENGINEERING, INC. DRAWING No. C-509-ENV DATED SEPTEMBER 6, 2000.



REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
	J.H.	9/29/04	1"=1200'
	CHECKED BY	DATE	VERTICAL SCALE
	K.C.P.	9/29/04	N/A
	DRAWN BY	DATE	SEC./TWP./RNG.
	D.B.	9/29/04	25,26,27,34,35,36/43/28

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

HAWK'S HAVEN
FLUCFCS AND WETLANDS MAP WITH PROTECTED SPECIES LOCATIONS

DRAWING No.: 03PEG931
SHEET No.: FIGURE 3

Table 5. (Continued)

FLUCFCS Code 3209

= [1GT/68,885 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [1GT/2,755,400] (43,560 $ft.^2$/ac) (0.3)
= [3.6×10^{-7} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.005 GT/ac

FLUCFCS Code 321

= [29GT/53,753 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [29GT/2,150,120] (43,560 $ft.^2$/ac) (0.3)
= [1.3×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.17 GT/ac

FLUCFCS Code 3219

= [41GT/35,928 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [41GT/1,437,120] (43,560 $ft.^2$/ac) (0.3)
= [2.8×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.37 GT/ac

FLUCFCS Code 411

= [3GT/25,474 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [3GT/1,018,960] (43,560 $ft.^2$/ac) (0.3)
= [2.9×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.04 GT/ac

FLUCFCS Code 4119

= [71GT/383,615 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [71GT/15,344,600] (43,560 $ft.^2$/ac) (0.3)
= [4.6×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.06 GT/ac

FLUCFCS Code 4219

= [64GT/18,095 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [64GT/723,800] (43,560 $ft.^2$/ac) (0.3)
= [8.8×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 1.15 GT/ac

Table 5. (Continued)

FLUCFCS Code 428

= [1GT/1,278 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [1GT/51,120] (43,560 $ft.^2$/ac) (0.3)
= [1.9×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.25 GT/ac

FLUCFCS Code 434

= [3GT/32,600 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [3GT/1,304,000] (43,560 $ft.^2$/ac) (0.3)
= [2.3×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.03 GT/ac

FLUCFCS Code 4349

= [15GT/61,367 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [15GT/2,454,680] (43,560 $ft.^2$/ac) (0.3)
= [6.1×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.08 GT/ac

FLUCFCS Code 641

= [1GT/5,887 ft. (30ft. + 30ft.)] (43,560 $ft.^2$/ac) (0.3)
= [1GT/353,220] (43,560 $ft.^2$/ac) (0.3)
= [2.8×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.04 GT/ac

FLUCFCS Code 832

= [1GT/533 ft. (50ft. + 50ft.)] (43,560 $ft.^2$/ac) (0.3)
= [1GT/53,300] (43,560 $ft.^2$/ac) (0.3)
= [1.8×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.25 GT/ac

<u>Burrowing Owl</u> ***(Athene cunicularia floridana)***

FLUCFCS Code 211

= {8/[83,716 ft. (100 ft. + 100 ft.)]}(43,560)
= {8/16,743,200}(43,560)
= {4.78×10^{-7}}(43,560)
= 0.02 Burrowing Owls/Acre

Table 5. (Continued)

Florida Sandhill Crane ***(Grus Canadensis pratensis)***

FLUCFCS Code 211

= {2/[83,716 ft. (100 ft. + 100 ft.)]}(43,560)
= {2/16,743,200}(43,560)
= {1.2×10^{-7}}(43,560)
= 0.005 Florida Sandhill Cranes/Acre

Little Blue Heron ***(Egretta caerulea)***

FLUCFCS Code 4291

= [2LBHE/19,497 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac)
= [2.5×10^{-6} LBHE/ft^2] (43,560 $ft.^2$/ac)
= 0.11 LBHE/ac

FLUCFCS Code 630

= [1LBHE/5,070 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac)
= [4.9×10^{-6} LBHE/ft^2] (43,560 $ft.^2$/ac)
= 0.21 LBHE/ac

Wood Stork ***(Mycteria americana)***

FLUCFCS Code 211
= [3WDST/83,716 ft. (100ft. + 100ft.)] (43,560 ^{2}/ac)
= [1.7×10^{-7} ft^2] (43,560 $ft.^2$/ac)
= 0.007 WDST/ ac

Table 6. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator	514	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	618	80		X	
	621	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator (Continued)	6219	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Eastern Indigo Snake	3209	80		X	
	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	421	80		X	
	4219	80		X	
	427	90		X	
	4279	90		X	
	428	90		X	
	4289	90		X	
Gopher Tortoise	211	90		X	
	242	90	X		0.01
	3209	80	X		0.005
	321	80	X		0.17
	3219	80	X		0.37
	411	80	X		0.04
	4119	80	X		0.06
	415	90		X	
	4159	90		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
Gopher Tortoise (Continued)	421	80		X	
	4219	80	X		1.15
	427	90		X	
	4279	90		X	
	428	90	X		0.25
	4289	90		X	
	429	80		X	
	434	80	X		0.03
	4349	80	X		0.08
	641	90	X		0.04
	743	80		X	
	832	50	X		0.25
Gopher Frog	3209	80		X	
	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	421	80		X	
	4219	80		X	
	429	80		X	
Birds					
Bald Eagle	411	80		X	
	4119	80		X	
Burrowing Owl	211	90	X		0.02
	321	80		X	
	3219	80		X	
Southeastern American Kestrel	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Southeastern American Kestrel (Continued)	415	90		X	
	4159	90		X	
Audubon's Crested Caracara	321	80		X	
	3219	80		X	
	428	90		X	
	4289	90		X	
Florida Scrub Jay	421	80		X	
	4219	80		X	
Red-Cockaded Woodpecker	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	625	80		X	
	6259	80		X	
Limpkin	514	90		X	
	525	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Roseate Spoonbill	514	90		X	
	525	90		X	
Little Blue Heron	4291	80	X		0.11
	514	80		X	
	525	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80	X		0.21
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Reddish Egret	514	90		X	
	525	90		X	
Snowy Egret	4291	80		X	
	514	90		X	
	525	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Snowy Egret (Continued)	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Tri-colored Heron	4291	80		X	
	514	80		X	
	525	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Arctic Peregrine Falcon	617	80		X	
	6179	80		X	
	6179C	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
		Birds			
Arctic Peregrine Falcon (Continued)	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
Snail Kite	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Florida Sandhill Crane	211	90	X		0.005
	321	80		X	
	3219	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Wood Stork	211	90	X		0.007
	514	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Wood Stork (Continued)	6309	80		X	
	6309C	80		X	
	8321	50		X	
Mammals					
Big Cypress Fox Squirrel	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
Everglades Mink	514	90		X	
	525	90		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Florida Black Bear	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
	415	90		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals					
Florida Black Bear (Continued)	4159	90		X	
	427	90		X	
	4279	90		X	
	428	90		X	
	4289	90		X	
	434	80		X	
	4341	80		X	
	4349	80		X	
	4389	80		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
Florida Panther	211	90		X	
	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	427	90		X	
	4279	90		X	
	428	90		X	
	4289	90		X	
	434	80		X	
	4341	80		X	
	4349	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals					
Florida Panther (Continued)	4389	80		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309C	80		X	
Plants					
Curtis Milkweed	3209	80		X	
	321	80		X	
	3219	80		X	
Fakahatchee Burmannia	3209	80		X	
	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
	4119	80		X	
Satinleaf	411	80		X	
	4119	80		X	
Beautiful Pawpaw	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
Florida Coontie	3209	80		X	
	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Plants					
Florida Coontie (Continued)	421	80		X	
	4219	80		X	
Twisted Air Plant	427	90		X	
	4279	90		X	
Simpson's Stopper	427	90		X	
	4279	90		X	
	428	90		X	
	4289	90		X	
Hand Adder's Tongue Fern	427	90		X	
	4279	90		X	

MANAGEMENT PLAN

Per Lee County DES' request, Passarella and Associates, Inc. has updated the protected species survey for the Hawk's Haven project site. Management plans for the gopher tortoise, burrowing owls, and wading birds will be prepared.

To date, the applicant has obtained a Florida Fish and Wildlife Conservation Commission Gopher Tortoise Incidental Take Permit (#LEE-58). Prior to construction the tortoises will be relocated out of harms way to an on-site preserve area located in the southeast portion of the site. The applicant intends to apply for an incidental take permit for the burrowing owls identified on-site. A management plan will be prepared to address the Florida sandhill cranes, little blue herons, and wood storks identified on-site. In general, the applicant proposes to preserve and enhance the wetlands in the general vicinity where the wading birds were observed.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

DCI 2004 00054

30± ACRE DEAN PARCEL
LEE COUNTY PROTECTED SPECIES SURVEY

RECEIVED
FEB 25 2005
PERMIT COUNTER

February 2005

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

ATTACHMENT I

Prepared By:

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067

Project No. 05LMG1268

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INTRODUCTION

Passarella and Associates, Inc. conducted a Lee County protected species survey for the 30± Acre Dean Parcel. The purpose of the survey was to review the site for Lee County protected species as outlined in Lee County's Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat).

The Dean Parcel totals 30± acres and is located in Section 25, Township 43 South, Range 26 East, Lee County (Figure 1). The project site is just south of Hickey's Creek Road and is adjacent to the north side of the Hawk's Haven project site. The property consists primarily of improved pasture with forested wetlands and uplands located in the eastern portion of the site.

The surrounding land uses consist of single-family homes and a Florida Power and Light (FPL) power line easement north of the parcel. The permitted Hawk's Haven project site is located adjacent to the east, west, and south of the parcel.

LAND USES AND COVER TYPES

Land uses and cover types for the property were determined using 2002 rectified Lee County aerials (1" = 200') and on-site field surveys conducted on October 13, 2004 and February 1, 2005. During the surveys, lines were drawn on an aerial delineating the different vegetation associations on-site. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (FDOT 1999). The FLUCFCS map is provided as Figure 2. Table 1 outlines the various cover types delineated on-site and their associated acreages, while a brief description of each of the FLUCFCS classifications follows. The FLUCFCS delineations depicted on a 2002 aerial photograph are provided as Appendix A.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
211	Improved Pasture	20.53	68.4
321	Palmetto Prairie	0.28	0.9
411	Pine Flatwoods	3.24	10.8
427	Live Oak	0.65	2.2
514	Ditch	0.03	0.1
525	Cow Pond	0.32	1.1
617	Mixed Wetland Hardwoods	2.48	8.3
625	Pine, Hydric	2.07	6.9
740	Disturbed Land	0.26	0.9
743	Spoil Area	0.15	0.5
TOTAL		**30.01**	**100.0**

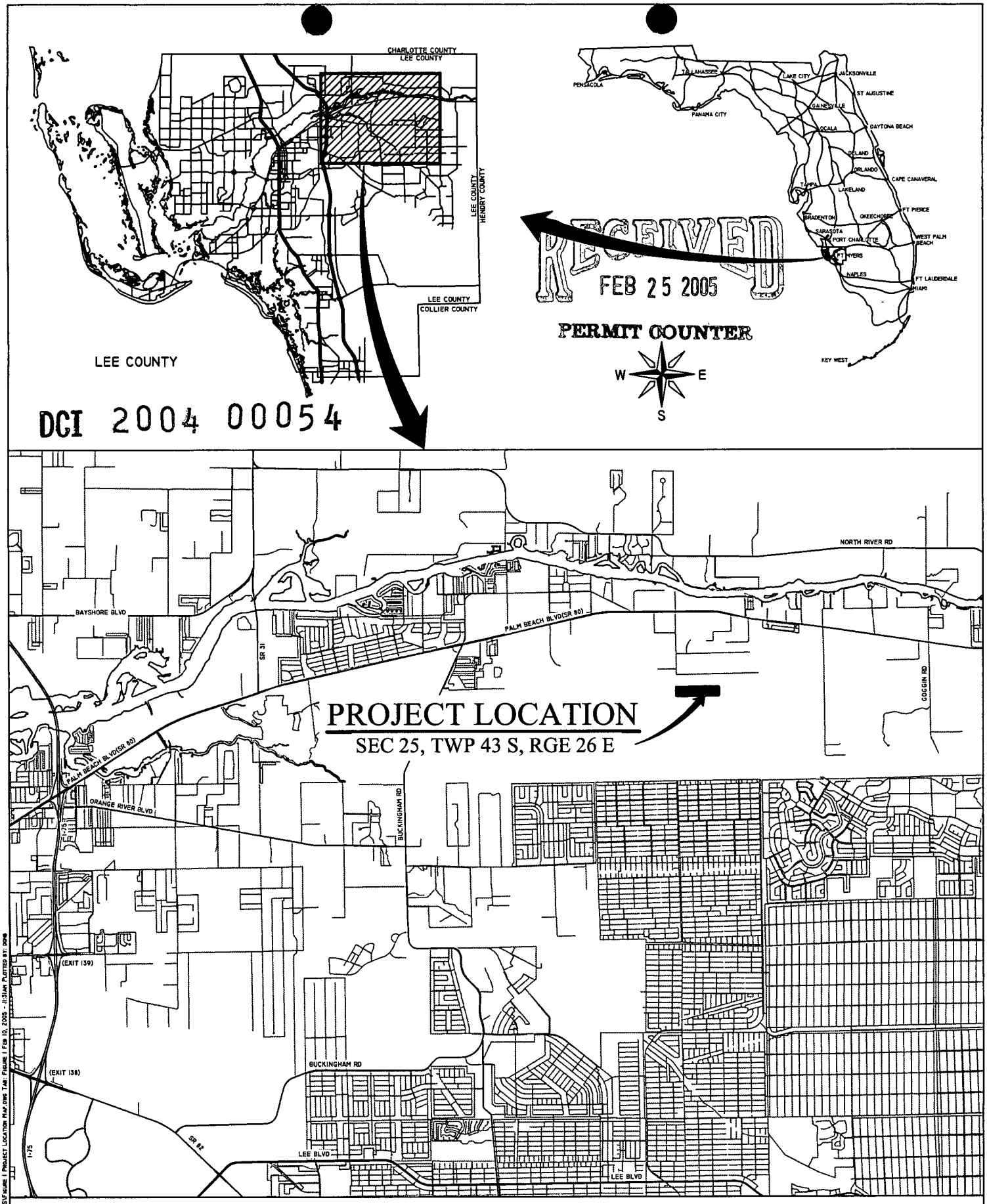
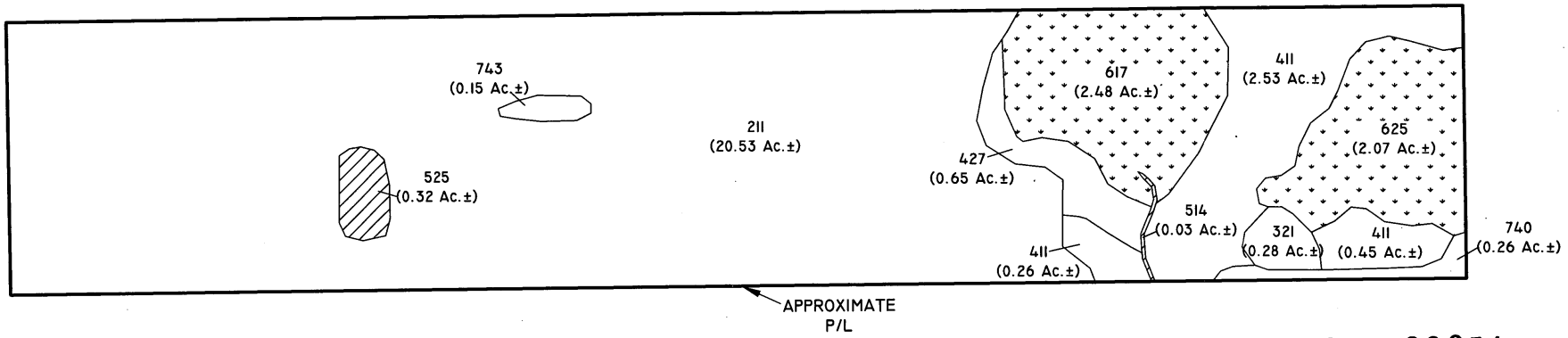


FIGURE 1. PROJECT LOCATION MAP
30± ACRE DEAN PARCEL

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: W.C. DATE: 2/8/05

SCALE: 1" = 200'

RECEIVED
FEB 25 2005
PERMIT COUNTER



DCI 2004 00054

LEGEND:

SFWMD AND COE WETLANDS (4.55 Ac.±)

SFWMD "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (0.35 Ac.±)

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	20.53 Ac.±	68.4%
321	PALMETTO PRAIRIE	0.28 Ac.±	0.9%
411	PINE FLATWOODS	3.24 Ac.±	10.8%
427	LIVE OAK	0.65 Ac.±	2.2%
514	DITCH	0.03 Ac.±	0.1%
525	COW POND	0.32 Ac.±	1.1%
617	MIXED WETLAND HARDWOODS	2.48 Ac.±	8.3%
625	PINE, HYDRIC	2.07 Ac.±	6.9%
740	DISTURBED LAND	0.26 Ac.±	0.9%
743	SPOIL AREAS	0.15 Ac.±	0.5%
	TOTAL	30.01 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ESTIMATED FROM LEE COUNTY PROPERTY APPRAISER'S GIS WEBSITE.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS		DESIGNED BY H.S.	DATE 10/14/04	HORIZONTAL SCALE 1"=200'
		CHECKED BY K.C.P.	DATE 10/14/04	VERTICAL SCALE N/A
		DRAWN BY D.B.,W.C.	DATE 10/14/04	SEC./TWP./RNG. 25/43/26

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

30± ACRE DEAN PARCEL
FLUCFCS AND WETLANDS MAP

DRAWING No.: 05LMG1268
SHEET No.: FIGURE 2

J:\2005\05LMG1268\2005\PDS\Figure 2 FLUCFCS and WETLANDS 2-8-05.dwg Tab: Figure 2 Feb 10, 2005 - 11:31am PLOTTED BY: DWB

Improved Pasture (FLUCFCS Code 211)
This upland habitat occupies 20.53± acres or 68.4 percent of the parcel. This particular area has been previously used for cattle grazing. The canopy and sub-canopy are relatively open with sparsely scattered slash pine (*Pinus elliottii*) and live oak (*Quercus virginiana*). The ground cover is dominated by bahia grass (*Paspalum notatum*) and also contains scattered reticulated paw-paw (*Asimina reticulata*), dog fennel (*Eupatorium capillifolium*), flatsedge (*Cyperus surinamensis*), fog-fruit (*Phyla nodiflora*), saw palmetto (*Serenoa repens*), bluestem grass (*Andropogon* sp.), caesar weed (*Urena lobata*), and broomsedge (*Andropogon virginicus*).

Palmetto Prairie (FLUCFCS Code 321)
This habitat occupies 0.28± acre or 0.9 percent of the parcel. The canopy is open. The sub-canopy contains scattered slash pine and wax-myrtle (*Myrica cerifera*). The ground cover is dominated by saw palmetto and also contains smutgrass (*Sporobolis indicus*) and broomsedge.

Pine Flatwoods (FLUCFCS Code 411)
This habitat occupies 3.24± acres or 10.8 percent of the parcel. The canopy is dominated by slash pine and also contains occasional cabbage palm (*Sabal palmetto*). The sub-canopy consists of wax-myrtle, myrsine (*Rapanea punctata*), and dahoon holly (*Ilex cassine*). The ground cover is dominated by saw palmetto with scattered broomsedge and grapevine (*Vitis rotundifolia*).

Live Oak (FLUCFCS Code 427)
This upland community type occupies 0.65± acre or 2.2 percent of the parcel. The canopy consists of live oak and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes myrsine, saw palmetto, beauty-berry (*Callicarpa americana*), bracken fern (*Pteridium aquilinum*), grapevine, poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*).

Ditch (FLUCFCS Code 514)
A ditch occupies 0.03± acre or 0.1 percent of the parcel. The canopy and sub-canopy are open. The ground cover is mostly open with scattered maidencane (*Panicum hemitomon*), pickerel weed (*Pontedaria cordata*), and torpedo grass (*Panicum repens*).

Cow Pond (FLUCFCS Code 525)
A small cow pond occupies 0.32± acre or 1.1 percent of the parcel. The canopy and sub-canopy are open. The herbaceous area consists of bare ground.

Mixed Wetland Hardwoods (FLUCFCS Codes 617)
This wetland habitat occupies 2.48± acres or 8.3 percent of the parcel. The canopy contains red maple (*Acer rubrum*), laurel oak (*Quercus laurifolia*), pop ash (*Fraxinus caroliniana*), and Carolina willow (*Salix caroliniana*). The sub-canopy includes Carolina willow and pop ash. The ground cover includes swamp fern (*Blechnum serrulatum*), sawgrass (*Cladium jamaicense*), and smartweed (*Polygonum setaceum*).

Pine, Hydric (FLUCFCS Code 625)
This wetland habitat occupies 2.07± acres or 6.9 percent of the parcel. The canopy contains slash pine. The sub-canopy is mostly open with scattered slash pine and cabbage palm. The ground cover includes sawgrass, musky-mint (*Hyptis alata*), smartweed, beaksedge (*Rhynchospora tracyi*), wiregrass (*Aristida stricta*), and flatsedge.

Disturbed Land (FLUCFCS Code 740)
This upland land use occupies 0.26± acre or 0.9 percent of the parcel. The canopy and sub-canopy are open. The ground cover is dominated by bahia grass with dog fennel, reticulated paw-paw, and smutgrass.

Spoil Area (FLUCFCS Code 743)
This habitat occupies 0.15± acre or 0.5 percent of the parcel. The canopy and sub-canopy are open. The ground cover includes dog fennel, caesar weed, and bahia grass.

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site, as outlined in the LDC. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Environmental Sciences staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code And Description		Potential Protected Species
211	Improved Pasture	Gopher Tortoise (*Gopherus polyphemus*) **
		Burrowing Owl (*Athene cunicularia floridana*) **
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Florida Panther (*Felis concolor coryi*)
321	Palmetto Prairie	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Burrowing Owl (*Athene cunicularia floridana*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)

Table 2. (Continued)

FLUCFCS Code And Description		Potential Protected Species
321	Palmetto Prairie (continued)	Audubon's Crested Caracara (*Polyborus plancus audubonii*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
411	Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Red-Cockaded Woodpecker (*Picoides borealis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Fakahatchee Burmannia (Burmannia flava)
		Satinleaf (Chrysophyllum divaeforme)
		Beautiful Pawpaw (Deeringothamnus pulchellus)
		Florida Coontie (Zamia floridana)
427	Live Oak	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
		Hand Adder's Tongue Fern (*Ophioglossum palmatum*)
		Twisted Air Plant (*Tillandsia flexuosa*)
514 525	Ditch Cow Pond	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)
		Snail Kite (*Rostrhamus sociabilis*) **

Table 2. (Continued)

FLUCFCS Code And Description	Potential Protected Species
617 Mixed Wetland Hardwoods 625 Pine, Hydric	American Alligator (*Alligator mississippiensis*)
	Gopher Frog (*Rana areolata*)
	Little Blue Heron (*Egretta caerulea*)
	Snowy Egret (*Egretta thula*)
	Tri-colored Heron (*Egretta tricolor*)
	Reddish Egret (*Egretta rufescens*)
	Limpkin (*Aramus guarauna*)
	Wood Stork (*Mycteria americana*)
	Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
	Red-Cockaded Woodpecker (*Picoides borealis*) **
	Everglades Mink (*Mustela vison evergladensis*)
	Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
	Florida Panther (*Felis concolor coryi*)
	Florida Black Bear (*Ursus americanus floridanus*)
	Twisted Air Plant (*Tillandsia flexuosa*)
740 Disturbed Land *	Gopher Tortoise (*Gopherus polyphemus*)
743 Spoil Area*	Gopher Tortoise (*Gopherus polyphemus*)

*Habitat surveyed for the species noted as a precautionary measure although not required per the LDC.
**Species surveyed, although not required per the LDC.

The protected species survey for the 30± acre tract was conducted by Passarella and Associates, Inc. on February 1, 2005. Surveys were conducted during the daylight hours. Weather conditions during the survey period are summarized in Table 3. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS methodology, previously approved by the county.

Table 3. Survey Date and Weather Conditions

Survey Date	Weather Conditions
February 1, 2005	Sunny with light winds and temperatures in the low 70's.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 4.

Table 4. Summary of Habitat Coverage

FLUCFCS Code and Description		Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent Coverage
211	Improved Pasture	20.53	4024	100	90
321	Palmetto Prairie	0.28	244	20	80
411	Pine Flatwoods	3.24	1882	30	80
427	Live Oak	0.65	425	30	90
514	Ditch	0.03	17	30	80
525	Cow Pond	0.32	157	40	90
617	Mixed Wetland Hardwoods	2.48	2161	20	80
625	Pine, Hydric	2.07	1803	20	80
740	Disturbed Land[2]	0.26	113	40	80
743	Spoil Areas	0.15	131	20	80

N/A = Not Applicable, per the LDC
[1]Average visibility to one side of transect
[2]Habitat surveyed as a precautionary measure

SURVEY RESULTS

The results of the survey identified great horned owl (*Bubo virginianus*), gray squirrel (*Sciurus carolinensis*), black racer (*Coluber constrictor priapus*), and ringed-neck water snake (*Diadophis punctatus*). However, no listed or protected species were identified on-site that are listed by Lee County, Florida Fish and Wildlife Conservation Commission, or the U.S. Fish and Wildlife Service. Table 5 summarizes the results of the survey.

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A

Table 5. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
Eastern Indigo Snake	321	80		X	N/A
	411	80		X	N/A
	427	90		X	N/A
Gopher Tortoise	211	90		X	N/A
	321	80		X	N/A
	411	80		X	N/A
	427	90		X	N/A
	740	80		X	N/A
	743	80		X	N/A
Gopher Frog	321	80		X	N/A
	411	80		X	N/A
	625	80		X	N/A
Birds					
Burrowing Owl	211	90		X	N/A
	321	80		X	N/A
Southeastern American Kestrel	321	80		X	N/A
	411	80		X	N/A
Red-cockaded Woodpecker	411	80		X	N/A
	625	80		X	N/A
Limpkin	514	80		X	N/A
	525	90		X	N/A
Roseate Spoonbill	514	80		X	N/A
	525	90		X	N/A
Little Blue Heron	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
	625	80		X	N/A
Snowy Egret	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
	625	80		X	N/A
Reddish Egret	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
Tri-colored Heron	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
	625	80		X	N/A

Table 5. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (continued)					
Wood Stork	617	80		X	N/A
Arctic Peregrine Falcon	625	80		X	N/A
Snail Kite	525	90		X	N/A
Audubon's Crested Caracara	321	80		X	N/A
Florida Sandhill Crane	211	90		X	N/A
	321	80		X	N/A
Mammals					
Florida Panther	211	90		X	N/A
	411	80		X	N/A
	427	90		X	N/A
	617	80		X	N/A
Big Cypress Fox Squirrel	411	80		X	N/A
Everglades Mink	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
Florida Black Bear	321	80		X	N/A
	411	80		X	N/A
	427	90		X	N/A
	617	80		X	N/A
Plants					
Curtis Milkweed	321	80		X	N/A
Fakahatchee Burmannia	321	80		X	N/A
	411	80		X	N/A
Satinleaf	411	80		X	N/A
Beautiful Pawpaw	321	80		X	N/A
	411	80		X	N/A
Florida Coontie	321	80		X	N/A
	411	80		X	N/A
Simson's Stopper	427	90		X	N/A
Hand Adder's Tongue	427	90		X	N/A
Twisted Air Plant	427	90		X	N/A
	617	80		X	N/A

MANAGEMENT PLAN

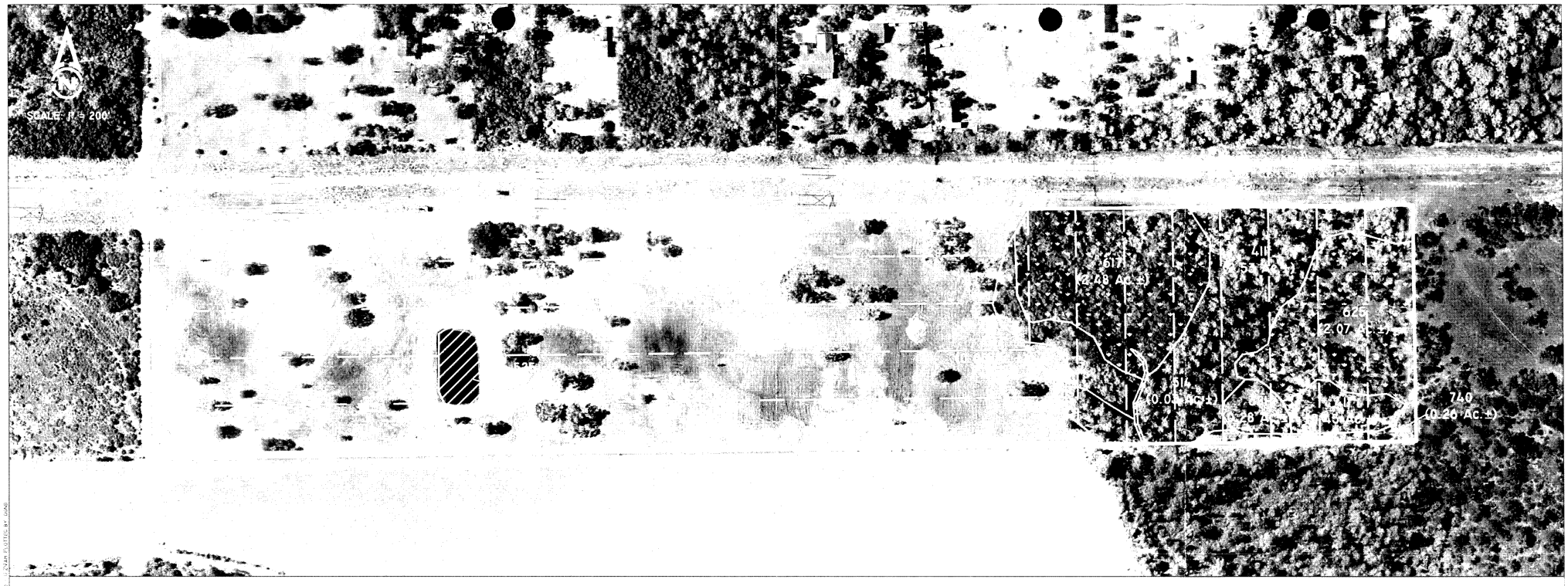
No management plan is required since no protected species were identified on-site.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

AERIAL WITH FLUCFCS MAPPING AND WALKED TRANSECT LINES



LEGEND:

SFWMD AND COE WETLANDS (4.55 Ac.±)

SFWMD "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (0.35 Ac.±)

WALKED TRANSECT LINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	20.53 Ac.±	68.4%
321	PALMETTO PRAIRIE	0.28 Ac.±	0.9%
411	PINE FLATWOODS	3.24 Ac.±	10.8%
427	LIVE OAK	0.65 Ac.±	2.2%
514	DITCH	0.03 Ac.±	0.1%
525	COW POND	0.32 Ac.±	1.1%
617	MIXED WETLAND HARDWOODS	2.48 Ac.±	8.3%
625	PINE, HYDRIC	2.07 Ac.±	6.9%
740	DISTURBED LAND	0.26 Ac.±	0.9%
743	SPOIL AREAS	0.15 Ac.±	0.5%
	TOTAL	30.01 Ac.±	100.0%

NOTES:

DCI 2004 00054

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISERS OFFICE WITH A FLIGHT DATE OF APRIL-MAY, 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ESTIMATED FROM LEE COUNTY PROPERTY APPRAISER'S GIS WEBSITE.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
	H.S.	10/14/04	1"=200'
	CHECKED BY	DATE	VERTICAL SCALE
	K.C.P.	10/14/04	N/A
	DRAWN BY	DATE	SEC./TWP./RNG.
	D.B.,W.C.	10/14/04	25/43/26

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

30± ACRE DEAN PARCEL

AERIAL WITH FLUCFCS MAPPING AND WALKED TRANSECT LINES

DRAWING No.: 05LMG1268

SHEET No.: APPENDIX A

ATTACHMENT I

EXHIBIT PH-3.I

AFFIDAVIT

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

BEFORE ME this day appeared JAMES P. HARVEY, who, being first duly sworn, proposes and says:

1. He is the Vice-President of Hawk's Haven Developers, L.L.C., the applicant for rezoning in Case DCI2004-00054.

2. A portion of the subject property is currently being used, and historically has been used, for cattle grazing. A sketch showing the areas in question is attached as Exhibit "A".

FURTHER, AFFIANT SAYETH NAUGHT.

DONE AND EXECUTED THIS 7 DAY OF SEPTEMBER, 2004.

James P. Harvey

The foregoing instrument was acknowledged before me this 7th day of SEPTEMBER, 2004 by JAMES P. HARVEY, who is personally known to me [✓], or has produced _____ as identification [ ], and did/did not take an oath.

My Commission Expires:

Notary Public

DEBORAH M. O'HERN

Printed Name

Deborah M O'Hern
My Commission DD046976
Expires August 01, 2005

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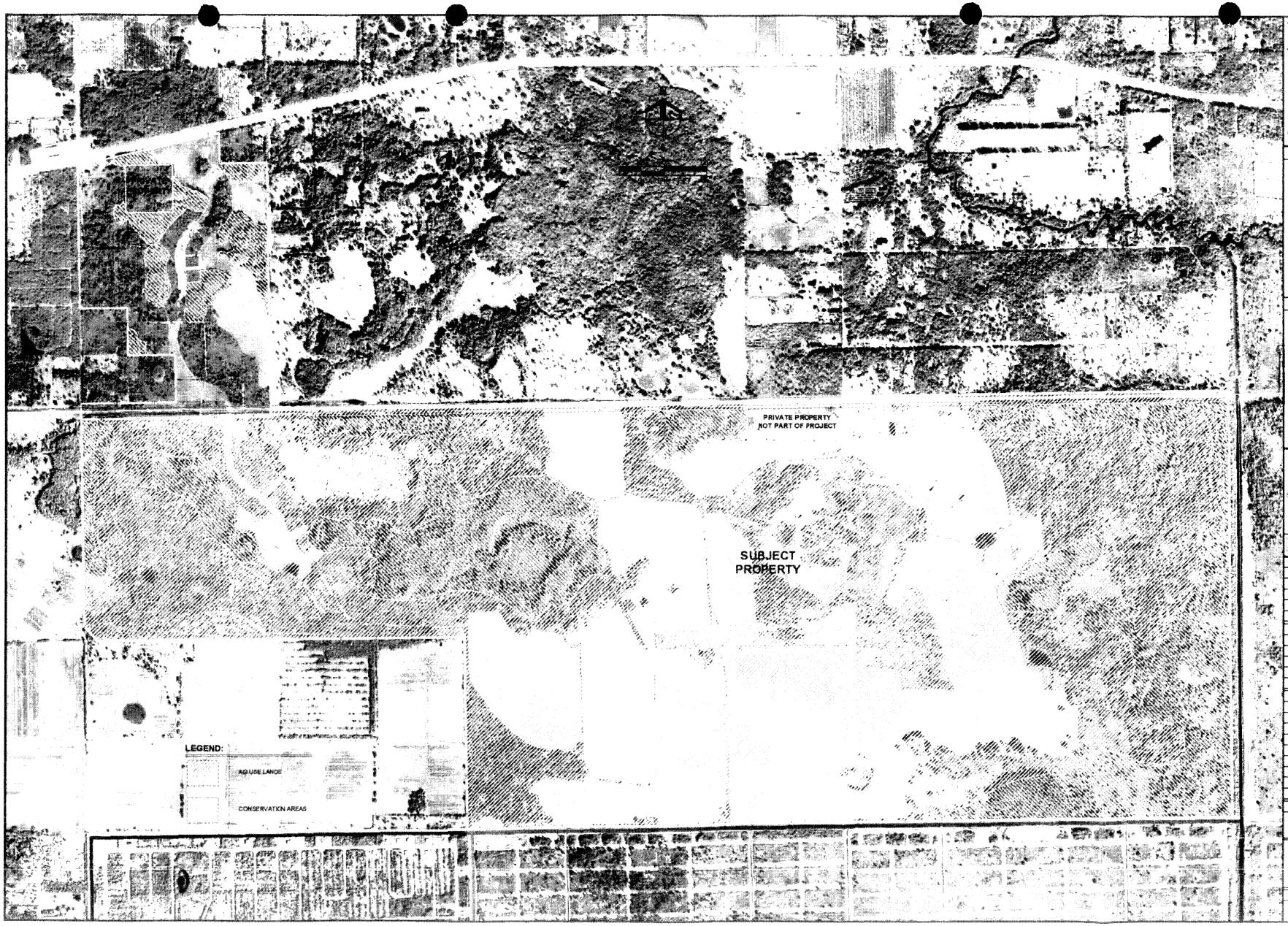
OCT 26 2004
PERMIT COUNTER

DCI2004-00054

ATTACHMENT J



Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 481-3170
FAX (239) 481-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 · SURVEYING LB 6640

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0198
FAX (813) 764-6368

HAWK'S HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 28 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND/OR OPPORTUNITIES. NOT FOR CONSTRUCTION.

HAWK'S HAVEN LDD

AG USE EXHIBIT

21988 | A

ATTACHMENT J

DCI2004-00054

EXHIBIT PH-3.C.1.

Legal Description

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Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:
Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet tot he East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W) (chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,316.66 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along the Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run

N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet to the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels:

From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 858.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "B" run S88°44'46" along the South line of the Southeast Quarter (SE 1/4) for said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.

From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to

DCI 2004-00054

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an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

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DCI2004-00054

EXHIBIT IV-J

ATTACHMENT K

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MAY 19 1999
PERMIT COUNTER

Protected Species Management Plan

For

Schulman Parcel

Sections 27,34,35,36, Township 43 South, Range 26 East

Prepared for:

Lee County Department of Community Development
Division of Planning / Environmental Sciences
1500 Monroe St.
P.O. Box 398
Ft. Myers, FL 33902-0398

Prepared By:

Consul-Tech Engineering, Inc.
24831 Old 41 Rd.
Bonita Springs, FL 34135

99 03-066 03 Z 01.01
PROJECT # 12
PROJECT TYPE

CONSUL-TECH ENGINEERING, INC.

- Consulting Engineers
- Land Planners
- Land Surveyors
- Transportation Engineers
- Environmental Engineers
- Construction Managers
- GPS & GIS Consultants
- Forensic Engineers

Respond To:

Bonita Springs
24831 Old 41 Road
Bonita Springs, FL 34135
(941) 947-0266
FAX (941) 947-1323
E-mail: bonita@consul-t.com

Other Offices:

Corporate/Pompano Beach
(954) 785-8400
FAX (954) 785-5923
E-mail: corp@consul-t.com

Ft. Pierce
(561) 467-9085
FAX (561) 467-9350
E-mail: pierce@consul-t.com

Jacksonville
(904) 276-3100
FAX (904) 276-3102
E-mail: jackson@consul-t.com

Miami
(305) 599-3141
FAX (305) 599-3143
E-mail: mia@consul-t.com

Orlando
(407) 843-0094
FAX (407) 423-0085
E-mail: orl@consul-t.com

Pembroke Pines
(954) 436-5786
FAX (954) 436-7742
E-mail: pines@consul-t.com

South Dade
(305) 248-9444
FAX (305) 248-3644
E-mail: cei@consul-t.com

April 13, 1999

Ms. Betsi Newton-Hiatt
Ms. Kim Trebatoski
Lee County Department of Community Development
Division of Planning / Environmental Sciences
P.O. Box 398
Fort Myers, Florida 33902

Re: Protected Species Management Plan
1775 Acre Schulman Parcel
CTE # 98-0408

Dear Ms. Newton & Ms. Trebatoski

Please accept this protected species management plan for the above referenced project as resubmittal for our rezoning application. Please note that these plans are based on best available information. As new information or agency input becomes available, it may become necessary to revise some management policies. Management details will be finalized and provided at the time of development order submittal.

In the meantime, we would appreciate any suggestions you may have which might contribute to the success and longevity of listed species on this parcel. Should you have any comments or question regarding this management plan, please feel free to contact me at (941) 947-0266.

Sincerely,

CONSUL-TECH ENGINEERING, INC.

Matthew Goff
Environmental Scientist

99-03-066.03 Z 01.01

Gopher Tortoise Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Gopher tortoise *(Gopherus polyphemus)* burrows were found in several pine flatwoods, palmetto prairie, and rangeland habitats on the property (please see location maps provided with Protected Species Survey Report). Management practices shall follow established guidelines as referenced in Florida Game and Freshwater Fish Commission Nongame Wildlife Program Technical Report No. 4: Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations Found on Lands Slated for Large-Scale Development in Florida.The following items will address preservation of this species onsite:

1) Certain areas are to be preserved onsite in areas where gopher tortoises currently reside. Preserve location and acreage are available on the attached Master Concept plan (MCP). A permanent management commitment for the preserve area will be ensured by the filing of a conservation easement pursuant to F.S. 704.06.

2) A take permit from the Florida Game and Freshwater Fish Commission will be sought to collect and relocate gopher tortoises from areas to be impacted to the onsite preserve areas. This permit will negate density requirements for preservation areas.

3) Collection and relocation of gopher tortoises from areas to be impacted will occur as per Florida Game and Freshwater Fish Commission guidelines taking into consideration nesting periods or other requirements. Capture of tortoises shall occur via the bucket trapping method, whereupon a five-gallon bucket will be buried at the burrow entrance. The bucket will be covered with a thin piece of paper overlain with soil and shall have a hole of no less than one inch at the bottom to insure proper drainage. Each bucket will be monitored at least once per day for at least 28 days. Buckets will be checked and tortoises/commensals released in the morning to allow for thermal considerations. Captured animals will be immediately released into the preserve area and evenly distributed throughout the site at either inactive or 'starter' burrows.

4) Each burrow will be destroyed after removal of gopher tortoises. Relocation will occur as close to construction dates as possible to prevent repatriation to areas slated for development. During construction, a wire fence shall be set two feet above and below the ground surrounding the preserve area to prevent tortoises from entering construction areas postrelocation. Excavation will be conducted by individuals experienced in such work.

5) Every effort will be made to prevent entombment of gopher tortoises as per Lee County requirements.

6) Land usage abutting preserve acreage shall be designated as golf course / low density housing to the greatest extent practicable (please refer to MCP). Efforts such as informational signing will be utilized to avoid / minimize impacts to the preserve.

Florida Scrub Jay Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Additionally, a scrub jay specific spring survey was conducted between March22 - April 2, 1999 in order to better qualify jay utilization of the subject parcel. The results of these surveys demonstrate the following: 1) there appears to be no scrub jay nesting on-site, however, 2) territorial boundaries from two separate jay families do extend onto the subject parcel.

CTE staff realize that, according to the Florida Game and Freshwater Fish Commission (FGFWFC): Non-Game Wildlife Program's Technical Report No. 8: Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay, further surveys during foraging seasons (autumn) are required to accurately assess the scrub jay's habitat utilization on the site. Information regarding autumn acorn caching activities shall be integrated into the management strategy as it becomes available. The following activites are currently being planned to promote

Preservation measures shall be exclusively on-site. The following items will be used to address preservation of this species on-site:

1) Establishment of on-site satellite refuge. A refuge of approximately 80 acres is currently being planned in the southeast corner of Section 36 (please refer to Master Concept Plan for specific location). The preserve area is composed primarily of Type I habitat. Smaller areas of Type II habitat and wetlands occur within the preserve area as an artifact of site configuration This area shall serve as an outlying forage zone and dispersal corridor for scrub jays in the vicinity of the subject parcel. Current preserve area is strategically located so as to provide a continuous lanscape with the adjacent Hickey Creek Mitigation Park and maximal distance from major highways and other forms of human disturbance.

2) Commitment to the preserve area shall be demonstrated via the granting of a permanent conservation easement to the State of Florida.

3) Preserve area shall be managed in perpetuity to provide those habitat requirements essential to the well-being of scrub jay families. Final management activities to be provided in the development order submittal will address the following issues; A) financial responsibility, B) fire management program, C) placement of informational signage, D) prohibited property owner activities, E)preserve area fencing, F) appropriate landscaping considerations, G)preserve area monitoring.

American Alligator Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Two American alligators *(Alligator mississippiensis)* were observed in the central herbaceous wetland areas located in Sections 35 and 36 on the property (please see location maps provided with Protected Species Survey Report). The following items will address preservation of this species onsite:

1) Available habitat (i.e. holds water year-round) for American Alligators on the subject site is currently restricted to two small artificial ponds. Construction of numerous lakes and deep-water areas on the subject site is anticipated (please see Master Concept Plan). These areas should significantly increase both the quality and quantity of habitat. Educational material such as signage and informational pamphlets will be strategically placed so as to discourage feeding and minimize interaction between residents and alligators.

Wading Birds Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. The Lee County listed wading birds found onsite (non-nesting) were utilizing freshwater marsh areas (please see location maps provided with Protected Species Survey Report). Listed birds include little blue heron (*Egretta caerula*), tricolored heron (*Egretta tricolor*), wood stork *(Mycteria americana*) and the sandhill crane (*Grus canadensis pratensis*). The following items will address preservation of potential foraging and nesting habitats onsite:

1) Potential habitat areas to be preserved onsite include the following: 641-B thru 641-M, 643-A and 643-C thru 643-H. Educational material such as signage and imformational pamphlets will be utilized to minimize interaction between residents and the wading birds.

99-03-066.03 Z 01.01

Florida Burrowing Owl Management Plan
1775-acre Schulman Property
S 25, 26, 27, 28, 33, 34, 35, 36 / T 43 S / R 26 E
Lee County, Florida
CTE Project No. 98-0408

Consul-Tech Engineering, Inc. (CTE) performed a Protected Species Survey of the above-referenced property from December 1998 through February 1999. Florida burrowing owl *(Speotyto cunicularia floridana)* burrows were located in three of the pastures on the property (please see location maps provided with Protected Species Survey Report). The following items will address preservation of this species onsite:

1) Several golf course areas are to be developed onsite adjacent to currently active owl burrows and will provide suitable replacement habitat for the Florida burrowing owl.

2) A take permit from the Florida Game and Freshwater Fish Commission will be sought to avoid accidental mortality and mititgate for impacts to burrows during construction in areas where owls are currently located. A take permit will be sought for each active burrow on the subject property.

3) No taking of active burrows will occur, i.e., nests with eggs or fledglings. If construction is to occur in the areas of the owl burrows while they are active, buffers of 150 feet in radius will be established and maintained in order to minimize disturbances around the burrows during this period. Buffers will be staked and roped off prior to initiating construction.

4) The burrows will be destroyed during periods when nests are generally considered inactive, that is from July 10 - February 15 . Experienced CTE environmental staff will remove burrows by hand shoveling to ensure that no birds are harmed during the process.

ATTACHMENT K

99-03-066.03 Z 01.01

RESOLUTION NUMBER Z-04-080

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

WHEREAS, Johnson Engineering, Inc. filed an application on behalf of the property owner, TW Acquisitions, Inc., to rezone a 589± acre parcel from Agricultural (AG-2) to Residential Planned Development (RPD) in reference to Portico RPD; and

WHEREAS, a public hearing was advertised and held on December 16, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case No. DCI2004-00031; and

WHEREAS, a second public hearing was advertised and held on March 21, 2005, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone a 589± acre parcel from AG-2 to RPD, to allow 1,058 single-family and 120 townhouse units (1,178 total dwelling units). The proposed maximum building heights are two stories/35 feet for single-family, three stories/50 feet for townhouses, and two stories/50 feet for a clubhouse. No development blasting is requested. The property is located in the Outlying Suburban Category 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 8-page Master Concept Plan entitled MASTER CONCEPT PLAN FOR PORTICO stamped received May 3, 2005, except as modified by the conditions below.

   This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

ATTACHMENT L

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

a. Schedule of Uses

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
CONSUMPTION ON PREMISES - Amenity sites only. See Condition 10.
CLUBS, CLUBHOUSE - PRIVATE. Amenity sites only as shown on the approved Master Concept Plan. Also see Condition 10.
DOCKS, FISHING PIERS
DWELLING UNITS
SINGLE-FAMILY - 1,058 maximum
TOWNHOUSE - 120 maximum. See Condition 15.
1,178 MAXIMUM Dwelling units
ENTRANCE GATES, AND GATEHOUSE - In compliance with LDC §34-1748
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES -Group I ONLY
Communication, telephone and electrical distribution facilities up to 425 square feet in area and 10 feet in height.
EXCAVATION, WATER RETENTION - NO blasting or removal of excavated material off site.
FENCES, WALLS, Per LDC §34-1741
FOOD AND BEVERAGE SERVICES - Amenity sites only. See Condition 10.
HOME OCCUPATION, Per LDC §34-1741 *et seq.* - NO outside help.
MODELS: Per LDC §34-1951 *et seq.* - See Condition 5.
Model Display Center
Model Home
Model Unit
PARKING LOT, ACCESSORY
PERSONAL SERVICES - Group I - Amenity sites only, see Condition 10.
REAL ESTATE SALES - See Condition 5.
RECREATION FACILITIES, PERSONAL, PRIVATE, ON SITE
SIGNS, In accordance with Chapter 30
STORAGE, INDOORS
TEMPORARY USES - TEMPORARY SALES, TEMPORARY CONSTRUCTION

b. Site Development Regulations

Single Family

Minimum Lot Areas and Dimensions

Lot Size:	6,500 square feet
Lot Width:	50 feet
Lot Depth:	110 feet

Minimum Setbacks

Street	20 feet
Side	5 feet (Per Condition 10)

Rear	10 feet (5 feet - accessory)
Water body	20 feet (15 feet - accessory)

Building Separation: 10 feet

Perimeter Setbacks: 15 feet

Maximum Height: 2 stories/35 feet

Maximum Lot Coverage: 60 percent

Townhouse

Minimum Lot Areas and Dimensions

Internal Unit Width:	22 feet
External Unit With:	25 feet
Depth:	100 feet

Minimum Setbacks:

Street	20 feet
Side	Internal Unit = Zero feet External Unit = 7.5 feet
Rear	20 feet
Water body	20 feet

Building Separation: 20 feet

Perimeter Setbacks: 15 feet

Maximum Height: 3 stories / 50 feet

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

Maximum Lot Coverage: 60 percent

Clubhouse/Amenity Sites

Minimum Lot Areas and Dimensions

Lot Size:	6,500 square feet
Lot Width:	50 feet
Lot Depth:	110 feet

Minimum Setbacks

Street	20 feet
Side	10 feet

Rear	20 feet (5 feet accessory)	
Water body	20 feet (5 feet accessory)	(Except as provided in Deviation #9)

Building Separation: 20 feet

Perimeter Setbacks: 15 feet

Maximum Height: 2 stories / 50 feet

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

Maximum Lot Coverage: 60 percent

3. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

4. *Agricultural uses.* Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

   a. Bona fide agricultural uses that are in existence at the time this resolution is approved and as shown on Exhibit B attached hereto may continue until approval of a local development order for the area of the project containing those uses.

   b. Additional clearing or grading of existing agricultural uses is prohibited. This prohibition is not intended to preclude County approved requests for the removal of exotic species.

   c. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

5. *Model Homes/Temporary Real Estate Sales/Temporary Sales Trailer.*

   a. The number of model homes or model units will be limited to no more than 30 within the development at one time.

   b. Any model homes or units must be developed within the area identified as "models", "townhouse site" or "model display center" on the approved Master Concept Plan.

   c. Models cannot be of the same floor plan and each must be a distinctly different design.

d. Model Display Centers or Model Display Groups must be shown on the development order plans. Parking areas for these uses will be buffered with a single-row hedge and tree canopy for parking areas per the LDC.

e. Real Estate sales are limited to temporary real estate trailers, model units, model homes, model display centers, models within the townhouse site, amenity sites, and clubhouses.

f. Real estate sales will be limited to the sale of lots or units within the development only.

g. Hours of operation for both models and real estate sales are limited to Monday through Sunday, 8:00 a.m. through 8:00 p.m.

h. Model homes and temporary real estate sales will be valid for a period of up to six years from the date of issuance of a Certificate of Occupancy of a model home per LDC §34-1954(d)(1).

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

7. 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.

8. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, all other Lee Plan provisions.

9. *Five-foot setback.*

a. No structures, including but not limited to, sidewalks, mechanical equipment, door stoops, walls, etc., may be constructed or placed within the required five-foot side setbacks; or

b. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail (See Exhibit D Sheet 8 of the approved Master Concept Plan) provided as part of the building permit process.

10. *Consumption on Premises, Food & Beverage Services, Personal Services, Group I (all uses).*

a. These uses are limited to a maximum of 7,500 square feet of floor area for the entire development.

b. Consumption on Premises, Personal Services Group I, and Food and Beverage Services are limited to amenity sites only, as shown on the approved Master

Concept Plan. These uses are limited to members and guests of a private club. Use by the general public is prohibited.

c. Consumption on Premises is limited to sales within a residential clubhouse setting only. No restaurants, bars, package stores, or similar uses are permitted.

d. Hours of operation for these uses are limited to 7:00 a.m. to midnight daily.

e. Consumption on Premises is permitted only at amenity sites (and clubhouse) and outdoor seating for Consumption on Premises must be located within the fenced area at the clubhouse as shown on Sheet 7 of the attached Master Concept Plan.

f. Outdoor seating (outside of the fenced clubhouse area) for Consumption on Premises may be approved by Special Exception only (public hearing required).

g. Outdoor sales of alcohol is prohibited, and may not be permitted on a temporary or permanent basis.

h. The clubhouse as shown on the amenity site of the approved Master Concept Plan is limited to a maximum 10,000 (5,904) square feet building under air and 16,000 square feet under roof. There must be a minimum 366± feet of separation between the front door of the clubhouse and the school property, and a minimum of 1,122± feet of separation from the clubhouse building to the school building in accordance with the Master Concept Plan.

11. Prior to local development order approval, a protected species survey for burrowing owls and burrows within the upland portions of the project within the phase being covered in the development order must be submitted for review, field verification, and approval by the Division of Environmental Sciences' staff. If burrowing owls or burrows are located, then a burrowing owl management plan, including an appropriate preservation area within the project, must be submitted.

12. Prior to local development order approval, the development order plans must include ±8.67 acres of open space within the townhouse tract of which ±6.62 acres must be indigenous preservation, and approximately ±25 acres of wetland preservation on the remainder of the site.

13. The development order must provide an enhanced 25-foot-wide "D" buffer along Buckingham Road including 10 trees per 100 linear feet (which must include live oaks, no palms) and a berm a minimum of three feet in height.

14. The development order must provide a 25-foot-wide landscaped buffer/berm combination along the southern boundary of the subject property where it abuts the school site. Atop the berm will be intermittent landscaping and/or wall with a minimum height of six feet. All berming and walls must meet LDC requirements.

15. Townhouse buildings must be set back a minimum of ±1,000 linear feet from Buckingham Road, as shown on the approved Master Concept Plan.

16. The 20-foot-wide lake maintenance easements, along lakes that are completely surrounded by private lots, must be made accessible by maintenance vehicles from a road, through a 20-foot-wide lake access easement.

17. Any additional site access points, such as a separate construction access, would require an amendment to the RPD zoning.

18. There are several pyramid shaped symbols and text shown along Buckingham Road on the MCP that are not legible. The applicant must revise the MCP so that all information is clearly legible.

19. If the developer desires to deviate from the regulations contained in LDC Chapter 30, pertaining to project signage, the proposed sign package must be submitted for review and approval by the Lee County Department of Community Development prior to the issuance of any local development order for the property.

20. During the March 21, 2005, Board Zoning Hearing, the applicant voluntarily offered to dedicate a 25-foot wide strip along Buckingham Road for County right-of-way purposes, at no cost to Lee County. Dedication of this 25 foot strip may be accomplished by recording an instrument (ie. deed or plat) that grants or dedicates to the County an exclusive easement for right-of-way purposes. [If the easement is dedicated via a plat, the dedication must be clear and unambiguous. Use of the label "future right-of-way" will not be acceptable.] The dedicated area may not be used for required development buffering or any other non-county right-of-way improvements. This dedication must be complete prior to issuance of the first building permit allowing permanent vertical construction within the project.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-328(a) requirement to provide a minimum 20-foot-wide maintenance access easement along lake perimeters, to allow zero feet where lakes are bulkheaded. This deviation is DENIED.

2. Deviation (2) seeks relief from the LDC §10-329(d)(1)a.2 requirement prohibiting excavation for water retention or detention within 50 feet of any existing or proposed right-of-way line or easement for a collector or arterial street, to allow excavation within 50 feet of an existing or proposed right-of-way line or easement. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. Approval is limited to water retention and detention areas as shown on the approved Master Concept Plan.

    b. Appropriate protection for wayward vehicles must be provided at the time of local development order.

3. Deviation (3) seeks relief from the LDC §10-329(d)(1)a.3 requirement for water retention or detention excavation to set back 50 feet from any private property line under separate

ownership, to permit a 25-foot setback for internal property lines. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Approval is limited to water retention and detention areas as shown on the approved Master Concept Plan.

b. A minimum 4-foot high fence or other approved barrier must be provided along the property line adjacent to the lake.

4. Deviation (4) seeks relief from the LDC §10-329(d)(4) requirement that lake banks be sloped at a maximum 4:1, to allow bulkheads at the shoreline. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Prior to local development order approval, any bulkheads to be installed within Lakes A, B, or D as labeled on the attached Master Concept Plan must be delineated on the landscape and engineering plans. The bulkheads may not encompass more than 30 percent of the linear shoreline of the lake measured at control elevation. A compensatory littoral zone equal to the linear footage of the bulkhead must be provided within the same lake meeting the following criteria:

(1) A 5-foot-wide littoral shelf planted with herbaceous wetland plants to provide 50 percent coverage at time of planting; or

(2) An 8:1 slope littoral shelf with herbaceous wetland plants to provide 50 percent coverage at time of planting; or

(3) An equivalent littoral shelf design as approved by the Division of Environmental Sciences' Staff.

(4) The compensatory littoral zone must be planted with native wetland plants calculated as two per linear foot of shoreline for lakes utilizing bulkheads up to 20 percent of the shoreline, and three plants per linear foot of shoreline for lakes utilizing bulkheads along 21 percent to 31 percent of the shoreline.

5. Deviation (5) seeks relief from the LDC §10-384(b) requirement to provide a 20-foot-wide fire department access lane in the rear of buildings that fall into classes set forth in LDC §10-384(a)(3), to allow decks ancillary to the amenity site to be located zero feet from a water body. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Approval is limited to amenity areas, water retention and detention areas as shown on the approved Master Concept Plan.

b. The developer must provide written documentation from the Fort Myers Shores Fire Department indicating that this design is acceptable and allows adequate access for emergency vehicles.

6. Deviation (6) - WITHDRAWN.

7. Deviation (7) seeks relief from LDC §34-934 Note 23 which restricts the operation of real estate sales centers for a period not to exceed five years, to allow the operation of a sales office within Portico RPD for a period of six years. This deviation is APPROVED, SUBJECT TO the condition that the real estate sales office remains in compliance with Condition 5 above.

8. Deviation (8) - WITHDRAWN.

9. Deviation (9) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot setback for buildings from a water body, to allow a zero-foot setback at bulkhead areas. This deviation is APPROVED, SUBJECT TO Deviation (4) above.

10. Deviation (10) seeks relief from the LDC §34-935(b)(2) requirement that parking or internal roads or drives not be closer to the development perimeter than the greater of either the width of any buffer area or landscape strip required by Chapter 10, to allow an emergency access road within this area. This deviation is APPROVED, SUBJECT TO the condition that the approval is limited to the emergency access point shown as Deviation (10) on the approved Master Concept Plan.

11. Deviation (11) seeks relief from the LDC §10-418 requirement that storm water ponds be designed to mimic the function of natural systems, to allow for the use of bulkheads. This deviation is APPROVED, SUBJECT TO Deviation (4) above.

12. Deviation (12) seeks relief from the LDC §10-714 design standards for cul-de-sacs, to allow the use of "eyebrow" road elements on the Village Roads within the community. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. Approval is limited to the detail plan and locations as shown on the approved Master Concept Plan.

    b. Traffic calming devices indicated in the approved Master Concept Plan must be included in the homeowner documents to be reviewed and recorded during the local development order process.

13. Deviation (13) - Withdrawn.

14. Deviation (14) seeks relief from the LDC §34-152(4)c.4 requirement that on-site directional signage be set back a minimum of 15 feet from the edge of the street right-of-way or easement, to allow on-site directional signs to have a setback of four feet. This deviation is DENIED in accordance with Condition 19.

15. Deviation (15) seeks relief from the LDC §10-285(a) requirement that the centerline distance for local roads be 125 feet, to allow for centerline distances of no less than 60 feet for the eyebrow road features. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. Approval is limited to the detail plan and locations as shown on the approved Master Concept Plan.

b. Traffic calming devices indicated in the approved Master Concept Plan must be included in the homeowner documents to be reviewed during the local development order process.

c. Stop signs will be provided for vehicles exiting the eyebrow element.

d. Traffic control devices will be determined during development order review.

16. Deviation (16) seeks relief from the LDC §10-291(3) requirement that residential developments of more than five acres provide more than one means of ingress or egress, to allow for one main access on Buckingham Road and a minimum of two emergency access points. This deviation is APPROVED, SUBJECT TO the following conditions:

a. No walls, fences or entrance gates may be constructed within the access point area per the approved Master Concept Plan.

b. All utilities along the entrance from Buckingham Road as shown on the approved Master Concept Plan must be placed underground.

c. The local development order must depict a 70-foot-wide divided entrance on Buckingham Road that must include a 14-foot-wide median with two 11-foot-wide lanes on both sides of the median for ingress and egress in accordance with the primary corridor typical shown on the approved Master Concept Plan.

d. The local development orders must include emergency access gates to be constructed on two emergency access points as shown on the approved Master Concept Plan.

e. The installation of any access gates must comply with all applicable regulations pertaining to emergency equipment that are in effect at the time of installation.

f. Prior to issuance of a development order, the developer must provide written documentation from the Fort Myers Shores Fire Department indicating that these access points are acceptable and provide adequate access for emergency vehicles.

g. If the emergency access point located near the southeast corner of Phase 2, into Hawks Haven is not available at time of local development order submittal for that phase of work, then the emergency access must connect to the Lehigh Acres roadway system through the existing platted roadway easement. This will require a culvert across the east-west canal lying south of Phase 2 of Portico RPD. Such a change can be approved administratively.

17. Deviation (17) seeks relief from the LDC §10-416(d)(6) requirement that roadways must be set back 125 feet from any existing residential development or provide a 30-foot-wide buffer consisting of an 8-foot-high wall constructed a minimum of 25 feet from the residential property line with landscaping planted between the wall and the residential property line, to allow an 8-foot-high wall a minimum of 10 feet from the residential property line with

landscaping planted between the wall and the residential property line. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: Legal description of the property
Exhibit B: Bona fide Agricultural Uses
Exhibit C: Zoning Map (subject parcel identified with shading)
Exhibit D: The approved Master Concept Plan

The applicant has indicated that the STRAP numbers for the subject property are: 33-43-26-00-00002.0000, 33-43-26-00-00002.0020, 33-43-26-00-00002.0030, and 34-43-26-00-00001.0000.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

   b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

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

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

DULY PASSED AND ADOPTED this 21ST day of March 2005.

ATTEST:
CHARLIE GREEN, CLERK

BY: Lisa S. Pierce
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

Dawn E. Perry-Lehnert
County Attorney's Office

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY, FLORIDA

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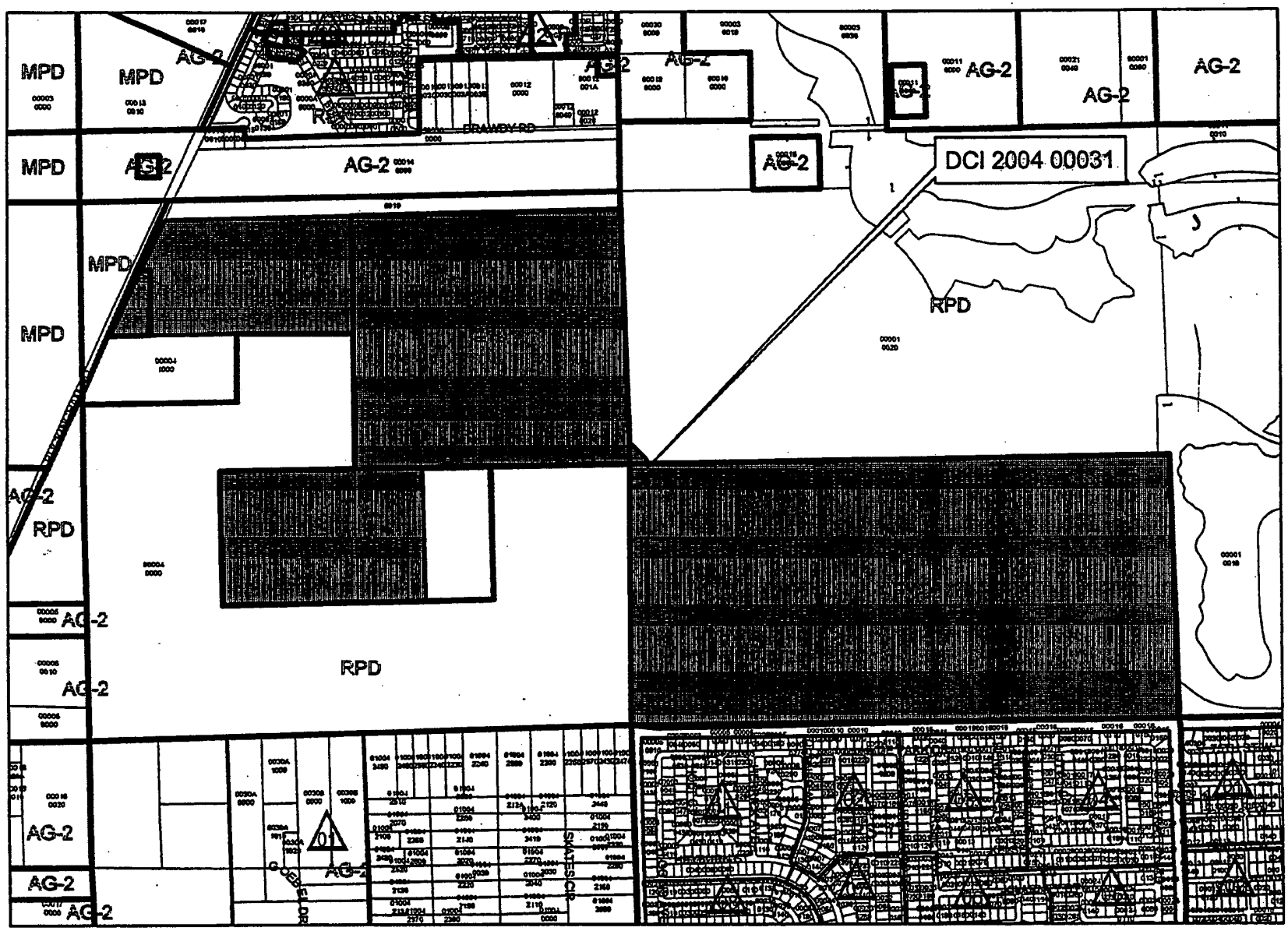
MINUTES OFFICE
2005 MAY 10 PM 3:44

DCI2004-00031 PORTICO RPD

10/12/2004

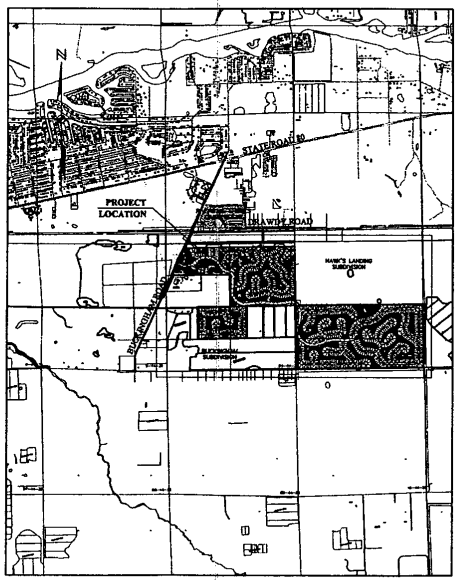


1,500 750 0 1,500 Feet

EXHIBIT C

MASTER CONCEPT PLAN
FOR
PORTICO

DCI 2004-00031



OWNER

TAYLOR WOODROW, INC.

STRAP NUMBER

33-43-26-00-00002.0000
33-43-26-00-00002.0020
33-43-26-00-00002.0030
34-43-26-00-00001.0000

SIZE OF PARCEL

589.15± ACRES

ZONING

EXISTING AG-2
REQUESTING RPD

PROPERTY ADDRESS

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER (AREA LOCATION MAP)
2	MASTER CONCEPT PLAN
3	MASTER CONCEPT PLAN PHASE ONE A
4	MASTER CONCEPT PLAN PHASE ONE B
5	MASTER CONCEPT PLAN PHASE TWO
6	MASTER CONCEPT PLAN PHASE THREE
7	PRELIMINARY AMENITY CENTER SITE
8	MASTER CONCEPT NOTES
9	TOPOGRAPHY MAP

SECTION 28, 33 & 34, TOWNSHIP 43 S., RANGE 26 E.
LEE COUNTY, FLORIDA

APRIL, 2005

LOCATION MAP

0 2000 4000
SCALE IN FEET

APPROVED
Master Concept Plan
Site Plan # 04-080 Page 1 of 8
Subject to conditions in Resolution Z-04-080
Case # DCI2004-00031

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DCI 2004-00031

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

SHEET 1

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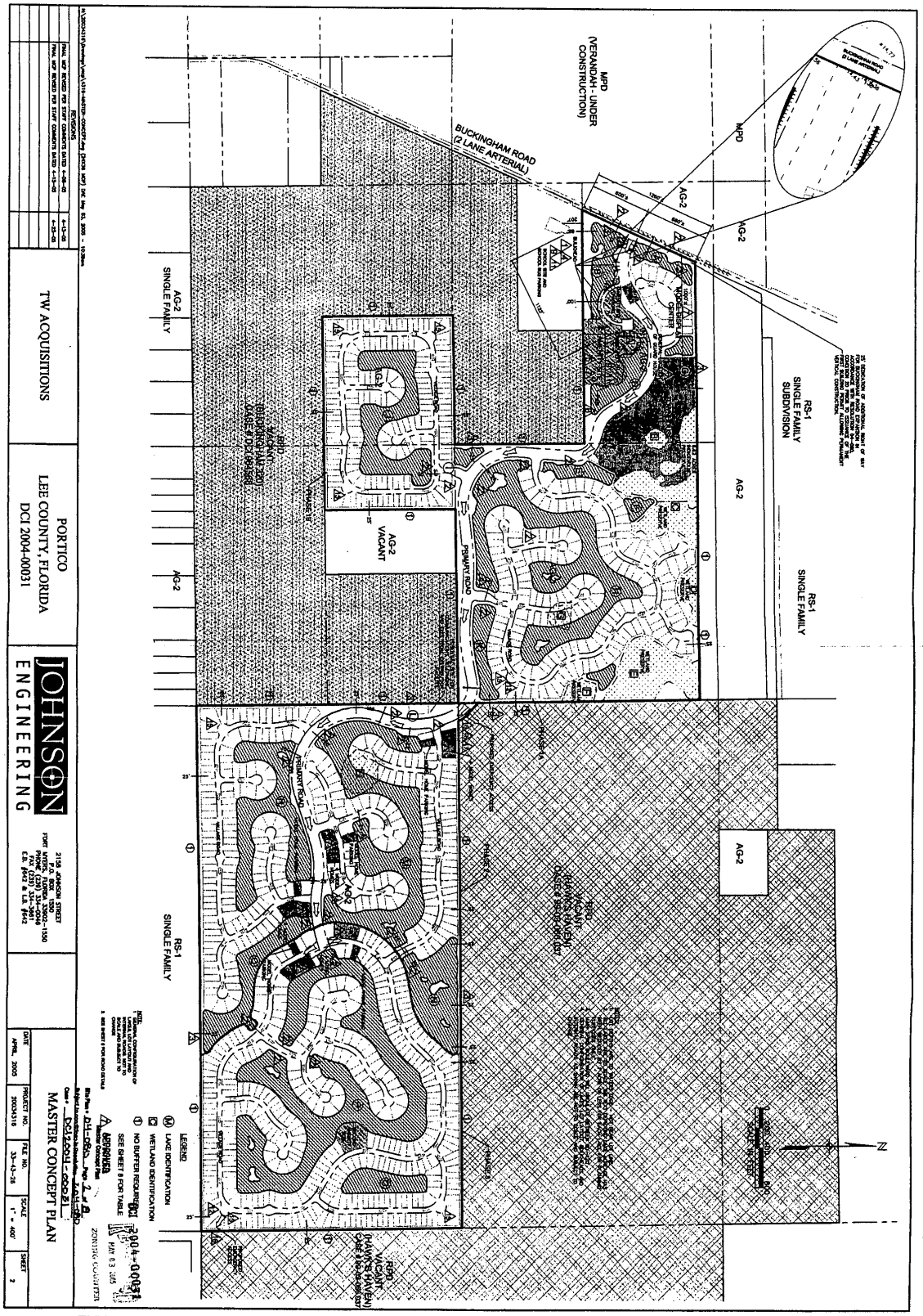
ATTACHMENT L

EXHIBIT D

ATTACHMENT L



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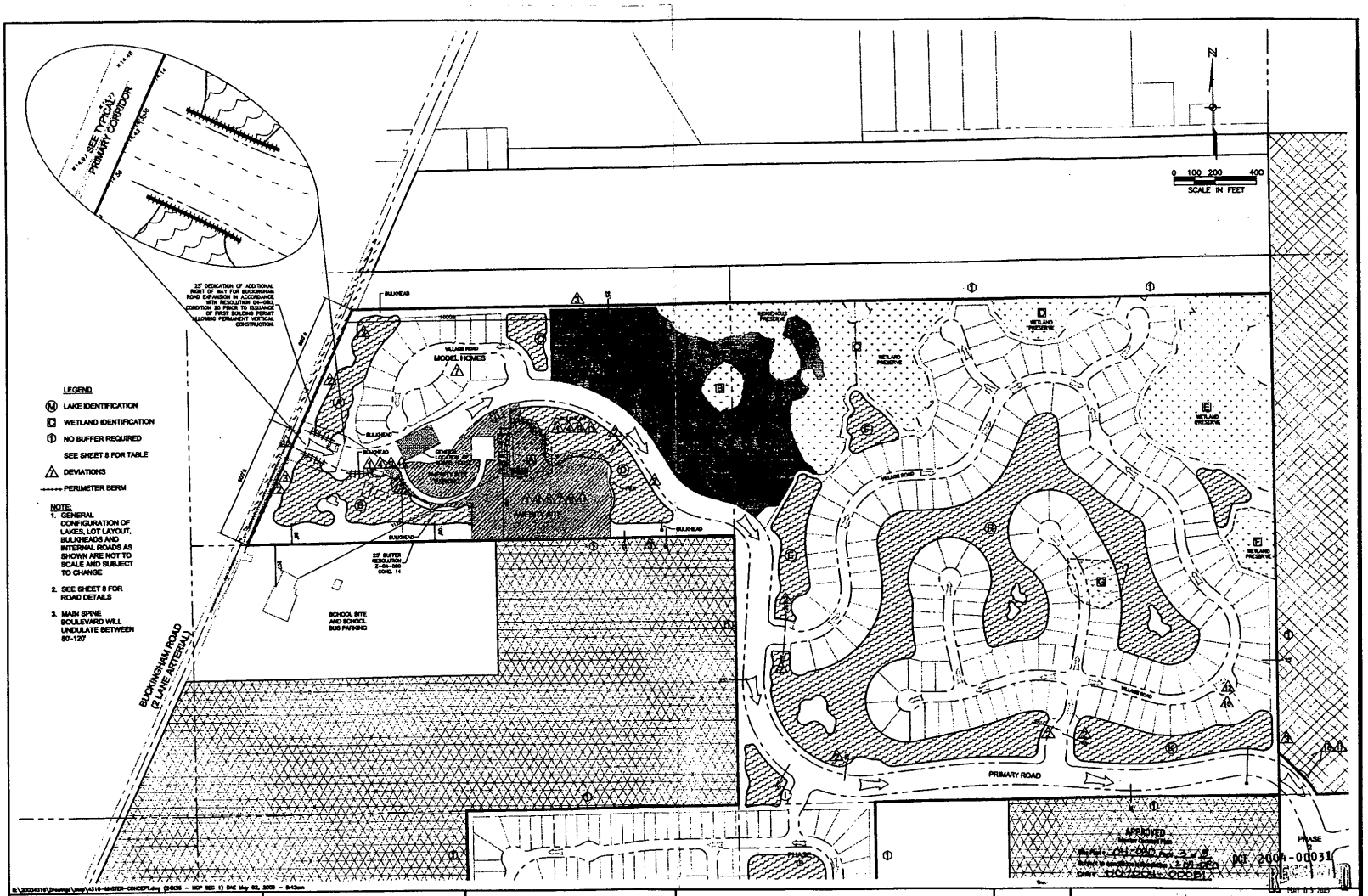

REVISIONS		
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	FINAL MCP REVISED PER STAFF COMMENTS DATED 4-18-08	4-29-08

TW ACQUISITIONS

PORTICO
LEE COUNTY, FLORIDA
DCI 2004-00031

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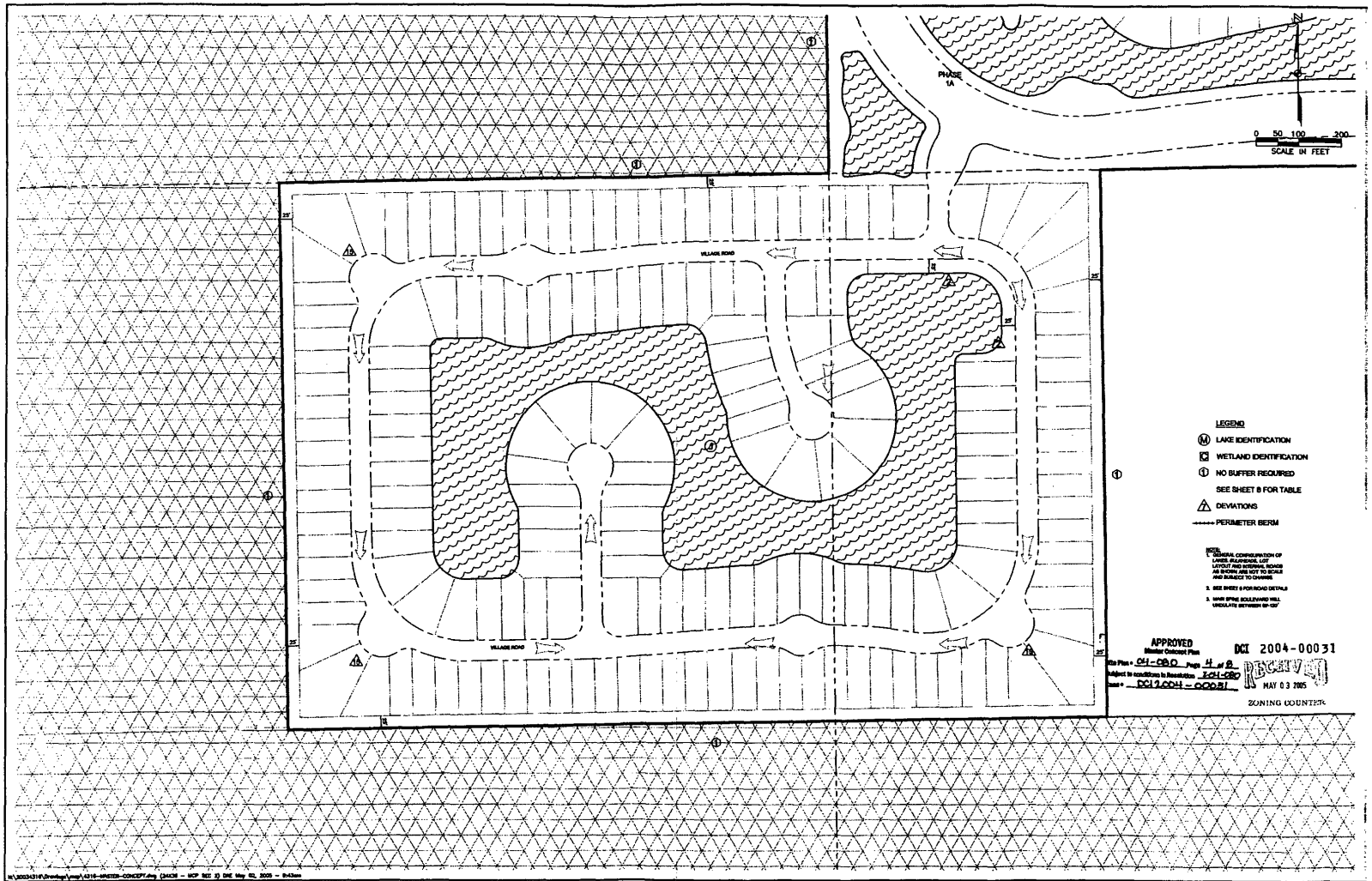
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

MASTER CONCEPT PLAN
PHASE ONE A

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL, 2008	20034316	33-43-28	AS SHOWN	3

EXHIBIT D



REVISIONS	
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FINAL MCP REVISED PER STAFF COMMENTS DATED 4-18-05	4-25-05

TW ACQUISITIONS

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LEE COUNTY, FLORIDA
DCI 2004-00031

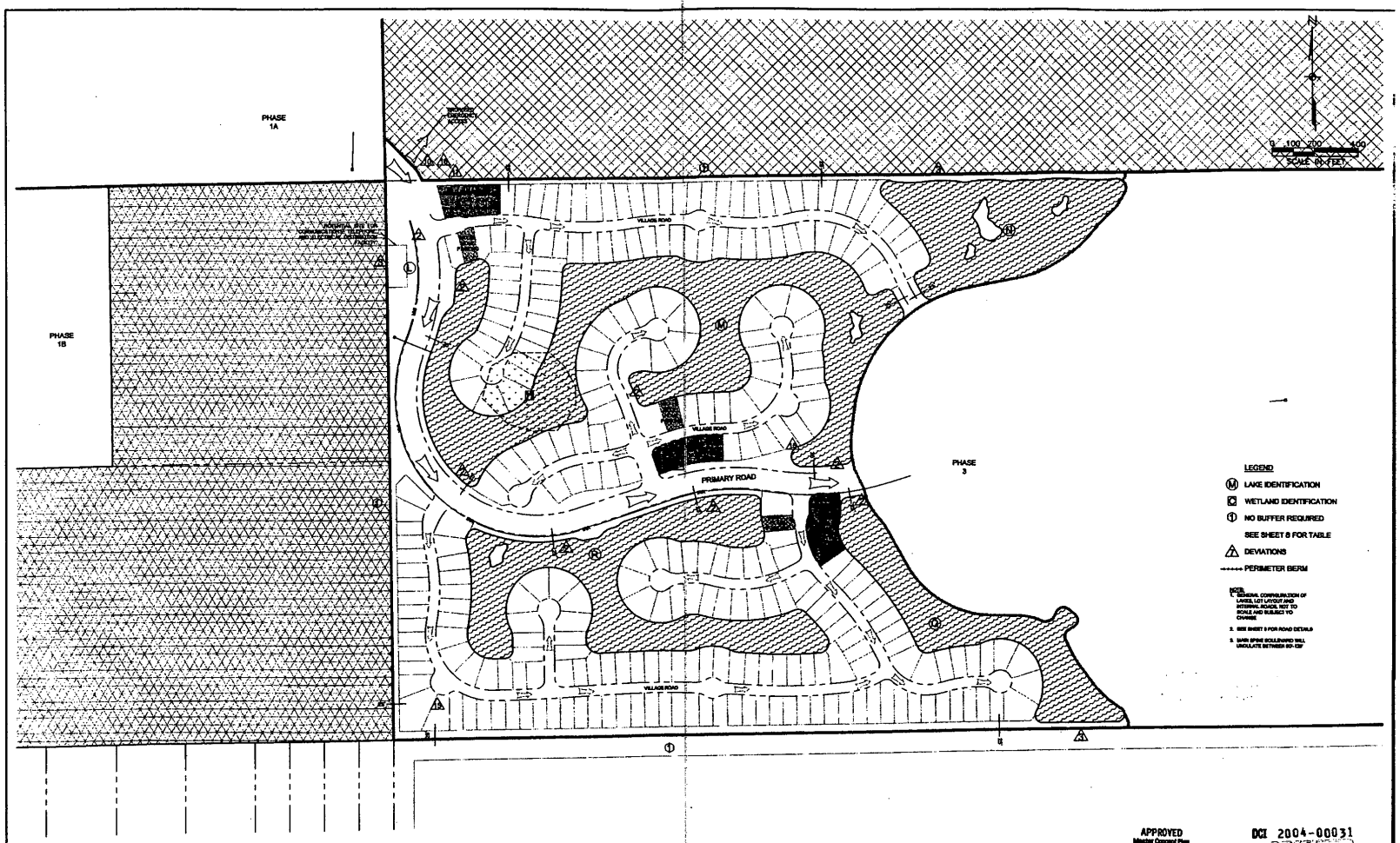
JOHNSON ENGINEERING

3158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

MASTER CONCEPT PLAN
PHASE ONE B

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL, 2005	20034316	33-43-26	1" = 100'	4

EXHIBIT D



APPROVED
Master Concept Plan
Site Plan # CH-080 Page 5 of 8
Subject to conditions in Resolution Z-04-080
Case # DCI2004-00031

DCI 2004-00031
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EXHIBIT D

REVISIONS		
	FINAL MCP REVISED PER STAFF COMMENTS DATED 4-08-05	4-13-05
	FINAL MCP REVISED PER STAFF COMMENTS DATED 4-19-05	4-25-05

TW ACQUISITIONS

PORTICO
LEE COUNTY, FLORIDA
DCI 2004-00031

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

MASTER CONCEPT PLAN
PHASE TWO

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
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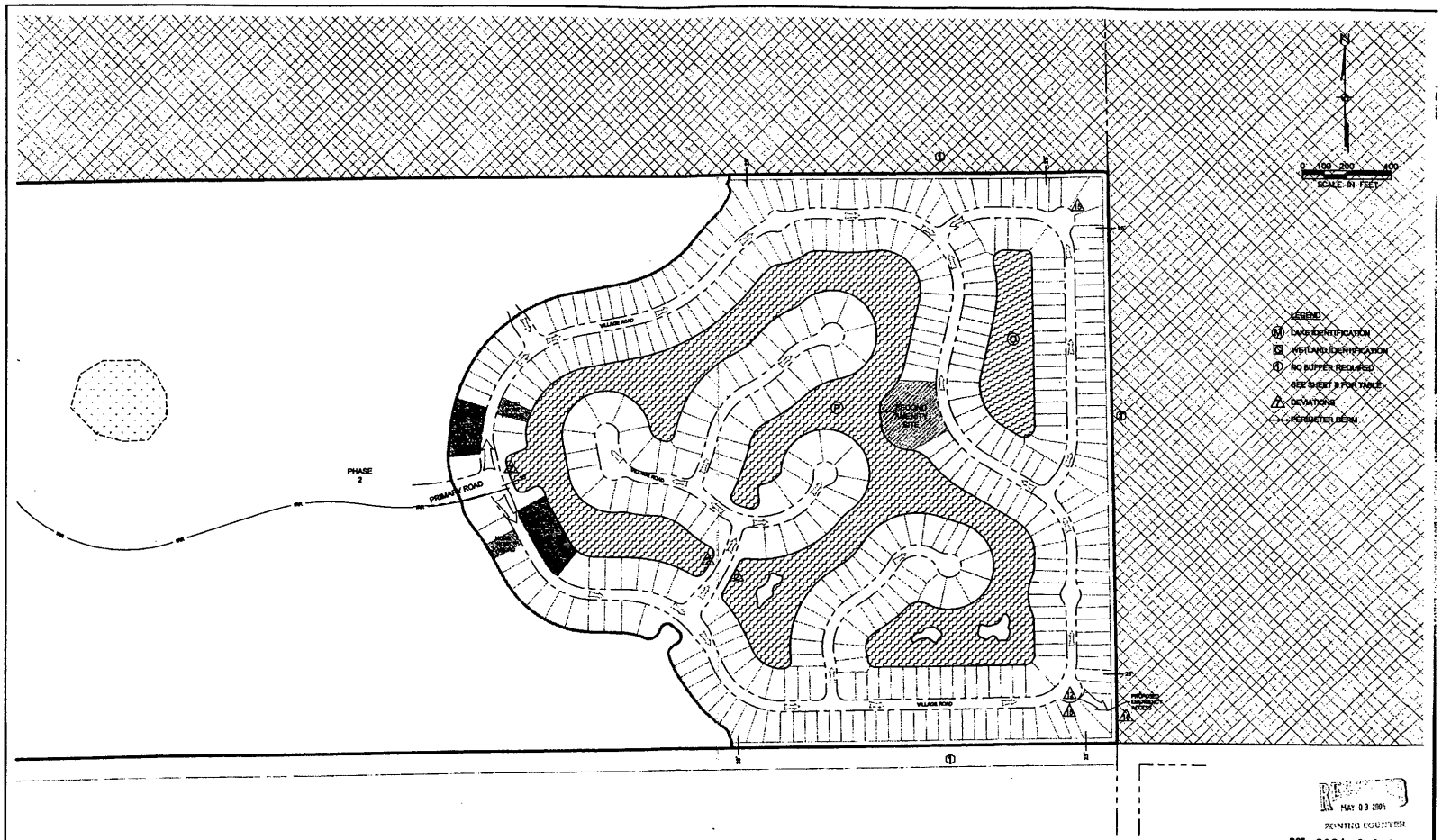

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MAY 03 2005
ZONING COUNTER

DCI 2004-00031

APPROVED
Master Concept Plan
Site Plan # 04-080 Page 16 of 18
Subject to conditions in Resolution Z-04-080
Case # DCI2004-00031

NOTES:
1. GENERAL CONFIGURATION OF LAKES, LOT LAYOUT AND ROADWAY ALIGNMENTS NOT TO SCALE AND SUBJECT TO CHANGE.
2. SEE SHEET 9 FOR ROAD DETAILS
3. MAIN SPINE BOULEVARD WILL UNDULATE BETWEEN 80-120'

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REVISIONS		
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TW ACQUISITIONS

PORTICO
LEE COUNTY, FLORIDA
DCI 2004-00031

JOHNSON ENGINEERING
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

MASTER CONCEPT PLAN
PHASE THREE

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
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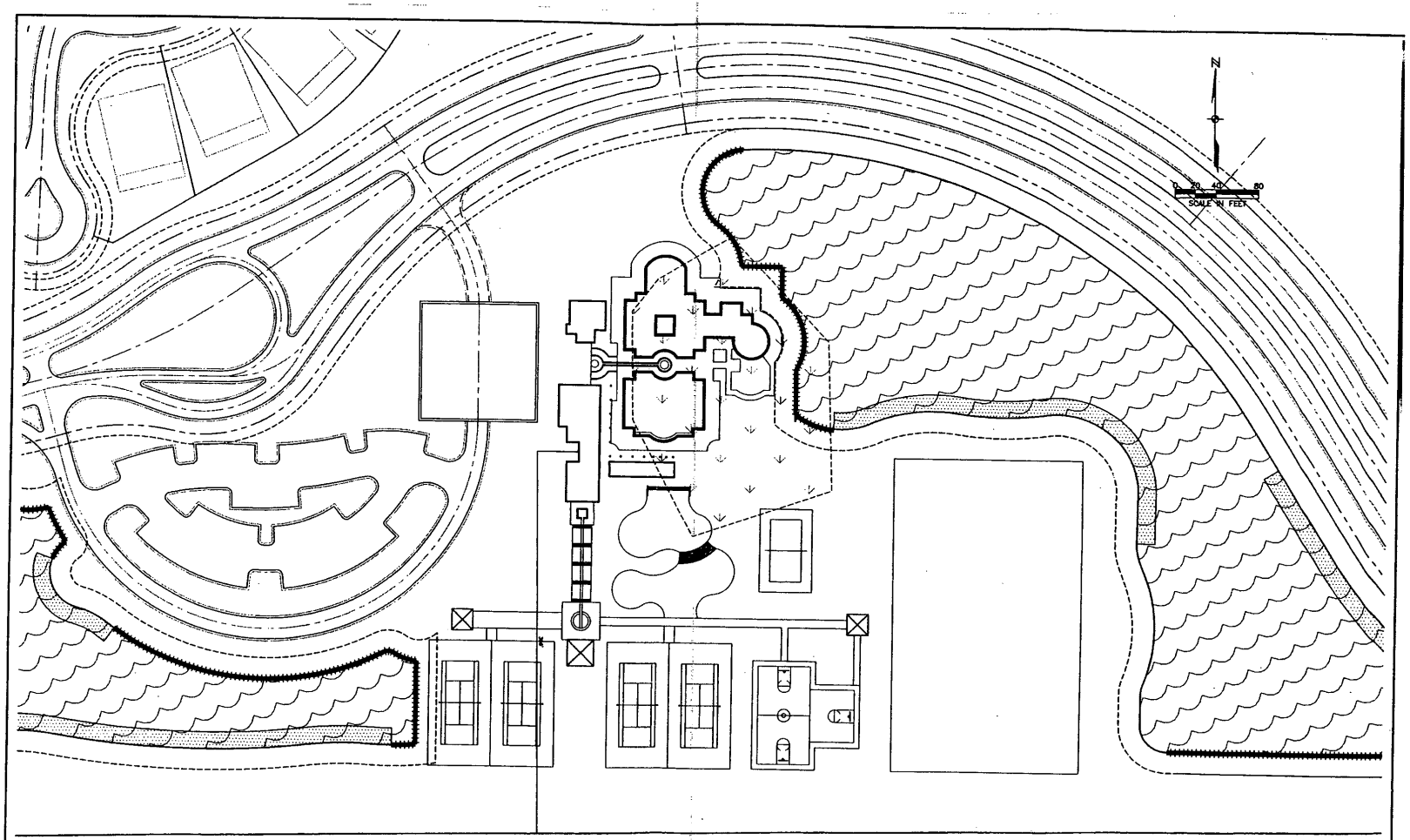
EXHIBIT D



DCI 2004-00031

PRELIMINARY AMENITY CENTER SITE
(SUBJECT TO CHANGE)

APPROVED
Master Concept Plan
Site Plan # 04-080 Page 7 of 8
Date Last Modified Prior to Resolution 2-04-080
Case # DCI2004-00031

RECEIVED
MAY 03 2005
ZONING DIVISION

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REVISIONS		
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	FINAL MCP REVISED PER STAFF COMMENTS DATED 4-18-05	4-28-05

TW ACQUISITIONS

PORTICO
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1500
FORT MYERS, FLORIDA 33902-1500
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

PRELIMINARY AMENITY CENTER SITE

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL, 2005	20034316	33-43-26	1" = 40'	7

EXHIBIT D

	Land Use	Acres	Units
Section 1	Lakes & Wetlands	36.39	–
	Single Family Residential	116.02	386
	Townhouse	15.00	120
Section 2	Lakes	12.72	–
	Single Family Residential	99.39	300
Section 3	Lakes	36.89	–
	Single Family Residential	166.32	282
Grey Areas, non-developed upland, etc.		225.61	–
Total		708.13	1,178

Note: All acreage is approximate

OPEN SPACE TABLE

Open Space Required

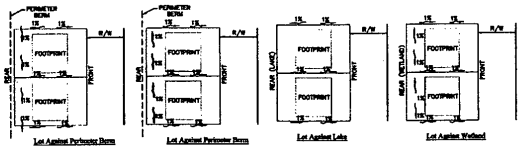
Single Family: No minimum open space required for large projects containing lots having a minimum lot size of 6,500 square feet. The minimum lot size for a single family residential unit provided in this development is 6,500 square feet (Section 10-416(c), LDC).

Townhouse:

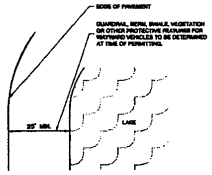
Total Site Area: 25.06+/- acres x 40% = 10.024+/- acres

Open Space Provided

Developable Area of 19.04 x 15% — 2.856+/- acres
On-site preservation of existing indigenous vegetation — 7.2244- acres
Total open space provided — 10.024+/- acres



TYPICAL LOT GRADING N.T.S



DEVIATION TYPICAL SECTION △1 N.T.S

Lake & Wetland Table

Lakes		Wetlands	
A	= 3.80 Acres ±	C	= 11.38 Acres ±
B	= 3.84 Acres ±	D	= 1.88 Acres ±
C	= 6.83 Acres ±	E	= 9.33 Acres ±
D	= 3.23 Acres ±	F	= 1.43 Acres ±
E	= 2.06 Acres ±		
F	= 1.61 Acres ±		
G	= 8.99 Acres ±		
H	= 21.89 Acres ±		
I	= 8.86 Acres ±		
J	= 16.82 Acres ±		
K	= 3.43 Acres ±		
L	= 1.51 Acres ±		
M	= 20.69 Acres ±		
N	= 9.36 Acres ±		
O	= 1.90 Acres ±		
P	= 23.25 Acres ±		
Q	= 7.49 Acres ±		
R	= 12.41 Acres ±		
Lake TOTAL	140.06 Acres	Wetland TOTAL	23.99 Acres

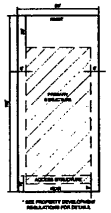
Note: All lakes & wetland acreage is approximate

Master Phasing Plan (Section 10-171, LDC)

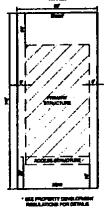
Phase	Build-Out Year
1	2007
2	2008
3	2009

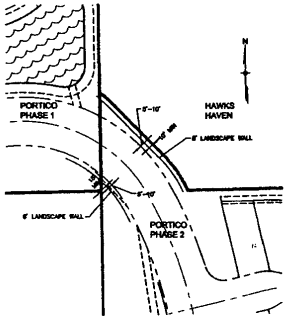
Note: The townhouse product will be constructed in either phase 1 or 2 depending upon market conditions.

SINGLE FAMILY TYPICAL LOT N.T.S.

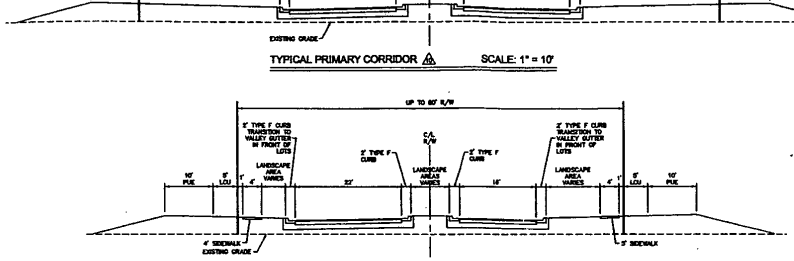


SINGLE FAMILY-WATER FRONT TYPICAL LOT N.T.S.



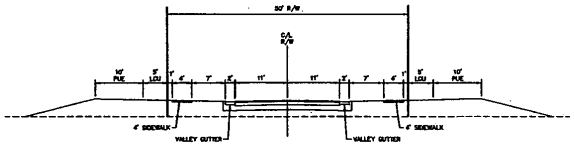


PINCH POINT DETAIL N.T.S

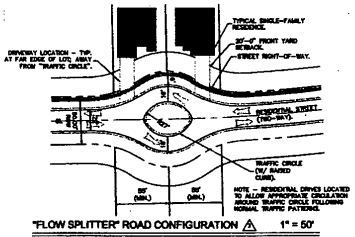


TYPICAL PRIMARY CORRIDOR △2 SCALE: 1" = 10'

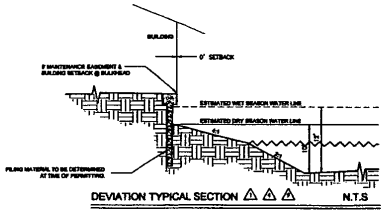
TYPICAL VILLAGE ENTRY △3 SCALE: 1" = 10'



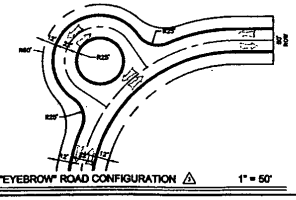
TYPICAL VILLAGE ROAD △4 SCALE: 1" = 10'



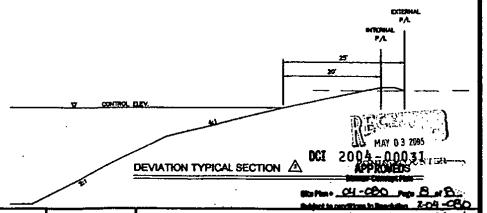
"FLOW SPLITTER" ROAD CONFIGURATION △5 1" = 50'



DEVIATION TYPICAL SECTION △6 △7 △8 N.T.S



"EYEBROW" ROAD CONFIGURATION △9 1" = 50'



DEVIATION TYPICAL SECTION △10 N.T.S

RECEIVED MAY 03 2005

DCI 2004-00031 APPROVED

Site Plan # 04-080 Page 8 of 8
Subject to conditions in Resolution Z-04-080
Case # DCI2004-00031

REVISIONS		
	FINAL MCP REVISED PER STAFF COMMENTS DATED 4-08-05	4-13-05

TW ACQUISITIONS

PORTICO
LEE COUNTY, FLORIDA
DCI 2004-00031

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

MASTER CONCEPT NOTES

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
APRIL, 2005	20034316	33-45-28	AS SHOWN	8

EXHIBIT D

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901 • (239) 334-1102 • TTD/TTY (239) 335-1512

ELINOR C. SCRICCA, PH.D.
CHAIRMAN • DISTRICT 5

ROBERT D. CHILMONIK
VICE CHAIRMAN • DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

STEVEN K. TEUBER
DISTRICT 4

JAMES W. BROWDER, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

May 27, 2005

Mr. Tony Palermo
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

Re: River Hall (F.K.A. Hawks Haven) RPD, DCI Substantive Review, Case #DCI2004-00054

Dear Mr. Tony Palermo:

Thank you for the opportunity to review Hawks Haven RPD for substantive comments with regard to educational impacts. This proposed development is in the East Choice Zone of the District, on State Road 80 in the East Fort Myers Planning Area. This letter is in response to your request dated February 25, 2005.

Based on the current proposed maximum total of 1647 single family residential dwelling units and 368 multifamily units the Lee County School District is estimating that the proposal could generate up to 620 additional school aged children. This uses a generation rate of .352 per unit for single family residential dwelling units and 0.109 per multifamily residential units generated in the East choice zone. This would create the need for approximately twenty-five new classrooms in the system, as well as additional staff and core facilities. **An additional 1000 single family dwelling units would add 352 students and 15 new class rooms.** Using the new small classroom legislative guidelines, additional classrooms may be generated.

Based on the impact of this project to the school system, the School District of Lee County is requesting donation of land suitable for a school site, either within the project itself or within the same Choice Zone. Also, please note that the School District of Lee County owns property within this project, and joined in the application only on the condition that the developer will mitigate the need for new student stations caused by the new housing units added through this application by provision of a school site or payment of appropriate school impact fees. The Lee County Board of County Commissioners adopted a School Impact Fee Ordinance on November 27, 2001, effective at this time. As such, the Hawks Haven RPD developers will be expected to pay the impact fee at the appropriate time if a school site is not donated. The joining of the application by the School District of Lee County does not relieve the developer of the obligation to mitigate the need for new student stations.

ATTACHMENT M

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239) 335-1415.

Sincerely,

Tina Silcox, Community Development Planner
Planning Department

cc: William G. Moore, Jr.
Executive Director, School Support

ATTACHMENT M

STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: **May 17, 2005**

To: **Tony Palermo, Senior Planner**
From: **Kim Trebatoski, Principal Environmental Planner**
Phone: (239) 479-8183
E-mail: trebatkm@leegov.com

Project: **River Hall RPD/CPD fka Hawks Haven RPD**
Case: **DCI2004-00054**
STRAP: **25-43-26-00-00121.0000**

The Division of Environmental Sciences (ES) staff have reviewed the proposed changes and the 177.5 acre addition to the Hawks Haven RPD which is now known as River Hall RPD/CPD. The analysis of the site was included in the Hawks Haven ES staff report dated July 27, 1999, and the subsequent administrative amendment ES staff report dated May 19, 2004. The additional lands mainly contain improved pasture. Sandhill cranes and burrowing owls were observed within 140 and 7.5 acre additions. No Lee County listed species were located on the 30 acre addition. ES staff recommend the following conditions of approval:

The "American Alligator Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19, 1999 is hereby adopted. Prior to local development order approval, the location of the American alligator management plan signage must be delineated on the development order plans for Division of Environmental Sciences review and approval. The warning signs must be placed where there is potential for human/alligator interaction. These signs must discourage the feeding or harassment of alligators.

The "Gopher Tortoise Management Plan" provided as part of the "Protected Species Management Plan For Shulman Parcel" counter stamped May 19, 1999 is hereby adopted. Any revisions to the tortoise management plan are subject to Division of Environmental Sciences review and approval.

The "Florida Burrowing Owl Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19, 1999 must be revised for Division of Environmental Sciences staff review and approval at the time of local development order submittal. The plan must either commit to preserving the existing burrowing owl burrows in place with a buffer per Land Development Code Appendix H, or commit to a detailed relocation management plan. Should the applicant demonstrate it is necessary to impact the burrows, the management proposal must provide details about where appropriate replacement habitat for the owls will be provided, how the owls will be attracted to this area, and how it will be protected during construction activities on the site.

ATTACHMENT N

A detailed scrub jay management plan must be provided to the Division of Environmental Sciences for review and approval at the time of local development order submittal. This plan must follow the general guidelines of the "Florida Scrub Jay Management Plan" provided as part of the "Protected Species Management Plan For Schulman Parcel" counter stamped May 19, 1999. The finalized scrub jay management plan must be approved by the Florida Fish and Wildlife Conservation Commission (FWC) prior to local development order approval.

A detailed sandhill crane management plan must be provided to the Division of Environmental Sciences for review and approval at the time of local development order submittal.

Open space must be provided per the Master Concept Plan. All individual tracts must provide a minimum of ten percent open space within the tract and may be met with private open space.

A minimum of 463 acres of indigenous preservation areas must be provided in substantial compliance with the Master Concept Plan. The preserves must be delineated on the local development order plans when they are within or adjacent to the development phase or tract being developed.

All indigenous preservation areas must be barricaded to exclude cattle grazing within 60 days of approval of the planned development by the Board of County Commissioners.

Prior to local development order approval, any residential units on individual lots that abut a preserve must delineate a preserve boundary sign location at every other lot line and provide a detail of the sign for the Division of Environmental Sciences staff review and approval.

Every effort must be made in the final design of the golf course and residential tracts to preserve large native trees. An onsite preconstruction meeting must be held with Division of Environmental Sciences staff prior to the issuance of a vegetation removal permit for any phase of development to confirm preservation and barricading requirements prior to the initiation of site clearing.

Deviations 3 & 4:
The applicant is requesting deviations from LDC Section 10-329(d)(4) and Section 34-2194(b). However, neither request states what the applicant wishes to provide in lieu of the LDC requirements. There is inadequate information for ES staff to recommend approval, therefore, ES staff recommend DENIAL of Deviations 3 and 4.

ATTACHMENT N

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: May 31, 2005

TO: Tony Palermo
Senior Planner

FROM: Robert G. Rentz, P.E.
Development Review Engineer

RE: **River Hall (f.k.a. Hawks Haven)**
Case No. DCI2004-00054

The proposed project is located south of S.R.80, east of Buckingham Rd. Based on the ITE Trip Generation Report 7th Edition the project will generate 1,475 net new external trips in the peak hour. The anticipated build out year is 2009.

Based on the 2003 Traffic Count Report, the link specific service volumes, and the 2003/2004 - 2004/2005 Concurrency Management Report, in 2010 *Bayshore Rd. west of S.R.31* will operate at level of service (LOS) **"C"** without or with the project traffic. *Buckingham Rd. south of S.R.80* will operate at LOS **"D"** without or with the project. *S.R.80 east of I-75* will operate at LOS **"A"** without or with the project. *S.R.80 east of S.R.31* will operate at LOS **"B"** without the project, and LOS **"F"** with the project. *S.R.80 east of Buckingham Rd.* will operate at LOS **"A"** without the project, and LOS **"C"** with the project. *S.R.31 north of S.R.80* will operate at LOS **"C"** without the project, and LOS **"D"** with the project.

ATTACHMENT O

BGR
S:/WRITERS/RENTZRG/DCI2004-00054SUBSTANTIVETRAFFICCOMMENTS

RECEIVED
MAY 25 2005

INSTRUCTIONS
(Section C.1.c., Lee County Administrative Code AC 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen CALENDAR (15) days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Zoning Division in the following manner:

a. Signs for case **#DCI2004-00054** must be posted by **May 31, 2005.**
b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Zoning Division, and obtain duplicate copies of the sign from the Zoning Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY ZONING DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

(Return the completed Affidavit below to the Zoning Division as indicated in previous paragraph.)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED _____ WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:

Charles Robert Nelson
SIGNATURE OF APPLICANT OR AGENT

Charles Robert Nelson
NAME (TYPED OR PRINTED)

date posted: 5-26-05

ST. OR PO BOX

CITY, STATE & ZIP

#DCI2004-00054/River Hall formally known as Hawks Haven RPD/June 15, 2005 / LVV

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 26 day of May, 2005 by Robert Nelson, personally known to me or who produced _____ as identification and who did/did not take an oath.

Patricia L Schmitz
Signature of Notary Public

Patricia L Schmitz
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

PATRICIA L. SCHMITZ
Comm# DD0408673
Expires 3/25/2009
Bonded thru (800)432-4254
Florida Notary Assn., Inc

LEE COUNTY
SOUTHWEST FLORIDA

RECEIVED
MAY 2 3 2005

APPLICATION FOR PUBLIC HEARING FOR UNINCORPORATED AREAS ONLY

Applicant's Name: **Hawk's Haven Developers, L.L.C.**

Project Name: **Hawk's Haven RPD / CPD**

STRAP Number(s): **25-43-26-00-00121.0000; 26-43-26-00-00011.0000; 26-43-26-00-00011.0010**
27-43-26-00-00003.0010; 27-43-26-00-00003.0020; 27-43-26-00-00016.0000
34-43-26-00-00001.0010; 34-43-26-00-00001.0020; 36-43-26-00-00001.0000
35-43-26-00-00001.0010; 35-43-26-00-00001.0000; 35-43-26-00-00002.0000

TYPE OF APPLICATION

____ Special Exception **(attach Supplement A)**
____ Variance **(attach Supplement B)**
____ Conventional Zoning **(attach Supplement C)**
√ Planned Development (not PRFPD) **(attach Supplement D)**
____ Amendment to built Planned Development **(Supplement D may be required)**
____ Private Recreational Facilities Planned Development **(attach Supplement D)**
____ DRI - with rezoning **(attach Supplement D and completed DRI Application)**
____ DRI - without rezoning **(attach copy of ADA)**

IS THIS PROJECT LOCATED IN THE ESTERO OR CAPTIVA PLANNING COMMUNITY? ☐ Yes* ☐√ No
*If yes, please provide the meeting summary document and label accordingly.

****

STAFF USE ONLY

Case Number: DCI2004-00054 Commission District: ____

Current Zoning: ____ Fee Amount: ____

Land Use Classification: ____ Intake by: ____

Planning Community: ____

****

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 479-8585

PART 1
APPLICANT\AGENT INFORMATION

RECEIVED
MAY 2 3 2005

A. Name of applicant: **Hawk's Haven Developers, L.L.C.**

Address: Street : **2202 North West Shore Blvd., Suite 125**

City: **Tampa** State: **FL** Zip: **33607**

Phone: Area Code: **813** Number: **207-0138** Ext: **210**

Fax: Area Code: **813** Number: **207-0139**

E-mail address: **jpharvey@landmargroup.com**

B. Relationship of Applicant to owner (check one):

_____ Applicant (individual or husband & wife) is the sole owner of the property. [34-201(a)(1)a.1.]

√ Applicant has been authorized by the owner(s) to represent them for this action.

√ **Notarized Affidavit of Authorization form** is attached as **Exhibit PH-1.B.2.** [34-202(b)(1)c.]

_____ Applicant is a contract purchaser/vendee. [34-202(b)(1)d.]

_____ **Notarized Affidavit of Authorization form** is attached as **Exhibit PH-1.B.2.** [34-202(b)(1)c.]

_____ Application is County initiated. BOCC authorization is attached as **Exhibit PH-1.B.3**

C. Authorized Agent: Name of the person who is to receive all county-initiated correspondence regarding this application. [34-202(b)(1)c.]

C.1. Company Name: **Knott, Consoer, Ebelini, Hart & Swett, P.A.**

Contact Person: **Matthew D. Uhle, Esq.**

Address: Street : **1625 Hendry Street, Suite 301**

City: **Fort Myers** State: **FL** Zip: **33901**

Phone: Area Code: **239** Number: **334-2722** Ext:

Fax: Area Code: **239** Number: **334-1446**

E-mail address: **muhle@knott-law.com**

C.2. na **Additional Agent(s): The names of other agents that the county may contact concerning this application are attached as Exhibit PH-1.C.2.** [34-202(b)(1)c.]

DCI2004-00054

PART 2
PROPERTY OWNERSHIP

RECEIVED
MAY 2 3 2005

A. Property Ownership: Single owner (individual or husband & wife only) [34-201(a)(1)a.1.]

A.1. Name: _____

Mailing Address: Street: _____

City: _____ State: _____ Zip: _____

Phone: Area Code: _____ Number: _____ Ext: _____

Fax: Area Code: _____ Number: _____

E-mail: _____

B. Property Ownership: Multiple owners (Corporation, partnership, trust, association) [34-201(a)(1)].

B.1. √ **Disclosure Form** is attached as **Exhibit PH-2.B.1.** [34-201(b)2]

C. Multiple parcels

C.1. √ **Property owners list** is attached as **Exhibit PH-2.C.1.** [34-202(a)(5)]

C.2. √ **Property owners map** is attached as **Exhibit PH-2.C.2.** [34-202(a)(5)]

D. Date property was acquired by present owner(s):

Hawk's Haven Developers	**June 1/04**
School District of Lee County	**June 2/04**
Levitt and Sons at Hawk's Haven	**June 3/04**

PART 3
PROPERTY INFORMATION

A. STRAP Number(s):

25-43-26-00-00121.0000;	**26-43-26-00-00011.0010;**
26-43-26-00-00011.0000;	**27-43-26-00-00003.0010;**
27-43-26-00-00003.0020;	**34-43-26-00-00001.0010;**
27-43-26-00-00016.0000;	**34-43-26-00-00001.0020;**
36-43-26-00-00001.0000;	**35-43-26-00-00001.0000;**
35-43-26-00-00001.0010;	**35-43-26-00-00002.0000;**

B. Street Address of Property: **See attached Exhibit "A"**

C. Legal Description

√ **Legal description** (on 8 1/2" by 11" paper) is attached as **Exhibit PH-3.C.1.** [34-202(a)(1)]

_____ **Electronic version of the legal description** is attached as **Exhibit PH-3.C.2.**

D. Boundary Survey or certified sketch of description: (check appropriate response)

_____ The property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. A copy of the applicable plat book page is attached as **Exhibit PH-3.D.1.** [34-202(a)(2)]

_____ The request is for a conventional rezoning, special exception, or variance on a parcel less than ten acres in area. Attached is a (check one) _____ Certified sketch of description attached as **Exhibit PH-3.D.2.** or a _____ Boundary survey attached as **Exhibit PH-3.D.2.** [34-202(a)(2)]

√**see 6-A** The request is for a Planned Development or consists of ten or more acres. A Boundary survey, tied to the state plane coordinate system, is attached as **Exhibit PH-3.D.3.** [34-202(a)(2)]

DCT 2004-00054

RECEIVED
MAY 2 3 2005

E. **Planning Community:** **Fort Myers Shores**

F. **General Location of Property:**

F.1. √ **Area location map** is attached as **Exhibit PH-3.F.** [34-202(a)(4)]

F.2. **Directions to property:** **Go east on SR80, turn right on Hickey Creek. Continue for approximately 2 miles.**

G. **Surrounding property owners:**

G.1. √ **List of surrounding property owners** is attached as **Exhibit PH.3.G.1.** [34-202(a)(6)]

G.2. √ **Map of surrounding property owners** is attached as **Exhibit PH.3.G.2.** [34-202(a)(7)]

G.3 √ **2 sets of mailing labels** are attached as **Exhibit PH.3.G.3.** [34-202(a)(6)]

H. **Current Zoning of Property:**

RPD	25-43-26-00-00121.0000;	26-43-26-00-00011.0000
	26-43-26-00-00011.0010;	27-43-26-00-00003.0010
	27-43-26-00-00003.0020;	34-43-26-00-00001.0010
	34-43-26-00-00001.0020;	36-43-26-00-00001.0000
	35-43-26-00-00001.0010;	35-43-26-00-00001.0000
AG-2	27-43-26-00-00016.0000;	35-43-26-00-00002.0000

I. **Current use of property:**

√ **Current Non-agricultural uses of the property are:** **Vacant residential**

√ **Current Agricultural uses on the property** are shown in **Exhibit PH-3.I.** [34-202(b)(7)]

J. **Land Use Classification:**

Suburban	**79.47**	Acres **4.09**	**% of total**
Rural - Uplands	**1,647.55**	Acres **83.23**	**% of total**
Rural - Wetlands	**251.42**	Acres **12.68**	**% of total**
		Acres	**% of total**

K. **Flood Hazard** (write NA if not applicable) [34-202(a)(8)]

No The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.

na The minimum elevation required for the first habitable floor is _____ NGVD (MSL)

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L. Deed Restrictions

L.1. √ There are no deed restrictions or other covenants on this property that affect this request.

L.2. na Deed restrictions\ covenants that may affect this request are attached as **Exhibit PH-3.L .2.**

L.3. na A narrative explanation as to how the deed restrictions or covenants may affect this request. is attached as **Exhibit PH-3.L.3** [34-202(b)(2)]

M. Property Dimensions [34-202(a)(8)]

1. Width (average if irregular parcel): **irregular parcel** Feet
2. Depth (average if irregular parcel): **irregular parcel** Feet
3. Total area: **1,978.44 acres** Acres or square feet
4. Frontage on road or street: **2,020.27** Feet on **SR 80** ~~Street~~

   2nd Frontage on road or street: _____ Feet on _____ Street

PART 4
ACTION REQUESTED

A. Action Requested: [check applicable action(s)]

____ **Special Exception** for _____ **Attached is Supplement A**

____ **Variance** for _____ **Attached is Supplement B**

____ **Conventional Rezoning from:** _____ **to** _____ **Attached is Sup. C**

√ **Planned Development rezoning** from **AG-2** **to** **RPD and CPD**

√ DCI - Major: **Attached is Supplement D**

____ DCI - Minor: **Attached is Supplement D**

____ Request is for PRFPD zoning in the Private Recreational Facilities Overlay Area. **Attached is Supplement D**

√ **Planned Development Amendment. Attached is the Supplement D**

____ **Public Hearing for DRI**

____ No rezoning is required.

____ Rezoning is required. **Attached is the Supplement D**

B. Excavations:

√ No blasting will be used in the excavation of lakes or other site elements.

____ A map indicating the general location of the proposed blasting locations is attached as **Exhibit PH-4.B** [34-202(b)(6)]

C. Bonus Density (put NA if not applicable)

na Bonus density will be used. Attached is **Exhibit PH-4.C** showing calculations. [34-202(b)(5)]

D. Hazardous materials (put NA if not applicable)

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na A Hazardous materials emergency plan is attached as **Exhibit PH-4.D** [34-202(b)(4)]

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E. **Mobile Home Park** (put NA if not applicable)

na Request includes rezoning of a Mobile Home Park. **Attached is Exhibit PH-4.E** [34-203(d)]

F. **Aviation Hazard** (put NA if not applicable)

na Property is subject to Airport Hazard District regulations. **Attached is Exhibit PH-4.F** [34-1001 et seq]

na A tall structures permit will be required.

na Property is located within Noise zone: _____

G. **Estero Planning Community** (put NA if not applicable)

na A summary of public informational session. **Attached is Exhibit PH-4.G** [34-373(a)(10)]

H. **Captiva Planning Community** (put NA if not applicable)

na A summary of public informational session. **Attached is Exhibit PH-4.H** [Lee Plan Policy 21.7]

I. **Waivers from Application Submission Requirements**: The following waivers have been approved by the Director of Zoning Services and are attached as **Exhibit PH-4.I** [Section 34-202(a)]

Section Number	Name of item
na	

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PART 6
SUBMITTAL REQUIREMENTS

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THE NUMBER OF COPIES REQUIRED FOR EACH EXHIBIT IS BASED ON THE ACTION REQUESTED AS INDICATED BELOW. TO BE SUBMITTED FOR EACH OF THE FOLLOWING EXHIBITS IS AS FOLLOWS:

			Exhibits	SUBMITTAL ITEMS
Var.	Conv. Rez. or Spe. Exc.	**PDs & DRIs**		
1	1	**12**		Completed application for Public Hearing [34-201(b)]
1	1	**1**		Filing Fee - [34-202(a)(9)]
				SUPPLEMENTAL FORMS (select applicable form)
0	1	0	SUP A	Special Exception supplement
1	0	0	SUP B	Variance supplement
0	1	0	SUP C	Conventional rezoning
0	0	**12**	**SUP D**	**Planned Development Rezoning or DRI with PD Rezoning requested**
0	0	12	SUP-D	Planned Development Amendment
0	0	12	SUP D	PRFPD in in Overlay Area Rezoning supplement
0	0	12	ADA	DRI no rezoning requested
				EXHIBITS
1	1	**3**	**PH-1.B.2**	**Notarized Affidavit of Authorization Form [34-202(b)(1)c]**
1	1	1	PH-1.B.3	BOCC authorization (if applicable)
1	1	12	PH-1.C.2	Additional agents
1	1	**3**	**PH-2.B.1.**	**Disclosure Form [34-201(b)(2)a]**
1	1	**2**	**PH-2.C.1**	**Subject property owners list (if applicable) [34-202(a)(5)]**
1	1	**2**	**PH-2.C.2**	**Subject Property Owners map (if applicable) [34-202(a)(5)]**
2	2	**2**	**PH-3.C.1**	**Legal Description [34-202(a)(1)]**
1	1	**1**	**PH-3.C.2**	**Electronic version of legal description (if available)**
1	1	3	PH-3.D.1	Copy of Plat Book Page (if applicable) [34-202(a)(1)]
1	1	3	PH-3.D.2	Certified sketch of description (less than ten acres) [34-202(a)(2)]
1	1	**3 See 6-A**	PH-3.D.3	**Boundary survey (all PDs and anything ten acres or more) [34-202(a)(2) & [34-373(a)(4)a.]**
1	1	0	PH-3.F	Area Location Map on 8 by 11 paper pursuant to sec. 34-202(a)(4). (Non Planned Developments)
0	0	0		Area Location Map for Planned Developments - see Supplement D
1	1	**2**	**PH-3.G.1**	**List of Surrounding Property Owners [34-202(a)(6)]**
1	1	**2**	**PH-3.G.2**	**Map of Surrounding Property Owners [34-202(a)(7)]**
2	2	**2**	**PH-3.G.3**	**Mailing labels [34-202(a)(6)]**
0	1	**12**	**PH-3.I**	**Agricultural uses at time of zoning application. [34-202(b)(7)]**
1	1	3	PH-3.L.2	Deed Restrictions\Covenants [34-202(b)(2)]

			Exhibits	SUBMITTAL ITEMS
1	1	3	PH-3.L.3	Narrative addressing effect of Deed Restrictions [34-202(b)(2)]
1	1	12	PH-4.B	Location of proposed blasting (if applicable). [34-202(b)(6)]
0	0	4	PH-4.C	Bonus Density units (if applicable) [34-202(b)(5)]
1	1	4	PH-4.D	Hazardous materials emergency plan (if applicable) [34-202(b)(4)]
0	1	4	PH-4.E	Mobile Home Park Information (if applicable) [34-203(d)]
1	1	4	PH-4.F	Aviation Hazard (if applicable) [34-1001 et seq.]
1	1	4	PH-4.G	Developments located within Estero Planning District [34-373-(a)(10]
1	1	4	PH-4.H	Developments located within Captiva Planning District [Lee Plan Policy 21.7)
1	1	12	PH-4.I	Approved Waivers [34-202(a)]
				ADDITIONAL REQUIREMENTS FOR DRIs NOT INVOLVING A REZONING
0	0	12		Notice of proposed change Substantial Deviations Form RPM-BSP-Proposed Change - 1 pursuant to Section 380.06(19) F.S.
0	0	12		DRI, AMDA, FQD Form RPM-BSP-ADA - 1. Application for Development Approval pursuant to Section 380.06 F.S.
0	0	12		Abandonment Form RPM-BSP-Abandonment-DRI-1. Application for abandonment of a DRI.

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EXHIBIT PH-1.C.2

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Company Name: n/a

Contact Person:

Address: Street :

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail address:

Company Name:

Contact Person:

Address: Street :

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail address:

Company Name:

Contact Person:

Address: Street :

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail address:

Company Name:

Contact Person:

Address: Street :

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail address:

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LEE COUNTY
SOUTHWEST FLORIDA

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SUPPLEMENT D

ADDITIONAL REQUIRED INFORMATION FOR A PLANNED DEVELOPMENT APPLICATION UNINCORPORATED LEE COUNTY

Case Number: DCI2004-00054

Project Name: HAWK'S HAVEN RPD / CPD

Authorized agent: Knott, Consoer, Ebelini, Hart & Swett, P.A.

STRAP Number(s):

25-43-26-00-00121.0000	26-43-26-00-00011.0010
26-43-26-00-00011.0000	27-43-26-00-00003.0010
27-43-26-00-00003.0020	34-43-26-00-00001.0010
27-43-26-00-00016.0000	34-43-26-00-00001.0020
36-43-26-00-00001.0000	35-43-26-00-00001.0000
35-43-26-00-00001.0010	35-43-26-00-00002.0000

Select one only

_____ DRI (rezoning required)
√ DCI-Major
_____ DCI-Minor
_____ DCI-Minor - Existing Dev. (1)
_____ DCI-Minor - Amend. to approved master concept plan (2)
_____ Amend. to built planned development meeting DCI threshold. (3)
_____ PRFPD in Private Recreational Facilities Overlay Area [(34-341(a)(2)]

Notes:

(1) Existing development. A development that has already been developed but does not conform to the regulations for a conventional district and is requesting a rezoning to a planned development classification. It will be reviewed in the same manner as a minor planned development except that a traffic impact statement will not be required. [34-341(b)(2)d.1.]

(2) Amendments to application. Application to amend an approved major or minor master concept plan or its attendant documentation, or for the extension of a vacated master concept plan originally approved prior to December 2, 1991. It will be treated procedurally as minor planned developments. These applications will require only as much information, as deemed necessary by the director, needed to describe the changes requested, to specify the incremental change in impacts expected from the amendment, and to detail the changes in development, environment and background (surrounding land use, traffic volumes, water, wastewater and other service availability, etc.), that have occurred since the original application. [34-341(b)(2)d.2.]

(3) Amendments to built planned developments (PD). An application for a variance or other approval covered by this chapter wherein the subject property is the only part of the original planned development for which the approval is sought. Application meets the threshold for a development of county impact and will be reviewed in accordance with the provisions for reviewing developments of county impact. Applicant must be the owner of the subject property and the consent of the owners of the remainder of the original planned development will be unnecessary. However, these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property.

For purposes of this subsection, the term "built" means that all of the roads, utilities, buffering, open space, surface water management features and structures, common space, common amenities, common landscaping, gatehouses, entrance signs, entrance ways and other similar items identified as part of the final approved master concept plan have been constructed and acknowledged by the county as complete. In the case of residential planned developments or mixed developments which include residential structures, the term "built" does not mean that all residential structures must have been constructed on individual platted lots.

PART 1
GENERAL INFORMATION

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A. Comprehensive Plan Amendments (check one):

√ There are **NO** Lee Plan Amendments pending that could affect the future use of this property.

____ The following Lee Plan Amendments **ARE** pending and could affect the future use of this property. (List uses and brief explanation of their effect on this application):

B. Archaeological/Historical (check one):

√ There are **NO** known or recorded historical or archaeological sites on the property and no part of the property is located within a level 1 or level 2 zone of archaeological sensitivity pursuant to chapter 22. **[34-373(a)(4)f.]**

____ There are known or recorded historical or archaeological sites on the property or part of the property is located within a level 1 or level 2 zone of archaeological sensitivity pursuant to chapter 22. Attached as **Exhibit 1-B** is a map indicating the nature and location of known or recorded historical or archaeological or areas of the property located within level 1 or level 2 zones of archaeological sensitivity including the outline of historic buildings and approximate extent of archaeological sites. **[34-373(a)(4)f.]**

C. Public Transit (check one):

√ Property is **NOT** within the Lee Tran public transit service area.

____ Property is within the Lee Tran public transit service area. **Exhibit 1-C** shows the property in relation to existing and proposed public transit routes,

D. Density

____ There are no residential dwelling units proposed for this development.

√ The property is located within one or more Future Land Use categories. Density has been calculated in **Part 3** of this application and is summarized below:

Intensive Development		Proposed dwelling units
Central Urban		Proposed dwelling units
Urban Community	368	Proposed dwelling units
Suburban		Proposed dwelling units
Outlying Suburban		Proposed dwelling units
Rural	**1,647**	**Proposed dwelling units**
TOTAL	**1,999**	Proposed dwelling units

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PART 2
TYPES OF LAND AREA ON PROPERTY

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A.	**Gross Acres (total area within described parcel)**			**1,978.44 Acres**
	1.	Submerged land subject to tidal influence:	-0- Acres	
	2.	Other non-freshwater Wetlands:	-0- Acres	
	3.	R-O-W providing access to non-residential uses:	-0- Acres	
	4.	Non-residential use areas (1)	-0- Acres	
B.	**Total area not eligible as gross residential acreage. Items A.1. + A.2 + A.3. + A.4.**			**-0- Acres**
C.	**Gross residential acres. (A minus B)** (2)			**1,978.44 Acres**
D.	**Gross residential acres by Land Use Category**			
1.	a.	Intensive development - Upland	_____ Acres	
	b.	Intensive development - freshwater wetland	_____ Acres	
2.	a.	Central Urban - Upland	_____ Acres	
	b.	Central Urban - freshwater wetland	_____ Acres	
3.	a.	Urban Community or **Suburban - Upland**	79.47 Acres	
	b.	Urban Community or Suburban freshwater wetland	_____ Acres	
4.	a.	Outlying Suburban - Upland	_____ Acres	
	b.	Outlying Suburban - freshwater wetland	_____ Acres	
5.	a.	**Rural**, Outer Island, Rural Community Preserve - **Upland**	1,647.55 Acres	
	b.	**Rural**, Outer Island, Rural Community Preserve - **freshwater wetland**	251.42 Acres	
6.	a.	Open Lands - Upland	_____ Acres	
	b.	Open Lands - freshwater wetland	_____ Acres	
7.	a.	DR/GR - Upland	_____ Acres	
	b.	DR/GR - freshwater wetland	_____ Acres	
8.	a.	Wetlands - freshwater	_____ Acres	
	b.	Wetlands - not - freshwater	_____ Acres	
9.	a.	New Community - Upland	_____ Acres	
	b.	New Community - freshwater wetland	_____ Acres	
10.	a.	University Community - Upland	_____ Acres	
	b.	University Community - freshwater wetland	_____ Acres	
11.		**TOTAL** (should equal "C" above)	1,978.44 Acres	

NOTES:

(1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included.

(2) Lands to be used for residential uses including land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies.

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PART 3
RESIDENTIAL DEVELOPMENTS
PRELIMINARY DENSITY CALCULATIONS*

* Notes: 1. Complete only if living units are proposed in a Future Land Use Category.
2. If more than one classification, calculations for each classification must be submitted.
3. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Intensive Development Category

1.	**Preliminary Standard Units**	**Maximum standard density**	**Units**
a.	Total upland Acres (from Part 2, D.1.a.)	_____ times 14 equals	_____
b.	Total freshwater wetland Acres (from Part 2, D.1.b.)	_____ times 14 equals	_____
c	Preliminary Total Standard units (a. plus b.) (1)		_____
2.	**Maximum Permitted Units**	**Maximum permitted**	**Units**
a.	Total upland Acres (from Part 2, D.1.a.)	_____ times 18 equals	_____
3.	**Total allowed standard units (A.1.c. or A.2.a., whichever is less)**		_____
4.	**Bonus Units** (2)		
a.	Low-moderate housing density:		_____
b.	TDR units:		_____
c.	Sub-total (A.4.a. plus A.4.b.)		_____
5.	**Total Permitted Units (A.3. plus A.4.c.):** (1)		_____

B. Central Urban Category

1.	**Preliminary Standard Units**	**Maximum standard density**	**Units**
a.	Total upland Acres (from Part 2, D.2.a.)	_____ times 10 equals	_____
b.	Total freshwater wetland Acres (from Part 2, D.2.b.)	_____ times 10 equals	_____
c.	Preliminary Total Standard units (a. plus b.) (1)		_____
2.	**Maximum Permitted Units**	**Maximum permitted**	**Units**
a.	Total upland Acres (from Part 2, D.2.a.)	_____ times 12.5 equals	_____
3.	**Total allowed standard units (B.1.c. or B.2.a., whichever is less)**		_____
4.	**Bonus Units** (2)		
a.	Low-moderate housing density:		_____
b.	TDR units:		_____
c.	Sub-total (B.4.a. plus B.4.b.)		_____
5.	**Total Permitted Units (B.3. plus B.4.c.):** (1)		_____

Notes:
(1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.
(2) If low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

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C. Urban Community Category

1. **Preliminary Standard Units**	**Maximum standard density**		**Units**
a. Total upland Acres (from Part 2, D.3.a.)	_____	times 6 equals	_____
b. Total freshwater wetland Acres (from Part 2, D.3.b.)	_____	times 6 equals	_____
c. Preliminary Total Standard units (a. plus b.) (1)			_____
2. **Maximum Permitted Units**	**Maximum permitted**		**Units**
a. Total upland Acres (from Part 2, D.3.a.)	_____	times 8 equals	_____
3. **Total allowed standard units (C.1.c. or C.2.a, whichever is less)**			_____
4. **Bonus Units** (2)			
a. Low-moderate housing density:			_____
b. TDR units:			_____
c. Sub-total (D.4.a. plus D.4.b.)			_____
5. **Total Permitted Units (C.3. plus C.4.c.):** (1)			_____

Notes:
(1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.
(2) If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

D. Suburban Category

1. **Preliminary Standard Units**	**Maximum standard density**		**Units**
a. Total upland Acres (from Part 2, D.3.a.)	79.47	times 6 equals	476
b. Total freshwater wetland Acres (from Part 2, D.3.b.)	_____	times 6 equals	_____
c. Preliminary Total Standard units (a. plus b.) (1)			476
2. **Maximum Permitted Units**	**Maximum permitted**		**Units**
a. Total upland Acres (from Part 2, D.3.a.)	79.47	times 8 equals	635
3. **Total allowed standard units (D.1.c. or D.2.a., whichever is less)**			*476*

E. Outlying Suburban Category

1. **Preliminary Standard Units**	**Maximum standard density**		**Units**
a. Total upland Acres (from Part 2, D.4.a.)	_____	times 3 equals	_____
b. Total freshwater wetland Acres (from Part 2, D.4.b.)	_____	times 3 equals	_____
c. Preliminary Total Standard units (a. plus b.) (1)			_____
2. **Maximum Permitted Units**	**Maximum permitted**		**Units**
a. Total upland Acres (from Part 2, D.4.a.)	_____	times 4 equals (1)	_____
3. **Total allowed standard units (E.1.c. or E.2.a., whichever is less)**			_____

*** SEE ATTACHED FOR RURAL CATEGORY**

Notes:
(1) Outlying suburban land located north of the Caloosahatchee River and east of Interstate-75, north of Pondella Road and south of Pine Island Road (SR 78), and in the Buckingham area (see Goal 19 of the Lee Plan), the maximum upland density is two (2) units per acre plus one (1) for a total of three (3) units per acre.

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PART 4
ENVIRONMENTAL ISSUES

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A. **Topography:** Describe the range of surface elevations of the property:

Elevations on the property range from 20 feet NGVD to 5 feet NGVD. The higher elevations are located in the southeast corner of the property. The property in general is sloped from the southeast to northwest.

B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Lee Plan), flowways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1.1 (2)] or listed species occupied habitat (see Sec. 10-4730 of the Land Development Code.

The property supports 242.52± acres of South Florida Water Management District (SFWMD) jurisdictional wetlands. These wetlands are scattered throughout the site. The largest wetland is located in the western portion of the property and is primarily comprised of mixed forested wetland, disturbed (FLUCFCS Code 6309). The 140± acre and 7.5± acre additions contain no SFWMD jurisdictional wetlands.

Gopher tortoises, American alligator, burrowing owls and Florida scrub jays have been previously documented on or adjacent to the property. The Florida sandhill crane and burrowing owls have been observed on the 140± acre and 7.5± acre additions.

continued

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C. **Preservation/Conservation of Natural Features**: Describe how the lands listed in B. above will be protected by the completed project:

The project includes the preservation of 463.09± acres of indigenous vegetation on the property. The indigenous vegetation preserves includes both uplands and wetlands that will provide habitat for the gopher tortoise, American alligator, burrowing owl, scrub jay, and sandhill crane. Lee County Zoning Resolution 7-99-056 requires management plans for the American alligator, gopher tortoise, burrowing owl and scrub jay.

SFWMD ERP No. 36-04006-P has been issued for the property. The SFWMD ERP authorizes impacts to 65.29± acres of wetlands and establishes the preservation of 176.78± acres of wetlands.

D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

N/A

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PART 5
SANITARY SEWER FACILITIES (34-415)

A. **Special Effluent**: If special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:

There is no special effluent, private on-site facility, sanitary sewer facilities or spray irrigation proposed as part of this zoning amendment.

B. **Private On-site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including: **See paragraph A above.**

1. Method and degree of treatment:

2. Quality of the effluent:

3. Expected life of the facility:

4. Who will operate and maintain the internal collection and treatment facilities:

5. Receiving bodies or other means of effluent disposal:

continued

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C. **Spray Irrigation:** If spray irrigation will be used, specify: **See paragraph A above.**

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1. The location and approximate area of the spray fields:

2. Current water table conditions:

3. Proposed rate of application:

4. Back-up system capacity:

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PART 6 - SUBMITTAL REQUIREMENTS

MAY 23 2005

Copies*		Exhibits	Item
Sub.	Req.		
√	12		Public Hearing Application form **[34-373(a)(1)]**
√	1		Application Fee **[34-373(a)(2)]**
			DESCRIPTION OF EXISTING CONDITIONS
-	3	**1-B**	**Historical or Archaeological sites:** The nature and location of any known or recorded historical or archaeological sites as listed on the Florida Master Site File or the Lee County Historical Site Survey, and the location of any part of the property that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22. The plan must show the outline of historic buildings and approximate extent of archaeological sites. A description of proposed improvements that may impact archaeological or historical resources must also be provided. **[34-373(a)(4)h.]**
-	12	**1-C**	**Public Transit.** A map or other depiction of the property in relation to existing and proposed public transit routes, as well as to bus stops, if located within the Lee Tran public transit service area. **[34-373(a)(4)g.]**
√	**3**	**6-A**	**A Boundary Survey,** prepared by a professional surveyor, that meets the minimum technical standards as set out in chapter 61G17-6, F.A.C., and which survey has been signed and sealed within one year of the application date, and which shows existing conditions on the property to full survey accuracy. **[34-373(a)(4)a.]**
√	**12**	**6-B**	**Area Location Map** on 8.5" by 11" paper. A map marked to show the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. **[34-373(a)(4)b.]**
√	**12**	**6-C**	**Existing zoning and current land uses** A map or other depiction of the existing zoning and current land uses (i.e. single family residence, multiple-family building, retail commercial, office building, etc.) surrounding the tract or parcel to a distance of 500 feet. **[34-373(a)(4)c.]**
√	**12**	**6-D**	**Aerial photograph** with the site clearly delineated. **[34-373(a)(4)d.]** **Originals only - photocopies not acceptable.**
√	**4**	**6-E**	**Soils, vegetation, rare & unique uplands, topography.** Maps drawn at the same scale as the master concept plan marked or overprinted to show the information required by section 34-373(a)(4)e.] **[34-373(a)(4)e.]**
√	**4**	**6-F**	**FLUCCS Map.** A Florida Land Use, Cover and Classification System (FLUCCS) map at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any federal and state jurisdictional wetlands and other surface waters, including the total acreage of federal and state wetlands. **[34-373(a)(4)f.]**
			NARRATIVE COMPLIANCE STATEMENTS
√	**12**	**6-G**	**Lee Plan Compliance.** A narrative explanation as to how the proposed development complies with the Lee Plan. **[34-373(a)(5)]**
√	**3**	**6-H**	**Design Standards Compliance.** A narrative explanation as to how the proposed development complies with the Design Standards set forth in Section 34-411. **[34-373(a)(5)]**
√	**3**	**6-I**	**Decision-making compliance.** A narrative explanation as to how the proposed development complies with the guidelines for decision-making embodied in sections 34-145(c)(2)a and e. and 34-145(d)(3). **[34-373(a)(5)]**

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Copies*		Exhibits	Item
			MASTER CONCEPT PLAN MAY 2 3 2005
√	12	6-J	**Master Concept Plan, Non-PRFPD** . A graphic illustration (master concept plan) of the proposed development, showing and identifying the information required by Section 34-373(a)(6). Copies of the master concept plan must be provided in two sizes, 24 inches by 36 inches, and 11 inches by 17 inches in size and must clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-373(a)(6)]**
	12	6-K	**Master Concept Plan, PRFPD :** A clearly legible drawing, no less than 24 inches by 36 inches in size and drawn at a scale sufficient to adequately show and identify the information required by Section 34-941(g). **[34-941(g)]**
√	4	6-L	**Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the county and in conformance with the adopted county administrative code. **[34-373(a)(7)]** TIS is not required for an existing development. **[34-341(b)(2)d.1.]**
√	12	6-M	**Schedule of Uses.** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by section 34-373(a)(8)]. **[34-373(a)(8)]**
√	12	6-N	**Schedule of deviations and a written justification.** A schedule of deviations and a written justification for each deviation requested as part of the master concept plan. The location of each requested deviation must be located on the master concept plan. **[34-373(a)(9)]**
			ADDITIONAL REQUIREMENTS FOR MAJOR PDs
√	4	6-O	**Surface water management plan** A written description of the surface water management plan as required by Section 34-373(b)(1). **[34-373(b)(1)]**
√	12	6-P	**Phasing program.** If the development is to be constructed in phases or if the traffic impact statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
			ADDITIONAL REQUIREMENTS FOR LARGE PROJECTS
√	4	6-Q	**Protected species survey.** Required for large developments (defined in Chapter 10-1), a protected species survey as required by section 10-473. **[34-373(b)(2)]**
			AMENDMENTS TO BUILT PLANNED DEVELOPMENTS
	4	6-R	**Proof of notice to other property owners.** Although the consent of the owners of the remainder of the original planned development is not required, the owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. **[34-373(c)]**
			REQUIREMENTS FOR DRIs
	12	6-S	**Binding letter of interpretation from DCA or a complete and sufficient ADA.** **[34-373(d)(2)]**
			ADDITIONAL EXHIBITS - PRFPDs
	4	6-T	Conceptual surface water management **[34-941(d)(3)b.i.1)]**
	12	6-U	If within an area identified as an anticipated draw down area, demonstration of compliance with section 34-941(d)(3)d. **[34-941(d)(3)d.]**
	12	6-V	Preliminary indigenous restoration plan (if applicable). **[34-941(e)(5)f]**
	12	6-W	Environmental Assessment **[34-941(g)(2)]**
	12	6-X	Demonstration of compatibility **[34-941(g)(4)]**

*** includes 1 original**

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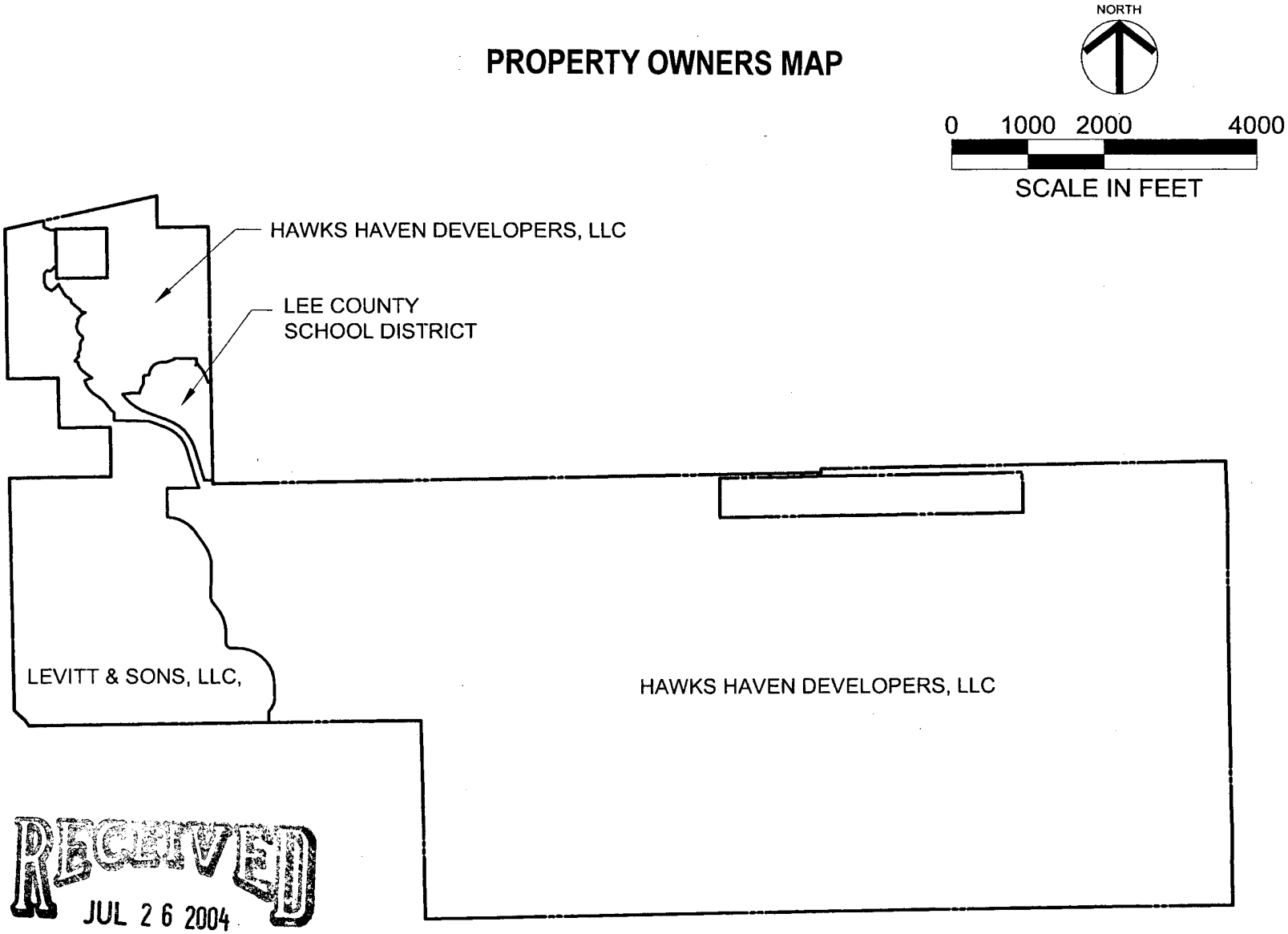
EXHIBIT PH-2.C.2.

PROPERTY OWNERS MAP



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Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESC

HAWK'S HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND IS SUBJECT TO CHANGE TO ADDRESS ZONING ISSUES, ENVIRONMENTAL CONCERNS, REGULATORY COMMENTS, ENGINEERING DESIGN, FIELD VERIFICATION AND ANY OTHER POTENTIAL PLANNING ISSUE
* NOT FOR CONSTRUCTION *

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
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FILE NAME	21988-SCHOOL.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\EXHIBITS\
PLOT DATE	MON. 6-28-2004 - 2:02 PM
PLOT BY	TOM HOLMLUND
DESIGN BY	GREGG LATHF
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

HAWK'S HAVEN CDD

HAWK'S HAVEN
CURRENT
OWNERSHIP MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1 OF 1

EXHIBIT PH-3.I

AGRICULTURAL USES AT TIME OF ZONING APPLICATION

1,700 acres of the property is Class II, IV or V grazing land, most of which are used for cattle operations.

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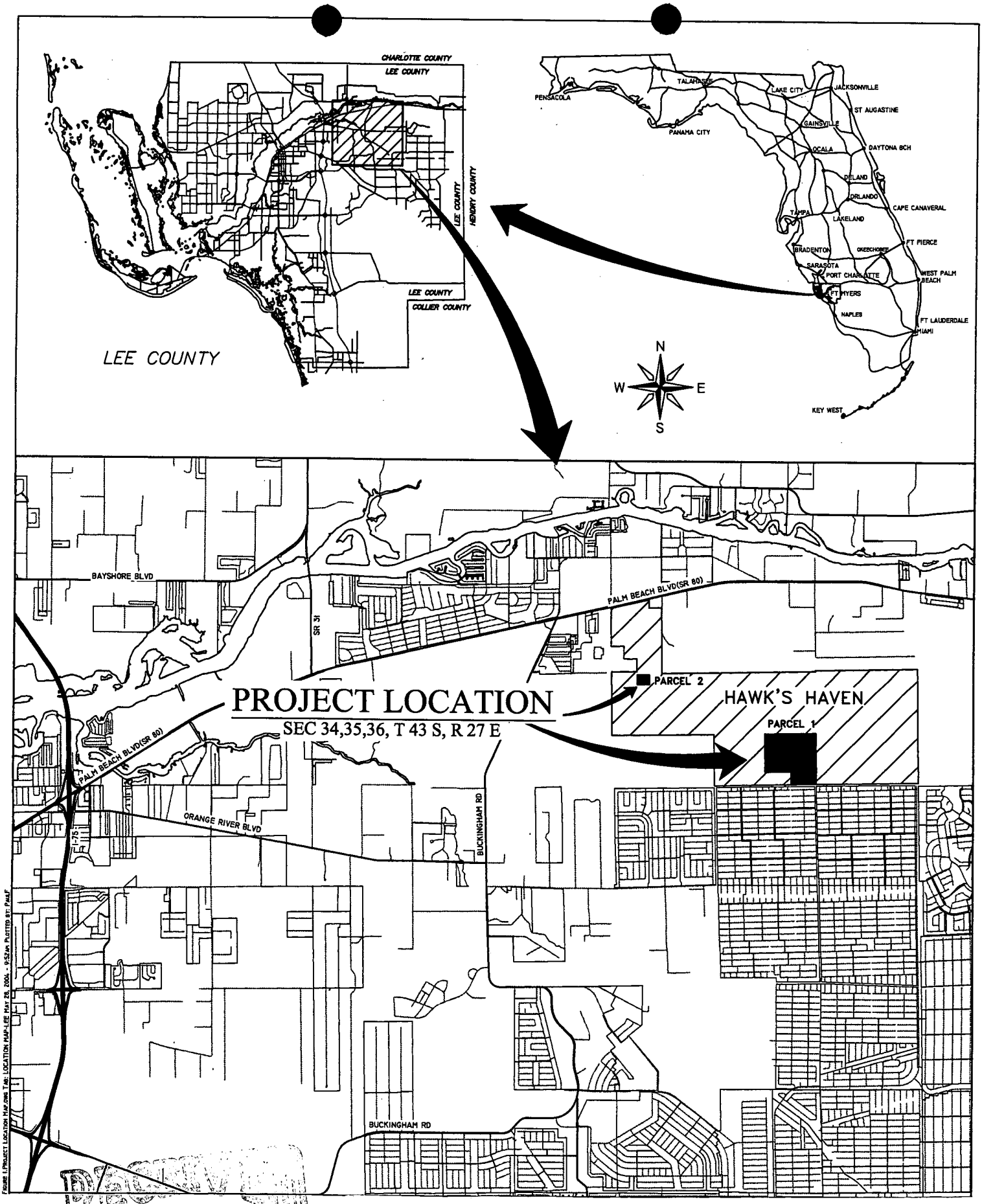

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EXHIBIT 6-B DCI2004-00054

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EXHIBITS 6-G & 6-I

JUSTIFICATION FOR REZONING

The proposed amendment to add 148 acres and 400 dwelling units to the approved Hawks Haven RPD is consistent with the Lee Plan in general and the following objectives and policies in particular:

1. **Policy 1.1.5:** The proposed residential use within the portion of the project that is designated Suburban is consistent with the permitted uses and maximum density for that category.

2. **Policy 1.4.1:** Similarly, the proposed use and density within the portion of the project that is designated Rural is also consistent with the permitted uses and maximum density for that category.

3. **Objective 2.1:** The amendment will permit property that abuts the current version of Hawks Haven to be integrated into the project. As such, it will promote a compact and contiguous growth pattern.

4. **Objective 2.2:** The project will be served by public water and sewer facilities. The TIS indicates that all arterial and collector road segments within the study area will operate at an adequate level of service. The project will, therefore, have access to adequate public facilities.

5. **Policy 4.1.1:** The project has been designed to accommodate a school site, large wetland preservation areas, and a substantial buffer for the Hickey Creek Mitigation Park.

6. **Policy 5.1.5:** The project is a low density residential development. Substantial portions of the perimeter are shown as golf course or conservation areas. No access is being requested on Hickey Creek Road. A canal separates Hawks Haven from the platted lands to the south, which are largely undeveloped, in any event. The revised MCP is, therefore, compatible with the neighborhood.

7. **Policy 5.1.11:** The maximum density for each individual land use category within the project will not be exceeded.

8. **Standards 11.1 and 11.2:** As noted above, the project will be served by public water and sewer facilities.

In accordance with LDC sections 34-145 and 34-373, the applicant further states the following:

1. The application is consistent with the Lee Plan, including the maximum density in each applicable land use category, as noted above;

2. The project will be served by adequate public facilities and will not create an excessive burden on the transportation network, as noted above and in the TIS;

3. The project is compatible with the neighborhood and will not cause damage, hazard or nuisance to the public or to nearby uses; and

4. The project has been permitted by SFWMD and the ACOE. Preservation areas required by the permits have been shown on the MCP. 463 acres of indigenous vegetation are designated on the plan. No new wetland impacts will be created as a result of the addition of the 400 units and the 148 acres.

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EXHIBIT 6-H

DESIGN NARRATIVE

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In accordance with LDC sections 34-373 and 34-411, the applicant states the following:

(a): As noted in the Justification for Zoning, the requested amendment is consistent with the Lee Plan.

(b): The application will comply with all applicable County regulations.

(c): The project will exceed the LDC requirements for general and indigenous open space. A substantial portion of this is located on the perimeter of the development.

(d): The S.R. 80 segment which will be accessed by this project meets the requirements in Chapter 10 of the LDC and the Lee Plan and operates at an adequate LOS. No industrial traffic will be generated as a result of the amendment.

(e): The project will not be served by Lee Tran.

(f): The proposed amendment will not create any hazard or nuisance to the public or the neighborhood. The applicant is merely adding acreage and units to a previously approved project.

(g): The amount of indigenous open space shown on the MCP far exceeds the applicable LDC requirement.

(h): The project has already been permitted by the ACOE and SFWMD. The 148 acres which are being added to the development do not contain any wetlands. Substantial areas of environmentally sensitive lands will be preserved, in accordance with the permits. A large buffer has been provided on the eastern end of the project to protect the Hickey Creek Mitigation Park.

(i): As noted above, open space is provided along a large portion of the project's perimeter.

(j) and (k): The project is abutted by urban subdivisions to the west, a largely undeveloped area of Lehigh Acres to the south, the Hickey Creek Mitigation Park to the east, and predominantly large lot residential uses to the north. The

proposed low density golf course community serves as a transition between these extremely diverse areas.

(l): The overall project will contain several different subunits with different housing types.

(m): The school site and the amenity center are separated from the rest of the site by easements, lakes, and conservation areas.

(n): As noted above, the intensity of the project is focused in its center.

(o): The development will comply with all applicable parking requirements.

(p): N/A

Schedule of Uses / Town Center
EXHIBIT 6-M

Banks and Financial Establishments, Group I
Business Services, Group I
Consumption on Premises
Convenience Store
Day Care Center, Adult and Child
Drive-through, in connection with any other approved use
Pharmacy
EMS, Fire, or Sheriff's Station
Essential Services
Excavation, Water Retention
Food Stores, Group I
Hardware Store
Laundry or Dry Cleaning, Group I
Personal Services, Group I
Place of Worship
Real Estate Sales Office
Repair Shop, Group I
Restaurant, Groups I, II, and III
Specialty Retail Shops, Group I

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Schedule of Uses / Residential
EXHIBIT 6-M

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICE
AGRICULTURAL USES (CATTLE RAISING IN UNDEVELOPED PHASES
PRIOR TO DEVELOPMENT AND NURSERY OPERATIONS FOR
PLANTINGS USED ON-SITE
CLUBS - COUNTRY AND PRIVATE
CONSUMPTION ON PREMISES (SEC. 34-1261)
DWELLING UNITS
SINGLE-FAMILY RESIDENCE
TWO-FAMILY ATTACHED
TOWNHOUSE
MULTIPLE FAMILY BUILDING
ZERO LOT LINE
ENTRANCE GATES AND GATEHOUSE
EXCAVATION - WATER RETENTION
FENCES AND WALLS
GOLF AND TENNIS PRO SHOPS
GOLF DRIVING RANGE AND TRAINING FACILITY
MODEL HOME, UNIT, DISPLAY CENTER (INCLUDING INFORMATION
CENTER FOR OVERALL DEVELOPMENT)
PARKS, GROUP I
PARKING LOT ACCESSORY
REAL ESTATE SALES OFFICE
RECREATIONAL FACILITIES - PRIVATE / ON SITE INCLUDING TENNIS COURTS
RESIDENTIAL ACCESSORY USES
SIGNS IN COMPLIANCE WITH CHAPTER 30
STORAGE, OPEN (RECREATIONAL VEHICLE, BOATS AND SIMILAR ITEMS
BY RESIDENTS ONLY AT A DESIGNATED TEMPORARY USES
LOCATION)
TEMPORARY FACILITIES (SALES, DESIGN CENTER, CONSTRUCTION)
COUNTY PUBLIC SCHOOL FACILITIES
PUBLIC SAFETY STATION

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EXHIBIT 6-M

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SCHEDULE OF USES

- ACCESSORY USES AND STRUCTURES
- ADMINISTRATIVE OFFICE
- AGRICULTURAL USES (CATTLE RAISING IN UNDEVELOPED PHASES PRIOR TO DEVELOPMENT AND NURSERY OPERATIONS FOR PLANTINGS USED ON-SITE
- CLUBS - COUNTRY AND PRIVATE
- CONSUMPTION ON PREMISES (SEC. 34-1261)
- DWELLING UNITS
  - SINGLE-FAMILY RESIDENCE
  - TWO-FAMILY ATTACHED
  - TOWNHOUSE
  - MULTIPLE FAMILY BUILDING
  - ZERO LOT LINE
- ENTRANCE GATES AND GATEHOUSE
- EXCAVATION - WATER RETENTION
- FENCES AND WALLS
- GOLF AND TENNIS PRO SHOPS
- GOLF DRIVING RANGE AND TRAINING FACILITY
- MODEL HOME, UNIT, DISPLAY CENTER (INCLUDING INFORMATION CENTER FOR OVERALL DEVELOPMENT)
- PARKS, GROUP I
- PARKING LOT ACCESSORY
- REAL ESTATE SALES OFFICE
- RECREATIONAL FACILITIES - PRIVATE / ON SITE INCLUDING TENNIS COURTS
- RESIDENTIAL ACCESSORY USES
- SIGNS IN COMPLIANCE WITH CHAPTER 30
- STORAGE, OPEN (RECREATIONAL VEHICLE, BOATS AND SIMILAR ITEMS BY RESIDENTS ONLY AT A DESIGNATED TEMPORARY USES LOCATION)
- TEMPORARY FACILITIES (SALES, DESIGN CENTER, CONSTRUCTION)
- COUNTY PUBLIC SCHOOL FACILITIES
- PUBLIC SAFETY STATION

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Schedule of Deviations
EXHIBIT 6-N

1.) A deviation from LDC Section 10-385(d)(3)(a) which specifies a maximum fire hydrant spacing of 800 feet in the one and two dwelling area to eliminate this requirement in areas along the spine road where no homes exist.

2.) Deviation (2) seeks relief from the LDC Section 34-934, Note 23 requirement limiting the operation of a Real Estate Sales Office to five years, to allow the Sales Office to operate for a period of ten years to coincide with the expected buildout of the project.

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EXHIBIT 6-N

SCHEDULE OF DEVIATIONS AND JUSTIFICATION

1. A DEVIATION FROM LDC SECTION 10-385 (d)(3)(a) WHICH SPECIFIES A MAXIMUM FIRE HYDRANT SPACING OF 800 FEET IN THE ONE AND TWO DWELLING UNIT AREA TO ELIMINATE THIS REQUIREMENT IN AREAS ALONG THE SPINE ROAD WHERE NO HOMES EXIST.

   JUSTIFICATION: THIS DEVIATION HAS ALREADY BEEN APPROVED AND IS PART OF THE EXISTING RPD ZONING

2. A DEVIATION FROM LDC SECTION LDC 34-2015(2)(d) REQUIREMENT TO PROVIDE ALL PARKING LOT SPACES WITH SUFFICIENT MANEUVERING ROOM TO ALLOW AN EXITING VEHICLE TO LEAVE THE PARKING LOT IN A FORWARD MOTION, TO ALLOW VEHICLES EXITING PARKING FOR MULTI-FAMILY RESIDENTIAL PARCELS, RECREATIONAL AMENITIES AND GUEST PARKING TO BACK ONTO PRIVATE ROADS.

   JUSTIFICATION: THIS IS MORE OF A CLARIFICATION THAN A DEVIATION. THE MULTI-FAMILY WILL BE CONVEYED AS CONDOMINIUM UNITS, WHICH TYPICALLY ARE SERVED BY PARKING LOTS. BACK OUT PARKING IN THE LAND DEVELOPMENT CODE REFERS TO BACK OUT PARKING ONTO A RIGHT-OF-WAY. SINCE THE MULTI-FAMILY CONDOMINIUM UNITS MAY HAVE GARAGES, IT APPEARS PHYSICALLY THE SAME AS TOWN HOME FEE SIMPLE UNITS, WHICH BACK OUT INTO A RIGHT-OF0WAY. THEREFORE, TECHNICALLY, THERE IS NO NEED FOR A DEVIATION, HOWEVER; COUNTY STAFF SOMETIMES PUTS THE MULTI-FAMILY CONDOMINIUMS AS FEE SIMPLE BACKING INTO A RIGHT-OF-WAY. AGAIN, THAT IS NOT THE CASE AND THIS DEVIATION IS MORE OF A CLARIFICATION THAN AN ACTUAL DEVIATION.

EXHIBIT 6-O

SURFACE WATER MANAGEMENT PLAN

The Hawk's Haven project will be developed in accordance with South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) No. 36-04006-P. This permit will be modified to incorporate any changes in the Hawk's Haven Development Plan including the introduction of the parcels that are the subject of this amendment.

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EXHIBIT 6-P

PHASING PROGRAM

There is no phasing program associated with the Hawk's Haven development.

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HAWK'S HAVEN
140± ACRE AND 7.5± ACRE ADDITION
LEE COUNTY
PROTECTED SPECIES SURVEY

May 2004

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067

Project No. 03PEG931

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Appendix A. Aerial with FLUCFCS Mapping, Survey Transects, and Protected Species Observations for 140± Acre Addition (Parcel 1) A-1

Appendix B. Aerial with FLUCFCS Mapping, Survey Transects, and Protected Species Observations for 7.5± Acre Addition (Parcel 2) B-1

INTRODUCTION

Passarella and Associates, Inc. conducted a Lee County protected species survey on the Hawk's Haven 140± acre (Parcel 1) and 7.5± acre (Parcel 2) additions on May 25, 2004. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards.

The Hawk's Haven property is located in Sections 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The 140± acre addition (Parcel 1) is undeveloped pasture land with several small areas of forested uplands. The 7.5± acre addition (Parcel 2) is mostly disturbed land with wax-myrtle (*Myrica cerifera*) and has a power transmission line along its northern boundary. The surrounding land uses include low-density residences to the north, Lehigh Acres to the south, and undeveloped land to the east and west.

LAND USES AND VEGETATION ASSOCIATIONS

The vegetation associations for the parcels were delineated using 2002 Lee County color aerials during field surveys conducted on March 1, 2004. During the surveys, lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III (Florida Department of Transportation 1999). Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows. The resulting FLUCFCS map with acreages for the 140± acre addition (Parcel 1) is provided as Figure 2 and for the 7.5± acre addition (Parcel 2) as Figure 3.

Table 1. Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage	Percent of total
	Parcel 1		
211	Improved Pasture	129.69	92.4
321	Palmetto Prairie	4.69	3.3
411	Pine Flatwoods	2.43	1.7
434	Hardwood/Conifer Mixed	1.67	1.3
514	Ditch	0.20	0.1
740	Disturbed Land	1.35	0.9
742	Borrow Area	0.10	0.1
743	Spoil Area	0.19	0.2
	Parcel 1 Total	**140.32**	**100.0**
	Parcel 2		
429	Wax-myrtle	6.77	90.3
832	Electrical Transmission Lines	0.72	9.7
	Parcel 2 Total	**7.49**	**100.0**
	Totals	**147.81**	**100.0**

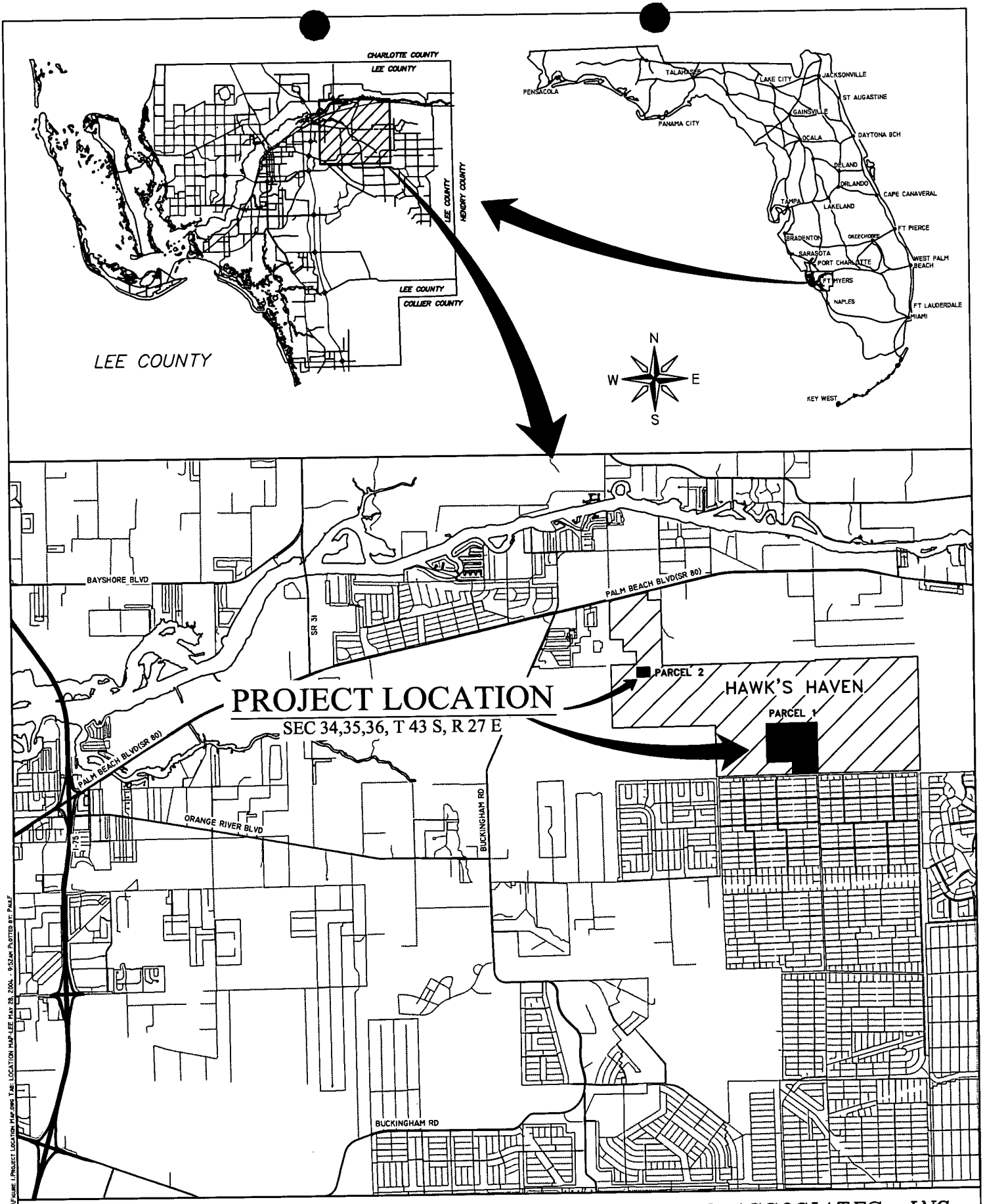


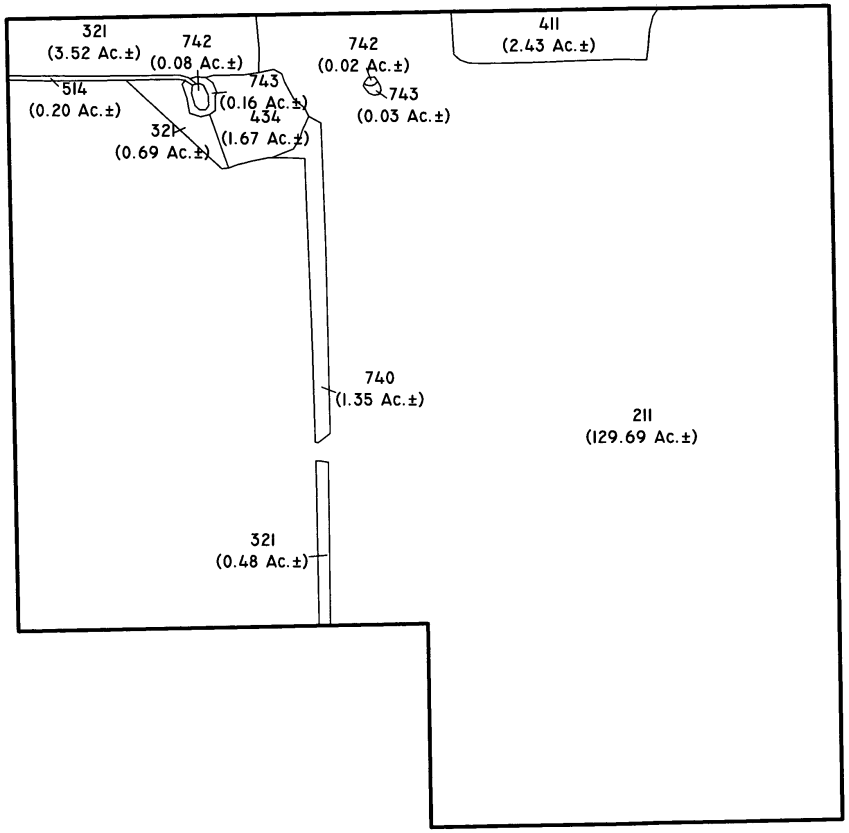
FIGURE 1. PROJECT LOCATION MAP
HAWK'S HAVEN

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: DB DATE: 5/26/04

J:\2003\03PEG03\2004\PSS\FIGURE 1 PROJECT LOCATION MAP.DWG TAB: LOCATION MAP-LEE MAY 26, 2004 - 9:52am PLOTTED BY: PAULF

SCALE: 1" = 400'



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	129.69 Ac.±	92.4%
321	PALMETTO PRAIRIE	4.69 Ac.±	3.3%
411	PINE FLATWOODS	2.43 Ac.±	1.7%
434	HARDWOOD/CONIFER MIXED	1.67 Ac.±	1.2%
514	DITCH	0.20 Ac.±	0.1%
740	DISTURBED LAND	1.35 Ac.±	1.0%
742	BORROW AREA	0.10 Ac.±	0.1%
743	SPOIL AREA	0.19 Ac.±	0.1%
	TOTAL	140.32 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		J.H.	5/25/04	1"= 400'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/25/04	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B., P.F.	5/25/04	34,35,36/43/26

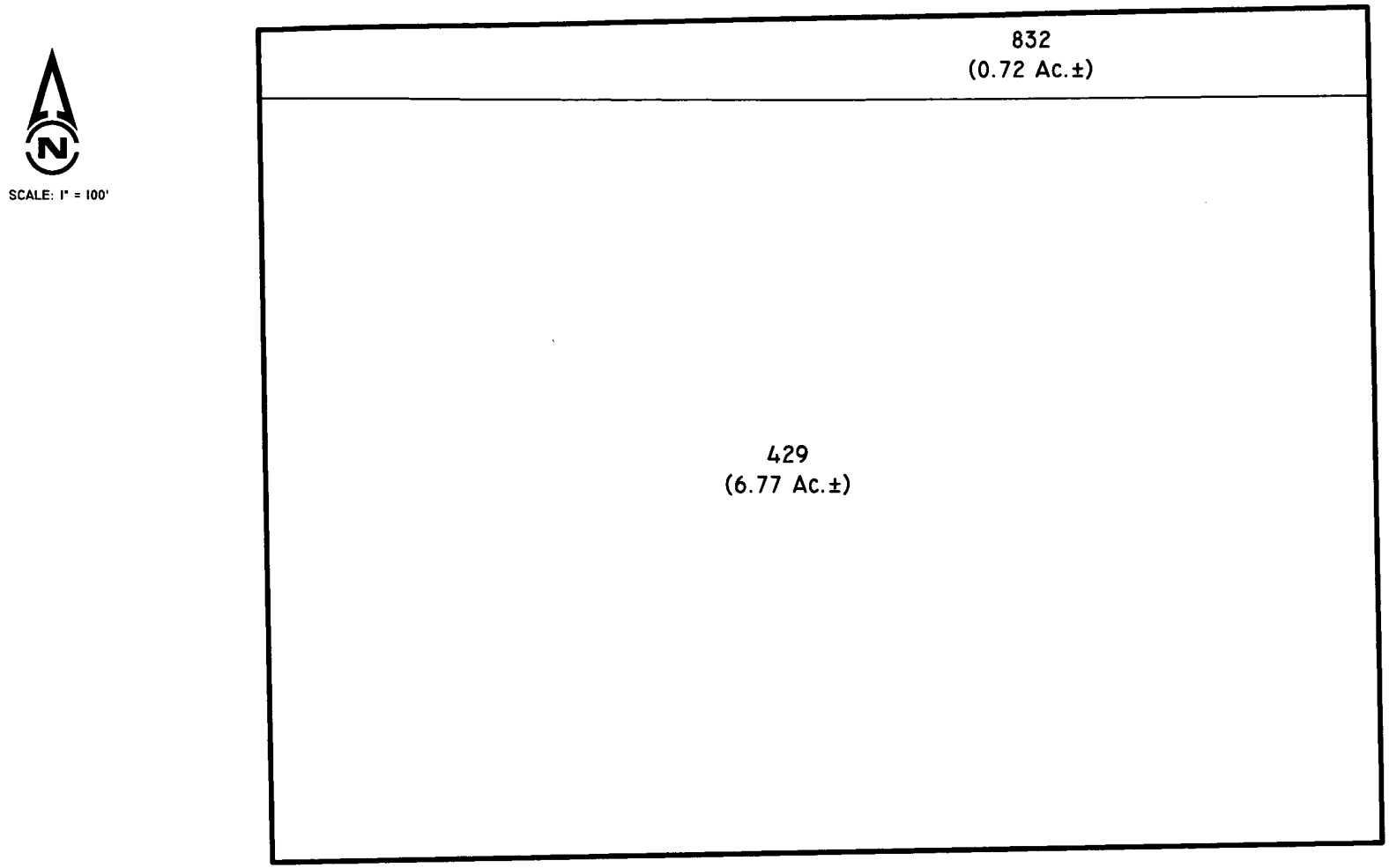
PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

HAWK'S HAVEN

FLUCFCS MAP FOR 140± ACRE ADDITION (PARCEL 1)

DRAWING No.: 03PEG931

SHEET No.: FIGURE 2



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
429	WAX-MYRTLE	6.77 Ac.±	90.4%
832	ELECTRICAL POWER TRANSMISSION LINE	0.72 Ac.±	9.6%
	TOTAL	7.49 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: P.F. DATE: 5/28/04

FIGURE 3. FLUCFCS MAP FOR 7.5± ACRE ADDITION (PARCEL 2)
HAWK'S HAVEN

Parcel 1 FLUCFCS Descriptions

Improved Pasture (FLUCFCS Code 211)
This upland habitat occupies 129.69 ± acres or 92.4 percent of the parcel. This particular area used to be regularly farmed for sod. It has recently gone fallow. The canopy and sub-canopy is open. The ground cover is dominated by bahia grass (*Paspalum notatum*) and also contains scattered reticulated paw-paw (*Asimina reticulata*), dog fennel (*Eupatorium capillifolium*), flatsedge (*Cyperus surinamensis*), frog-fruit (*Phyla nodiflora*), bluestem grass (*Andropogon* sp.), caesar weed (*Urena lobata*), and broomsedge (*Andropogon virginicus*).

Palmetto Prairie (FLUCFCS Code 321)
This habitat occupies 4.69± acreS or 3.3 percent of the parcel. The canopy is open. The sub-canopy contains scattered slash pine (*Pinus elliottii*) and wax-myrtle. The ground cover is dominated by saw palmetto (*Serenoa repens*) and also contains smutgrass (*Sporobolis indicus*) and broomsedge.

Pine Flatwoods (FLUCFCS Code 411)
This habitat occupies 2.43± acres or 1.7 percent of the parcel. The canopy is dominated by slash pine and also contains occasional cabbage palm (*Sabal palmetto*). The sub-canopy consists of wax-myrtle, myrsine (*Rapanea punctata*), and dahoon holly (*Ilex cassine*). The ground cover is dominated by saw palmetto with scattered broomsedge and grapevine (*Vitis rotundifolia*).

Hardwood/Conifer Mixed (FLUCFCS Code 434)
This upland habitat occupies 1.67± acres or 1.3 percent of the parcel. The canopy includes slash pine and live oak (*Quercus virginiana*). The sub-canopy includes wax-myrtle and scattered Brazilian pepper (*Schinus terebinthifoloius*). Ground cover is dominated by saw palmetto with scattered broomsedge and smutgrass.

Ditch (FLUCFCS Code 514)
Ditches occupy 0.20± acre or 0.1 percent of the parcel. The canopy and sub-canopy are open. The ground cover is mostly open with scattered maidencane (*Panicum hemitomon*), pickerel weed (*Pontedaria cordata*), and torpedo grass (*Panicum repens*).

Disturbed Land (FLUCFCS Code 740)
This upland land use occupies 1.35± acres or 0.9 percent of the parcel. The canopy and sub-canopy is open. The ground cover is dominated by bahia grass, with dog fennel, reticulated paw-paw, and smutgrass.

Borrow Area (FLUCFCS Code 742)
This habitat occupies 0.10 ± acre or 0.1 percent of the parcel and is the result of historic land clearing and earthmoving activities. The canopy and sub-canopy are open, while the ground cover is mostly bare ground but includes marsh pennywort (*Hydrocotyle* sp.), torpedo grass, and flatsedge.

Spoil Area (FLUCFCS Code 743)
This habitat occupies 0.19± acre or 0.2 percent of the parcel. The canopy and sub-canopy is open. The ground cover is includes dog fennel, caesar weed, and bahia grass.

Parcel 2 FLUCFCS Descriptions

Wax-myrtle (FLUCFCS Code 429)
This upland habitat occupies 6.77± acres or 90.3 percent of the parcel. The canopy is mostly open, with scattered slash pine. The sub-canopy is predominantly wax-myrtle with scattered live oak, slash pine, and Brazilian pepper. The ground cover includes scattered saw palmetto, bahia grass, yellow-eyed grass (*Xyris* sp.), broomsedge, smutgrass, and flatsedge.

Electrical Transmission Lines (FLUCFCS Code 832)
This upland land use occupies 0.72± acre or 9.7 percent of the parcel. It has an open canopy and sub-canopy. The ground cover is predominantly bahia grass with scattered clumps of saw palmetto, broomsedge, and smutgrass.

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types, as outlined in the LDC. The frequency of transects performed in these habitats were designed to meet the 80 percent minimum coverage requirement. Cursory surveys were also conducted in those habitats not technically required to be surveyed per the LDC. However, based on past experience and conversations with Lee County's Division of Environmental Sciences (DES) staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines those protected species that may inhabit or utilize a particular vegetation association on Parcel 1 and Parcel 2.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description	Potential Protected Species
211 Improved Pasture	Florida Sandhill Crane (*Grus canadensis pratensis*)
	Burrowing Owl (*Athene cunicularia floridana*)
	Florida Panther (*Felis concolor coryi*)
321 Palmetto Prairie	Eastern Indigo Snake (*Drymarchon corais couperi*)
	Gopher Tortoise (*Gopherus polyphemus*)
	Gopher Frog (*Rana areolata*)
	Southeastern American Kestrel (*Falco sparverius paulus*)
	Audubon's Crested Caracara (*Polyborus plancus audubonii*)
	Florida Black Bear (*Ursus americanus floridanus*)
	Curtis Milkweed (*Asclepias curtissii*)
	Fakahatchee Burmannia (*Burmannia flava*)
	Florida Coontie (*Zamia floridana*)
	Beautiful Pawpaw (*Deeringothamnus pulchellus*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
411	Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Southeastern American Kestrel (*Falco sparveriuspaulus*)
		Red-cockaded Woodpecker (*Picoides borealis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Felis concolor coryi*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Satinleaf (*Chrysophyllum oliviforme*)
		Beautiful Paw-Paw (*Deeringothamnus pulchellus*)
		Florida Coontie (*Zamia floridana*)
429	Wax-myrtle*	Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
434	Hardwood/Conifer Mixed	Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
514	Ditch	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)
740	Disturbed Land*	Gopher Tortoise (*Gopherus polyphemus*)
742	Borrow Area*	American Alligator (*Alligator mississippiensis*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
743	Spoil Areas	Gopher Tortoise (*Gopherus polyphemus*)
832	Electrical Transmission Lines*	N/A

*Habitat surveyed for the species noted although not required per the LDC.

The protected species survey was conducted by Passarella and Associates, Inc. on May 25, 2004. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS methodology previously approved by Lee County. The weather during the survey was clear, calm, and in the low 90's.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 3.

Table 3. Summary of Habitat Coverage (Parcels 1 and 2 Combined)

FLUCFCS Code	FLUCFCS Description	Total Area (Acres)	Transect Length (Feet)	Average Visibility (Feet)*	Percent Coverage
211	Improved Pasture	129.69	25,422	100	90
321	Palmetto Prairie	4.69	4,086	20	80
411	Pine Flatwoods	2.43	2,117	20	80
429	Wax-myrtle**	6.77	5,898	20	80
434	Hardwood-Conifer Mixed	1.67	818	40	90
514	Drainage Ditch	0.20	174	20	80
740	Disturbed Land**	1.35	1,058	25	90
742	Borrow Area**	0.10	41	50	95
743	Spoil Area	0.19	78	50	95
832	Electrical Transmission Lines**	0.72	353	40	90

* Average visibility to one side of transect
** Habitat surveyed as a precautionary measure although not required per the LDC

SURVEY RESULTS

During the survey, Lee County protected species were observed on Parcel 1. Two Florida sandhill cranes (*Grus canadensis pratensis*) were observed foraging in the northern part of Parcel 1, while a total of eight burrowing owls (*Athene cunicularia floridana*) and three burrowing owl nests were observed in the southern portion of Parcel 1. No protected species were observed on Parcel 2. Density calculations for the Florida sandhill cranes and the burrowing owls were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted August 30, 1989. The Florida Sandhill Cranes and the burrowing owls (and their nests) were observed in the Improved Pasture (FLUCFCS Code 211) of Parcel 1 (Appendix A). The Lee County protected species abundance calculations are provided in Table 4, while Table 5 summarizes the protected species survey findings. A 2002 Lee County aerial with the survey transects for Parcel 1 and Parcel 2 are provided as Appendix A and Appendix B, respectively.

Table 4. Lee County Protected Species Abundance Calculations for Parcel 1

Protected Species Density:

$$= \{n/[L_1(W_1+W_2)]\}(43{,}560\ ft^2/ac.)$$

where n = number of individuals observed
L_1 = Length of transect (feet)
W_1 = Distance of visibility to the right of transect (feet)
W_2 = Distance of visibility to the left of transect (feet)

Table 4. (Continued)

Florida Sandhill Crane (***Grus Canadensis pratensis***)
FLUCFCS Code 211

={1/[25,422ft. (100 ft. + 100 ft.)]}(43,560)
={1/5,084,400}(43,560)
={1.97×10^{-7}}(43,560)
=0.01 Florida Sandhill Cranes/Acre

Burrowing Owl (***Athene cunicularia floridana***)
FLUCFCS Code 211

={8/[25,422ft. (100 ft. + 100 ft.)]}(43,560)
={8/5,084,400}(43,560)
={1.57×10^{-6}}(43,560)
=0.07 Burrowing Owls/Acre

Table 5. Lee County Protected Species Survey Summary (Parcels 1 and 2)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator	514	80		X	N/A
	742	95		X	N/A
Eastern Indigo Snake	321	80		X	N/A
	411	80		X	N/A
Gopher Tortoise	321	80		X	N/A
	429	80		X	N/A
	411	80		X	N/A
	740	95		X	N/A
	743	95		X	N/A
Gopher Frog	321	80		X	N/A
	411	80		X	N/A
	429	80		X	N/A
Birds					
Burrowing Owl	211	90	X		0.07
Southeastern American Kestrel	321	80		X	N/A
	411	80		X	N/A
Red-cockaded Woodpecker	411	80		X	N/A
Limpkin	514	80		X	N/A
Roseate Spoonbill	514	80		X	N/A
Little Blue Heron	514	80		X	N/A
	742	95		X	N/A

Table 5. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Snowy Egret	514	80		X	N/A
	742	95		X	N/A
Audubon's Crested Caracara	321	80		X	N/A
Florida Sandhill Crane	211	90	X		0.01
Mammals					
Florida Panther	411	80		X	N/A
	434	90		X	N/A
Big Cypress Fox Squirrel	411	80		X	N/A
Everglades Mink	514	80		X	N/A
	742	95		X	N/A
Florida Black Bear	321	80		X	N/A
	411	80		X	N/A
	434	90		X	N/A
Plants					
Curtis Milkweed	321	80		X	N/A
Fakahatchee Burmannia	321	80		X	N/A
	411	80		X	N/A
Satinleaf	411	80		X	N/A
Beautiful Pawpaw	321	80		X	N/A
	411	80		X	N/A
Florida Coontie	321	80		X	N/A
	411	80		X	N/A

MANAGEMENT PLAN

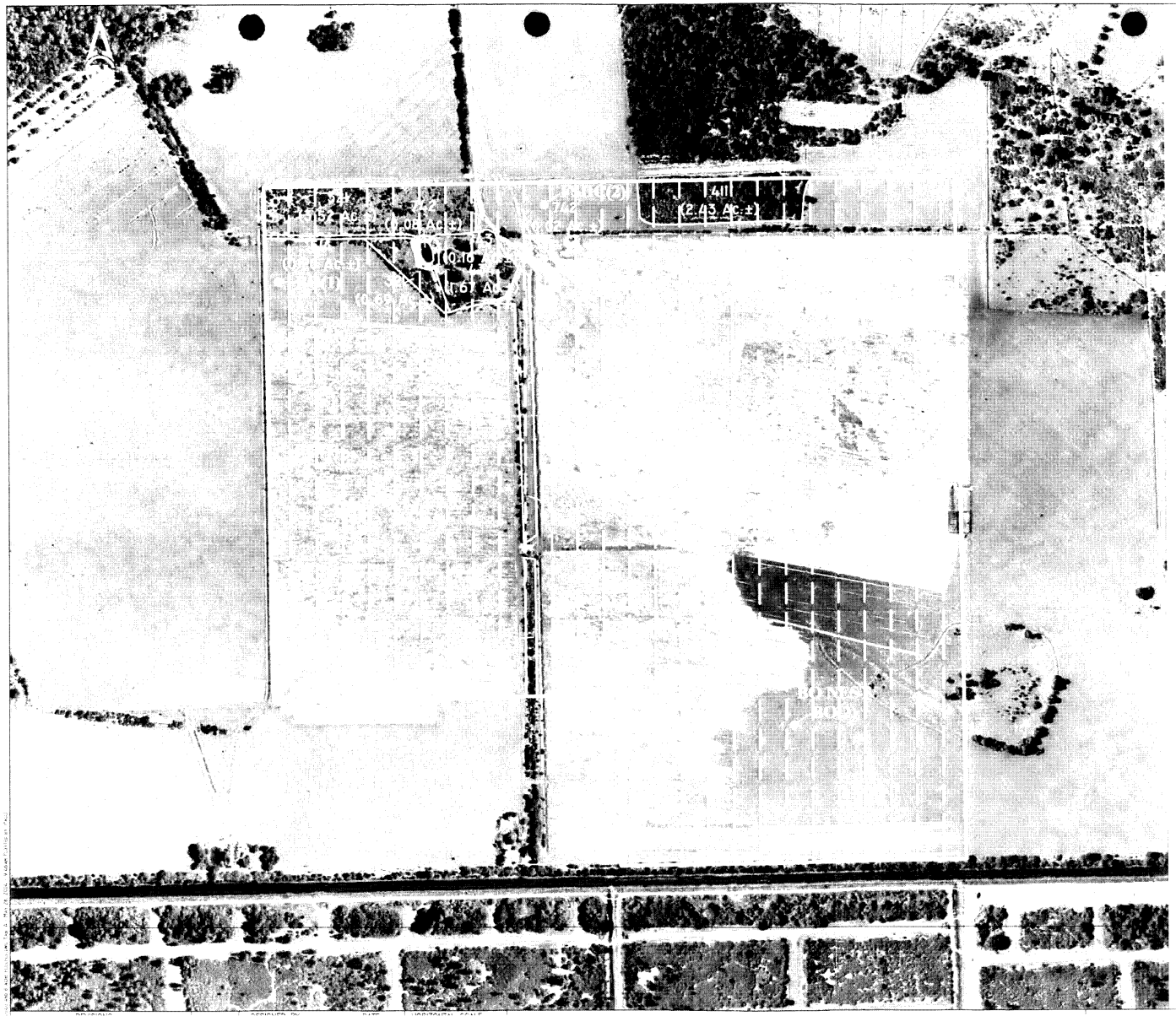
Pursuant to Lee County DES staff's review of this protected species survey, a management plan will be prepared to address the protection of the Florida sandhill cranes and the burrowing owls (and their nests) observed on the 140± acre addition (Parcel 1) Hawk's Haven addition.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

AERIAL WITH FLUCFCS MAPPING, SURVEY TRANSECTS, AND PROTECTED SPECIES OBSERVATIONS FOR 140± ACRE ADDITION (PARCEL 1)



LEGEND:

WALKED TRANSECT

BO BURROWING OWL

BO NEST BURROWING OWL NEST

FSHC FLORIDA SANDHILL CRANE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	129.69 Ac.±	92.4%
321	PALMETTO PRAIRIE	4.69 Ac.±	3.3%
411	PINE FLATWOODS	2.43 Ac.±	1.7%
434	HARDWOOD/CONIFER MIXED	1.67 Ac.±	1.2%
514	DITCH	0.20 Ac.±	0.1%
740	DISTURBED LAND	1.35 Ac.±	1.0%
742	BORROW AREA	0.10 Ac.±	0.1%
743	SPOIL AREA	0.19 Ac.±	0.1%
	TOTAL	140.32 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF APRIL, 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
	J.H.	5/25/04	1"= 400'
	CHECKED BY	DATE	VERTICAL SCALE
	K.C.P.	5/25/04	N/A
	DRAWN BY	DATE	SEC./TWP./RNG.
	D.B., P.F.	5/25/04	34,35,36/43/26

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

HAWK'S HAVEN

AERIAL PHOTOGRAPH WITH FLUCFCS MAPPING, SURVEY TRANSECTS, AND PROTECTED SPECIES OBSERVATIONS FOR 140± ACRE ADDITION (PARCEL 1)

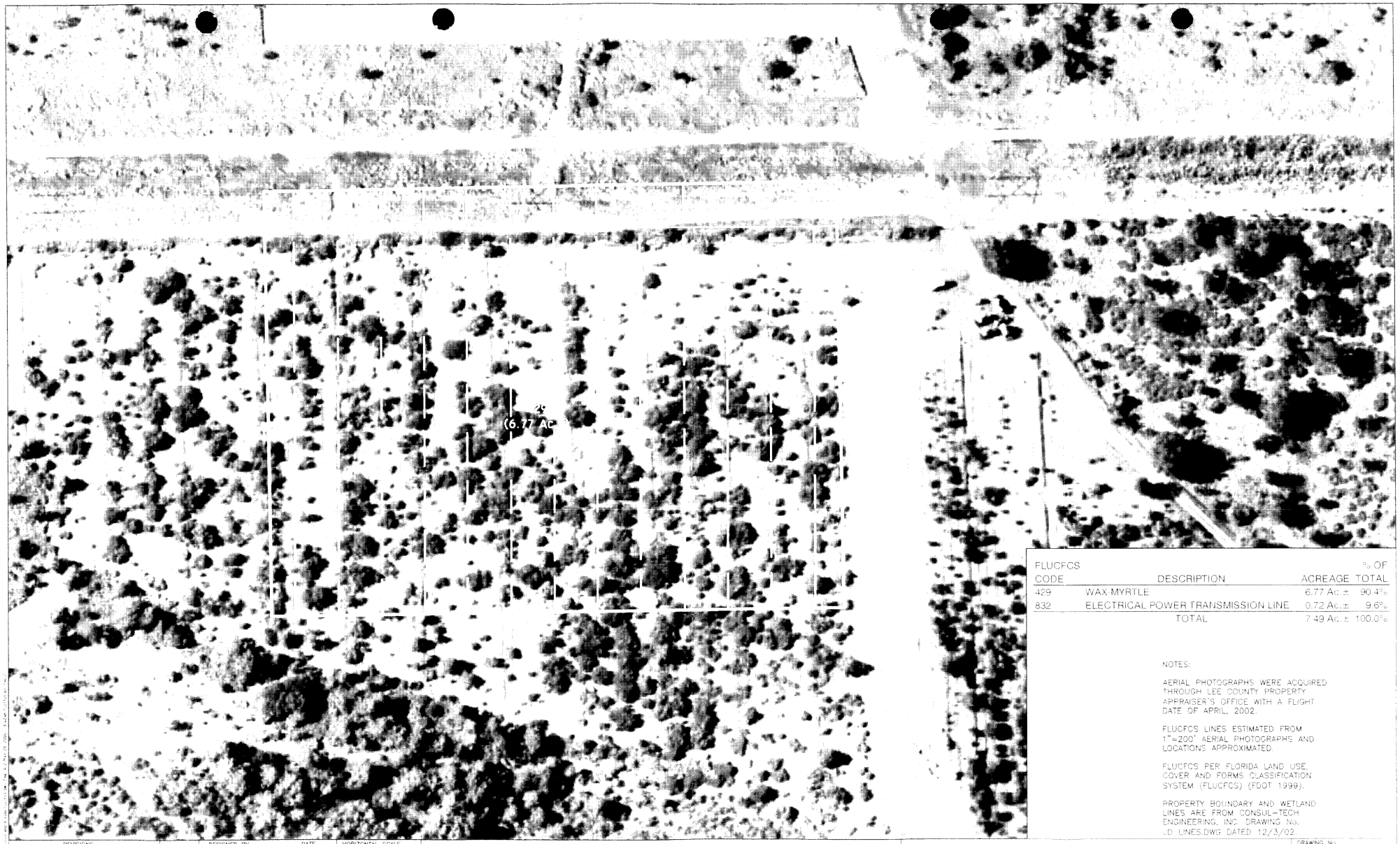
DRAWING No. 03PEG331

SHEET No.

APPENDIX A

APPENDIX B

AERIAL WITH FLUCFCS MAPPING, SURVEY TRANSECTS, AND PROTECTED SPECIES OBSERVATIONS FOR 7.5± ACRE ADDITION (PARCEL 2)



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
429	WAX-MYRTLE	6.77 Ac.±	90.4%
832	ELECTRICAL POWER TRANSMISSION LINE	0.72 Ac.±	9.6%
	TOTAL	7.49 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF APRIL, 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. LD LINES.DWG DATED 12/3/02.

REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
	J.H.	5/25/04	1"= 100'
	CHECKED BY	DATE	VERTICAL SCALE
	K.C.P.	5/25/04	N/A
	DRAWN BY	DATE	SEC./TWP./RNG.
	D.B., P.F.	5/25/04	34,35,36/43/26

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

HAWK'S HAVEN
AERIAL PHOTOGRAPH WITH FLUCFCS MAPPING AND SURVEY TRANSECTS FOR 7.5± ACRE ADDITION (PARCEL 2)

DRAWING No. 03PEG931
SHEET No.
APPENDIX B

RECEIVED
OCT 26 2004
PERMIT COUNTER

DCI2004-00054

HAWK'S HAVEN
LEE COUNTY PROTECTED SPECIES SURVEY

October 2004

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067

Project No. 03PEG931

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INTRODUCTION

This report documents the Lee County Protected Species Survey (PSS) conducted by Passarella and Associates, Inc. for the 1,946.26± acre Hawk's Haven property. The purpose of the survey was to review the property for protected species in accordance with Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat).

The Hawk's Haven property is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The project's surrounding land uses include Lehigh Acres to the south; State Road 80 to the north; Hickey's Creek Mitigation Park to the east; undeveloped, forested land and the (currently under construction) residential development Hawk's Preserve to the west.

Protected species surveys were previously completed on the Hawk's Haven 140± acre and 7.5± acre additions in May 2004 and Hawk's Haven Phase I in September 2004. The reports for these phases have been previously provided to Lee County staff. This report includes the survey information from both of these reports, as well as the results of an updated survey for the remainder of the property.

LAND USES AND VEGETATION ASSOCIATIONS

Vegetation associations and land uses for the Hawk's Haven property were delineated using 2002 rectified (scale 1" = 500') color aerials and on-site field surveys conducted in August 2003. During the surveys, preliminary lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation 1999). Level IV was used to denote hydrologic conditions and exotic species disturbance. Table 1 provides a breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows. The resulting FLUCFCS map with acreages is provided as Figure 2.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
211	Improved Pasture	427.08	21.9
242	Sod Farm	227.65	11.7
3209	Shrub and Brushland, Disturbed	79.07	4.1
321	Palmetto Prairie	61.70	3.2
3219	Palmetto Prairie, Disturbed	41.24	2.1
411	Pine Flatwoods	29.24	1.5
4119	Pine Flatwoods, Disturbed	440.33	22.6

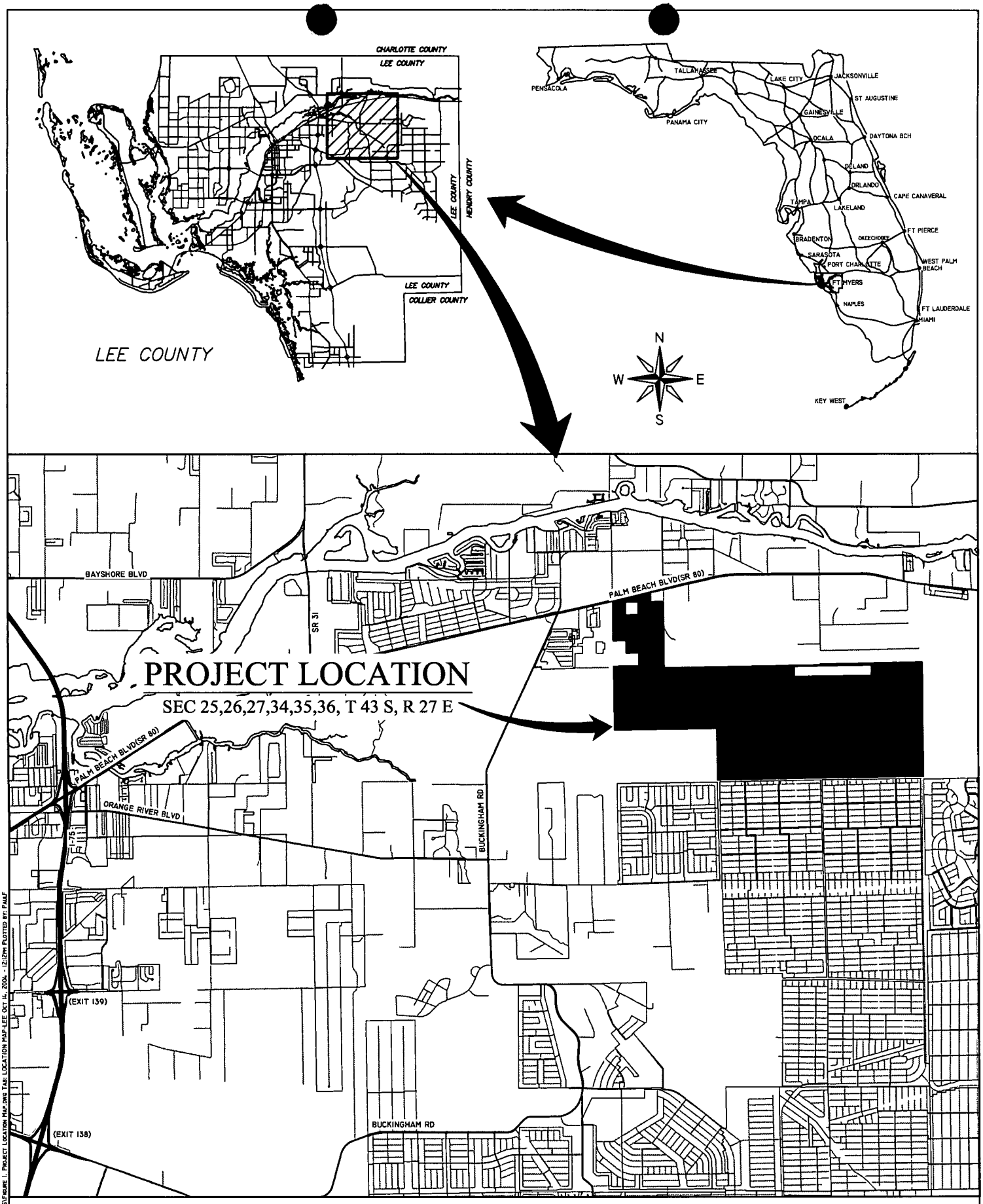


FIGURE 1. PROJECT LOCATION MAP
HAWK'S HAVEN

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: DB DATE: 5/26/04

J:\2003\03FE0931\2004\PSS\FIGURE 1. PROJECT LOCATION MAP.DWG TAB: LOCATION MAP-LEE OCT 14, 2004 - 12:12pm PLOTTED BY: PAULF

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	427.08 Ac.±	21.9%
242	SOD FARM	227.65 Ac.±	11.7%
3209	SHRUB AND BRUSHLAND, DISTURBED	79.07 Ac.±	4.1%
321	PALMETTO PRAIRIE	61.70 Ac.±	3.2%
3219	PALMETTO PRAIRIE, DISTURBED	41.24 Ac.±	2.1%
411	PINE FLATWOODS	29.24 Ac.±	1.5%
4119	PINE FLATWOODS, DISTURBED	440.33 Ac.±	22.6%
415	PINE FLATWOODS, GRAMINOID GROUND COVER	14.65 Ac.±	0.8%
4159	MIXED PINE FLATWOODS, DISTURBED	6.03 Ac.±	0.3%
421	XERIC OAK	7.55 Ac.±	0.4%
4219	XERIC OAK, DISTURBED	20.77 Ac.±	1.1%
422	BRAZILIAN PEPPER	29.94 Ac.±	1.5%
4221	BRAZILIAN PEPPER, HYDRIC	20.81 Ac.±	1.1%
427	LIVE OAK	2.35 Ac.±	0.1%
4279	LIVE OAK, DISTURBED	7.01 Ac.±	0.4%
428	CABBAGE PALM	1.63 Ac.±	0.1%
4289	CABBAGE PALM, DISTURBED	7.47 Ac.±	0.4%
429	WAX-MYRTLE	31.51 Ac.±	1.6%
4291	WAX-MYRTLE, HYDRIC	22.38 Ac.±	1.1%
434	HARDWOOD/CONIFER MIXED	37.42 Ac.±	1.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	5.31 Ac.±	0.3%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	70.44 Ac.±	3.6%
4389	MIXED HARDWOODS, DISTURBED	0.55 Ac.±	0.0%
514	DITCH	5.16 Ac.±	0.3%
525	SHALLOW POND	0.45 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	6.53 Ac.±	0.3%
6179	MIXED WETLAND HARDWOODS, DISTURBED	3.08 Ac.±	0.2%
6179C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	2.55 Ac.±	0.1%
618	POP ASH AND WILLOW	1.27 Ac.±	0.1%
621	CYPRESS	5.71 Ac.±	0.3%
6219	CYPRESS, DISTURBED	14.53 Ac.±	0.7%
625	HYDRIC PINE	2.31 Ac.±	0.1%
6259	HYDRIC PINE, DISTURBED	4.62 Ac.±	0.2%
6259C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	5.82 Ac.±	0.3%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	3.53 Ac.±	0.2%
6309	MIXED WETLAND FOREST, DISTURBED	114.58 Ac.±	5.9%
6309C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	9.01 Ac.±	0.5%
6419	FRESHWATER MARSH, DISTURBED	4.67 Ac.±	0.2%
643	WET PRAIRIE	1.29 Ac.±	0.1%
6439	WET PRAIRIE, DISTURBED	18.11 Ac.±	0.9%
740	DISTURBED LAND	103.19 Ac.±	5.3%
742	BORROW AREA	0.20 Ac.±	0.0%
743	SPOIL AREA	0.43 Ac.±	0.0%
832	ELECTRICAL TRANSMISSION LINES	33.04 Ac.±	1.7%
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	2.45 Ac.±	0.1%
	TOTAL	1946.28 Ac.±	100.0%

LEGEND:

- SFWMD WETLANDS (242.81 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (0.45 Ac.±)
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE

SCALE: 1" = 500'

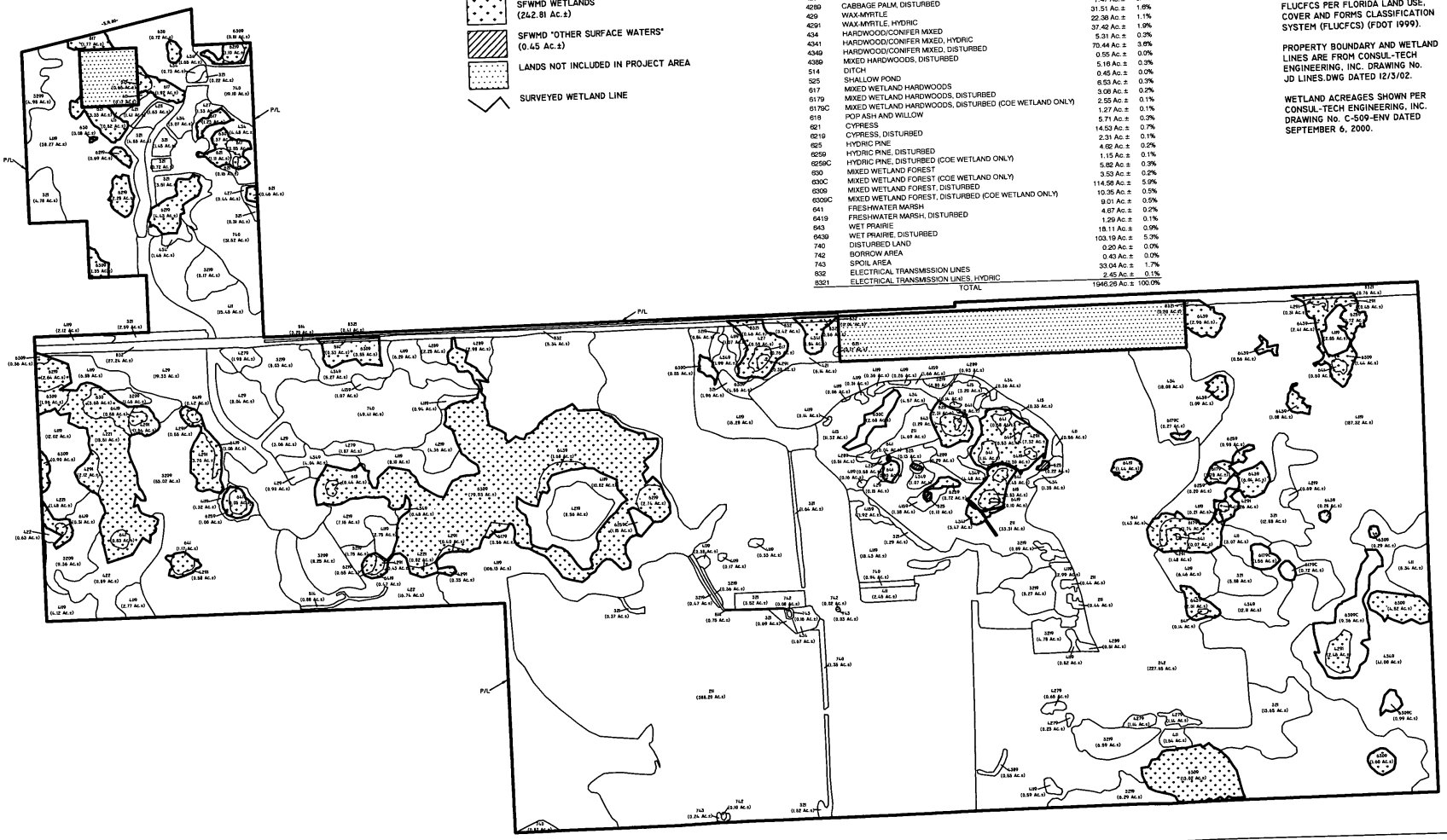
NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

WETLAND ACREAGES SHOWN PER CONSUL-TECH ENGINEERING, INC. DRAWING No. C-509-ENV DATED SEPTEMBER 6, 2000.



REVISIONS	DESIGNED BY J.H.	DATE 9/21/04	HORIZONTAL SCALE 1"=500'
	CHECKED BY K.C.P.	DATE 9/21/04	VERTICAL SCALE N/A
	DRAWN BY W.C.	DATE 9/21/04	SEC./TWP./RNG. 25,26,27,34,35,36/43/28

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

HAWK'S HAVEN
SFWMD FLUCFCS AND WETLANDS MAP

DRAWING No.: 03PEG931
SHEET No.: FIGURE 2

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
415	Pine	14.85	0.8
4159	Pine, Disturbed	6.03	0.3
421	Xeric Oak	7.55	0.4
4219	Xeric Oak, Disturbed	20.77	1.1
422	Brazilian Pepper	29.84	1.5
4221	Brazilian Pepper, Hydric	20.81	1.1
427	Live Oak	2.35	0.1
4279	Live Oak, Disturbed	7.01	0.4
428	Cabbage Palm	1.63	0.1
4289	Cabbage Palm, Disturbed	7.47	0.4
429	Wax-Myrtle	31.51	1.6
4291	Wax-Myrtle/Willow, Hydric	22.38	1.1
434	Hardwood-Conifer Mixed	37.42	1.9
4341	Hardwood-Conifer, Hydric	5.31	0.3
4349	Hardwood-Conifer, Disturbed	70.44	3.6
4389	Mixed Hardwoods, Disturbed	0.55	<0.1
514	Ditch	5.16	0.3
525	Shallow Pond	0.45	<0.1
617	Mixed Wetland Hardwoods	6.53	0.3
6179	Mixed Wetland Hardwoods, Disturbed	3.08	0.2
6179C	Mixed Wetland Hardwoods, Disturbed (COE Wetland Only)	2.55	0.1
618	Pop Ash and Willow	1.27	0.1
621	Cypress	5.71	0.3
6219	Cypress, Disturbed	14.53	0.7
625	Hydric Pine	2.31	0.1
6259	Hydric Pine, Disturbed	4.62	0.2
6259C	Hydric Pine, Disturbed (COE Wetland Only)	1.15	0.1

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
630	Mixed Wetland Forest	5.82	0.3
630C	Mixed Wetland Forest (COE Wetland Only)	3.53	0.2
6309	Mixed Wetland Forest, Disturbed	114.58	5.9
6309C	Mixed Wetland Forest, Disturbed (COE Wetland Only)	10.35	0.5
641	Freshwater Marsh	9.01	0.5
6419	Freshwater Marsh, Disturbed	4.67	0.2
643	Wet Prairie	1.29	0.1
6439	Wet Prairie, Disturbed	18.11	0.9
740	Disturbed Land	103.19	5.3
742	Borrow Area	0.20	<0.1
743	Spoil Area	0.43	<0.1
832	Utility Easement	33.04	1.7
8321	Utility Easement, Hydric	2.45	0.1
TOTAL		**1,946.26**	**100.0**

Improved Pasture (FLUCFCS Code 211)
This habitat type occupies 427.08± acres or 21.9 percent of the property. The canopy and sub-canopy are open. Occasional canopy and sub-canopy vegetation includes live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), and Brazilian pepper (*Schinus terebinthifolius*). The ground cover is dominated by bahiagrass (*Paspalum notatum*) with St. Augustine grass (*Stenotaphrum secundatum*), water drop-wort (*Oxypolis* sp.), blackroot (*Pterocaulon virgatum*), caesarweed (*Urena lobata*), five-leaf sneezeweed (*Helenium amarum*), Baldwin flatsedge (*Cyperus globulosus*), pawpaw (*Asimina reticulata*), prickly pear (*Opuntia* sp.), smutgrass (*Sporobolus indicus*), greenbriar (*Smilax* sp.), and grapevine (*Vitis rotundifolia*).

Sod Farm (FLUCFCS Code 242)
These areas are occupied by active agricultural operations and account for 227.65± acres or 11.7 percent of the property.

Shrub and Brushland, Disturbed (FLUCFCS Code 3209)
This habitat occupies 79.07± acres or 4.1 percent of the property. The canopy has widely scattered slash pine (*Pinus elliotii*), cabbage palm, and earleaf acacia (*Acacia auriculifomis*). The sub-canopy consists of cabbage palm, Brazilian pepper, and slash pine. The ground cover contains greenbriar, bahiagrass, grapevine, Johnson grass (*Sorghum halepense*), and caesarweed.

Palmetto Prairie (FLUCFCS Code 321)
This upland habitat type occupies 61.70± acres or 3.2 percent of the property. The canopy contains scattered slash pine, live oak, and cabbage palm. The sub-canopy consists of Brazilian pepper, beauty-berry (*Callicarpa americana*), wax-myrtle (*Myrica cerifera*), and winged sumac (*Rhus copallina*). The ground cover includes saw palmetto (*Serenoa repens*) and grapevine.

Palmetto Prairie, Disturbed (FLUCFCS Code 3219)
This upland habitat type occupies 41.24± acres or 2.1 percent of the property and is similar to that of FLUCFCS Code 321, except with higher concentrations of Brazilian pepper.

Pine Flatwoods (FLUCFCS Code 411)
This upland habitat occupies 29.24± acres or 1.5 percent of the property. The canopy contains slash pine. The sub-canopy contains wax-myrtle, dahoon holly (*Ilex cassine*), and cabbage palm. Ground cover includes saw palmetto, bahiagrass, and staggerbush (*Lyonia fruiticosa*).

Pine Flatwoods, Disturbed (FLUCFCS Code 4119)
This upland habitat type occupies 440.33± acres or 22.6 percent of the property and is similar to that of FLUCFCS Code 411, except with higher concentrations of melaleuca (*Melaleuca quinquenervia*) and Brazilian pepper.

Pine (FLUCFCS Code 415)
This habitat occupies 14.85± acres or 0.8 percent of the property. The canopy is dominated by slash pine. The sub-canopy consists of slash pine and wax-myrtle. The ground cover is bushy goldenrod (*Euthamia* spp.), yellow-eyed grass (*Xyris flabelliformis*), lovegrass (*Eragrostis* spp.), bahiagrass, and chocolateweed (*Melochia corchorifolia*).

Pine, Disturbed (FLUCFCS Code 4159)
This upland habitat type occupies 6.03± acres or 0.3 percent of the property and is similar to that of FLUCFCS Code 415, except with higher concentrations of Brazilian pepper and melaleuca.

Xeric Oak (FLUCFCS Code 421)
This upland habitat type occupies 7.55± acres or 0.4 percent of the property. Canopy and sub-canopy contains myrtle oak (*Quercus myrtifolia*), Chapman's oak (*Quercus chapmanii*), sand live oak (*Quercus geminata*), and live oak. Ground cover includes saw palmetto, tarflower (*Bejaria racemosa*), staggerbush, hogplum (*Prunus umbellata*), and greenbrier.

Xeric Oak, Disturbed (FLUCFCS Code 4219)
This upland habitat type occupies 20.77± acres or 1.1 percent of the property. This habitat is similar to that of FLUCFCS Code 421, except with higher concentrations of Brazilian pepper.

Brazilian Pepper (FLUCFCS Code 422)
This upland community type occupies 29.84± acres or 1.5 percent of the property. The canopy is open. The sub-canopy is dominated by Brazilian pepper. The ground cover includes Brazilian pepper, saw palmetto, grapevine, and greenbriar.

Brazilian Pepper, Hydric (FLUCFCS Code 4221)
This wetland habitat type occupies 20.81± acres or 1.1 percent of the property. The canopy contains scattered cabbage palm. The sub-canopy is dominated by Brazilian pepper with willow (*Salix caroliniana*). The ground cover is mostly open with peppervine (*Ampelopsis arborea*).

Live Oak (FLUCFCS Code 427)
This upland community type occupies 2.35± acres or 0.1 percent of the property. The canopy consists of live oak, swamp laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes myrsine (*Rapanea punctata*), saw palmetto, beauty-berry, bracken fern (*Pteridium aquilinum*), grapevine, poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*).

Live Oak, Disturbed (FLUCFCS Code 4279)
This upland community type occupies 7.01± acres or 0.4 percent of the property. This habitat is similar to that of FLUCFCS Code 427, except with higher concentrations of Brazilian pepper.

Cabbage Palm (FLUCFCS Code 428)
This upland habitat type occupies 1.63± acres or 0.1 percent of the property. The canopy and sub-canopy contain cabbage palm. The ground cover includes wild coffee and beauty-berry.

Cabbage Palm, Disturbed (FLUCFCS Code 4289)
This habitat type occupies 7.47± acres or 0.4 percent of the property. This habitat is similar to that of FLUCFCS Code 428, except with higher concentrations of Brazilian pepper.

Wax-Myrtle (FLUCFCS Code 429)
This upland habitat type occupies 31.51± acres or 1.6 percent of the property. The canopy and sub-canopy are open. Ground cover includes wax-myrtle, Brazilian pepper, bahiagrass, whitetop sedge (*Rhynchospora colorata*), and asiatic pennywort (*Centella asiatica*).

Wax-Myrtle/Willow, Hydric (FLUCFCS Code 4291)
This wetland community type occupies 22.38± acres or 1.1 percent of the property. The canopy is open with scattered cypress (*Taxodium distichum*). The sub-canopy contains wax-myrtle, willow, buttonbush (*Cephalanthus occidentalis*), flowering dogwood (*Cornus florida*), and Brazilian pepper. The ground cover includes peppervine, grapevine, swamp laurel oak, iris (*Iris* sp.), sawgrass (*Cladium jamaicense*), and asiatic pennywort.

Hardwood-Conifer Mixed (FLUCFCS Code 434)
This upland habitat type occupies 37.42± acres or 1.9 percent of the property. The canopy contains slash pine, live oak, and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes bahiagrass, caesarweed, Brazilian pepper, and cabbage palm.

Hardwood-Conifer, Hydric (FLUCFCS Code 4341)
This wetland community occupies 5.31± acres or 0.3 percent of the property. The canopy includes slash pine, laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy includes

laurel oak and cabbage palm. The ground cover is mostly open with scattered yellow-eyed grass, gulfdune paspalum (*Paspalum monostachyum*), and flatsedge (*Cyperus* sp.).

Hardwood-Conifer, Disturbed (FLUCFCS Code 4349)
This upland community type occupies 70.44± acres or 3.6 percent of the property. This habitat is similar to that of FLUCFCS Code 434, except with higher concentrations of Brazilian pepper.

Mixed Hardwoods, Disturbed (FLUCFCS Code 4389)
This upland habitat occupies 0.55± acre or less than 0.1 percent of the property. The canopy includes live oak and laurel oak. The sub-canopy includes myrsine, dahoon holly, and wax-myrtle. The ground cover includes scattered saw palmetto.

Ditch (FLUCFCS Code 514)
This habitat type occupies 5.16± acres or 0.3 percent of the property. The canopy is open. The sub-canopy contains Brazilian pepper, wax-myrtle, and willow. The ground cover contains dotted smartweed (*Polygonum punctatum*) and cattail (*Typha* sp.).

Shallow Pond (FLUCFCS Code 525)
This land use is maintained for agricultural purposes and occupies 0.45± acre or less than 0.1 percent of the property.

Mixed Wetland Hardwoods (FLUCFCS Codes 617)
This wetland habitat occupies 6.53± acres or 0.3 percent of the property. The canopy contains red maple (*Acer rubrum*), swamp laurel oak, cypress, cabbage palm, pop ash *(Fraxinus caroliniana)*, and American elm (*Ulmus americana*). The sub-canopy includes wax-myrtle, buttonbush, and cabbage palm. The ground cover includes swamp fern (*Blechnum serrulatum*), sawgrass, smartweed, and yellow-eyed grass.

Mixed Wetland Hardwoods, Disturbed and Mixed Wetland Hardwoods, Disturbed (COE Wetland Only) (FLUCFCS Codes 6179 and 6179C)
These wetland community types occupy 3.08± and 2.55± acres or 0.2 and 0.1 percent of the property, respectively. This habitat is similar to that of FLUCFCS Code 617, except with higher concentrations of Brazilian pepper.

Pop Ash and Willow (FLUCFCS Code 618)
This wetland habitat occupies 1.27± acres or 0.1 percent of the property. The canopy and sub-canopy contain pop ash and willow. The ground cover is mostly open with scattered swamp fern.

Cypress (FLUCFCS Code 621)
This wetland habitat type occupies 5.71± acres or 0.3 percent of the property. The canopy is dominated by cypress. The sub-canopy contains cypress, swamp bay (*Persea palustris*), wax myrtle, and pop ash. The ground cover is mostly open with scattered swamp fern and leather fern (*Acrostichium danefolium*).

Cypress, Disturbed (FLUCFCS Code 6219)
This wetland community type occupies 14.53± acres or 0.7 percent of the property. This habitat is similar to that of FLUCFCS Code 621, except with higher concentrations of Brazilian pepper.

Hydric Pine (FLUCFCS Code 625)
This wetland habitat occupies 2.31± acres or 0.1 percent of the property. The canopy is slash pine. The sub-canopy is mostly open with scattered slash pine and cabbage palm. The ground cover includes gulfdune paspalum, wiregrass (*Aristida stricta*), sawgrass, flatsedge, yellow-eyed grass, and beaksedge (*Rhynchospora* sp.)

Hydric Pine, Disturbed and Hydric Pine, Disturbed (COE Wetland Only) (FLUCFCS Codes 6259 and 6259C)
These wetland habitats occupy 4.62± and 1.15± acres or 0.2 and 0.1 percent of the property, respectively, and are similar to that of FLUCFCS Code 625, except with greater concentrations of melaleuca.

Mixed Wetland Forest and Mixed Wetland Forest (COE Wetland Only) (FLUCFCS Codes 630 and 630C)
These wetland habitat types occupy 5.82 and 3.53± acres or 0.3 and 0.2 percent of the property, repsectively. The canopy contains cabbage palm, cypress, American elm, swamp laurel oak, and slash pine. The sub-canopy contains swamp laurel oak, cabbage palm, dahoon holly, and Brazilian pepper. The ground cover includes swamp fern, myrsine, wax-myrtle, poison ivy, iris, peppervine, greenbriar, asiatic pennywort, and day-flower (*Commelina* sp.).

Mixed Wetland Forest, Disturbed and Mixed Wetland Forest, Disturbed (COE Wetland Only) (FLUCFCS Codes 6309 and 6309C)
These wetland habitat types occupy 114.58± and 10.35± acres or 5.9 and 0.5 percent of the property, respectively. These habitats are similar to that of FLUCFCS Code 630, except with higher concentrations of Brazilian pepper.

Freshwater Marsh (FLUCFCS Code 641)
This wetland community type occupies 9.01± acres or 0.5 percent of the property. The canopy and sub-canopy are absent. The ground cover includes pickerelweed (*Pontedaria cordata*), arrowhead (*Sagittaria lancifolia*), buttonbush, and maidencane (*Panicum hemitomon*).

Freshwater Marsh, Disturbed (FLUCFCS Code 6419)
This wetland habitat occupies 4.67± acres or 0.2 percent of the property. This habitat is similar to that of FLUCFCS Code 641, except with higher concentrations of torpedograss (*Panicum repens*) and melaleuca.

Wet Prairie (FLUCFCS Code 643)
This wetland habitat occupies 1.29± acres or 0.1 percent of the property. The canopy and sub-canopy are absent. Ground cover includes pickerelweed, arrowhead, sand cordgrass (*Spartina bakeri*), corkwood (*Stilingia aquatica*), and little blue maidencane (*Amphicarpum muhlenbergianum*).

Wet Prairie, Disturbed (FLUCFCS Code 6439)
This wetland area occupies 18.11± acres or 0.9 percent of the property. This habitat is similar to that of FLUCFCS Code 643, except with higher concentrations of melaleuca.

Disturbed Land (FLUCFCS Code 740)
This upland area occupies 103.19± acres or 5.3 percent of the property. The canopy is open with scattered live oak. The sub-canopy is open. The ground cover includes dogfennel (*Eupatorium capillifolium*), fireweed (*Erechtites hieracifolia*), ragweed (*Ambrosia artemisiifolia*), caesarweed, sweet broom (*Scoparia dulcis*), hairy beggar-ticks (*Bidens pilosa*), sandspur (*Cenchrus* sp.), smutgrass (*Sporobolis indicus*), saw palmetto, peppervine, wild sensitive plant (*Chamaecrista nictitans*), and bahiagrass.

Borrow Area (FLUFCS Code 742)
This land use is maintained for agricultural purposes and occupies 0.20± acre or less than 0.1 percent of the property.

Spoil (FLUCFCS Code 743)
This upland community type occupies 0.43± acre or less than 0.1 percent of the property. Ground cover includes Brazilian pepper.

Utility Easement (FLUCFCS Code 832)
This area is occupied by Florida Power and Light electrical transmission lines and accounts for 33.04± acres or 1.7 percent of the property.

Utility Easement, Hydric (FLUCFCS Code 8321)
This area occupies 2.45± acres or 0.1 percent of the property. The canopy and sub-canopy are open. The ground cover includes torpedograss, little blue maidencane, fog fruit (*Phyla nodiflora*), bushy bluestem (*Andropogon glomeratus*), and camphorweed (*Pluchea* sp.).

METHODOLOGY AND DISCUSSION

As outlined in the LDC, surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet, if not exceed, the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Division of Environmental Sciences (DES), these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
211	Improved Pasture	Gopher Tortoise (*Gopherus polyphemus*)
		Burrowing Owl (*Athene cunicularia floridana*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Florida Panther (*Felis concolor coryi*)
242	Sod Farm*	N/A
3209	Shrub and Brushland, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
321 3219	Palmetto Prairie Palmetto Prairie, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Burrowing Owl (*Athene cunicularia floridana*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Audubon's Crested Caracara (*Polyborus plancus audubonii*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
411 4119 415 4159	Pine Flatwoods Pine Flatwoods, Disturbed Pine Pine, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Bald Eagle (*Leucocephalus haliaetus*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Red-Cockaded Woodpecker (*Picoides borealis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Black Bear (*Ursus americanus floridanus*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
	Pine Habitats (Continued)	Florida Panther (*Felis concolor coryi*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Satinleaf (*Chrysophyllum oliviforme*)
		Beautiful Pawpaw (*Deeringothemnus pulchellus*)
		Florida Coontie (*Zamia floridana*)
421 4219	Xeric Oak Xeric Oak, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Florida Scrub Jay (*Aphelocoma coerulescens coerulescens*)
		Florida Coontie (*Zamia floridana*)
422	Brazilian Pepper*	Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
4221	Brazilian Pepper, Hydric*	N/A
427 4279 428 4289	Live Oak Live Oak, Disturbed Cabbage Palm Cabbage Palm, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Simpson's Stopper (*Myrcianthes fragrans var. simpsonii*)
		Hand Adder's Tongue Fern (*Ophioglossum palmatum*)
		Twisted Air Plant (*Tillandsia flexuosa*)
		Audubon's Crested Caracara (*Polyborus plancus audubonii*)
429	Wax Myrtle*	Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
4291	Wax Myrtle/Willow, Hydric*	Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
434 4349 4389	Hardwood-Conifer Hardwood-Conifer, Disturbed Mixed Hardwoods, Disturbed	Florida Panther (*Felis concolor coryi*) Florida Black Bear (*Ursus americanus floridanus*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
514 525	Ditch Shallow Pond	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)
617 6179 621 6219 625 6259 630 6309	Mixed Wetland Hardwoods Mixed Wetland Hardwoods, Disturbed Cypress Cypress, Disturbed Hydric Pine Hydric Pine, Disturbed Mixed Wetland Forest Mixed Wetland Forest, Disturbed	American Alligator (*Alligator mississippiensis*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Limpkin (*Aramus guarauna*)
		Wood Stork (*Mycteria americana*)
		Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
		Everglades Mink (*Mustela vison evergladensis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
641 6419 643 6439	Freshwater Marsh Freshwater Marsh, Disturbed Wet Prairie Wet Prairie, Disturbed	American Alligator (*Alligator mississippiensis*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Limpkin (*Aramus guarauna*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Snail Kite (*Rostrhamus sociabilis*)
		Everglades Mink (*Mustela vison evergladensis*)
740 743	Disturbed Land * Spoil Area	Gopher Tortoise (*Gopherus polyphemus*)
832	Utility Easement*	N/A
8321	Utility Easement, Hydric*	Wood Stork (*Mycteria americana*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
8321	Utility Easement, Hydric* (Continued)	American Alligator (*Alligator mississippiensis*)
		Tri-colored Heron (*Egretta tricolor*)
		Limpkin (*Aramus guarauna*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Snail Kite (*Rostrhamus sociabilis*)
		Everglades Mink (*Mustela vison evergladensis*)

N/A Not Applicable per the LDC
*This habitat was surveyed for the species indicated as a precautionary measure.

The PSS for the 1,946.26± acre tract was conducted by Passarella and Associates, Inc. on May 25, 2004 and September 1, 2, 7, 10, 14, 15, 16, and 22, 2004. Surveys were conducted during the daylight hours. Weather conditions during the survey period are summarized in Table 3. The type of survey utilized for the PSS included meandering pedestrian transects, per Southern Biomes EIS methodology, previously approved by the county.

Table 3. Survey Dates and Weather Conditions

Survey Date	Weather Conditions
May 25, 2004	Sunny with light winds and temperatures in the mid 80's.
September 1, 2004	Partly sunny with light winds and temperatures in the low 90's
September 2, 2004	Partly sunny with light winds and temperatures in the low 90's
September 7, 2004	Cloudy with light rain and winds and temperatures in the mid 80's
September 10, 2004	Mostly sunny with strong winds and temperatures in the low 90's
September 14, 2004	Cloudy with light rain and winds and temperatures in the mid 80's
September 15, 2004	Cloudy with light rain and winds and temperatures in the mid 80's
September 16, 2004	Sunny with light winds and temperatures in the low 90's
September 22, 2004	Sunny with moderate winds and temperatures in the mid-upper 80's

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 4.

Table 4. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
211	Improved Pasture	427.08	83,716	100	90

Table 4. (Continued)

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
242	Sod Farm[2]	227.65	44,624	100	90
3209	Shrub and Brushland, Disturbed	79.07	68,885	20	80
321	Palmetto Prairie	61.70	53,753	20	80
3219	Palmetto Prairie, Disturbed	41.24	35,928	20	80
411	Pine Flatwoods	29.24	25,474	20	80
4119	Pine Flatwoods, Disturbed	440.33	383,615	20	80
415	Pine	14.85	11,644	25	90
4159	Pine, Disturbed	6.03	4,728	25	90
421	Xeric Oak	7.55	6,577	20	80
4219	Xeric Oak, Disturbed	20.77	18,095	20	80
422	Brazilian Pepper[2]	29.84	21,664	15	50
4221	Brazilian Pepper, Hydric[2]	20.81	15,108	15	50
427	Live Oak	2.35	1,843	25	90
4279	Live Oak, Disturbed	7.01	5,496	25	90
428	Cabbage Palm	1.63	1,278	25	90
4289	Cabbage Palm, Disturbed	7.47	5,857	25	90
429	Wax-Myrtle[2]	31.51	27,451	20	80
4291	Wax-Myrtle/Willow, Hydric[2]	22.38	19,497	20	80
434	Hardwood/Conifer Mixed	37.42	32,600	20	80
4341	Hardwood/Conifer Mixed	5.31	4,626	20	80
4349	Hardwood/Conifer Mixed, Disturbed	70.44	61,367	20	80
4389	Mixed Hardwoods, Disturbed	0.55	299	20	80
514	Ditch	5.16	3,371	30	90
525	Shallow Pond	0.45	220	40	90
617	Mixed Wetland Hardwoods	6.53	5,689	20	80
6179	Mixed Wetland Hardwoods, Disturbed	3.08	2,683	20	80

Table 4. (Continued)

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
6179C	Mixed Wetland Hardwoods, Disturbed (COE Wetland Only)	2.55	2,221	20	80
618	Pop Ash and Willow	1.27	1,106	20	80
621	Cypress	5.71	4,974	20	80
6219	Cypress, Disturbed	14.53	12,659	20	80
625	Hydric Pine	2.31	2,012	20	80
6259	Hydric Pine, Disturbed	4.62	4,025	20	80
6259C	Hydric Pine, Disturbed (COE Wetland Only)	1.15	1002	20	80
630	Mixed Wetland Forest	5.82	5,070	20	80
630C	Mixed Wetland Forest (COE Wetland Only)	3.53	3,075	20	80
6309	Mixed Wetland Forest, Disturbed	114.58	66,548	30	80
6309C	Mixed Wetland Forest, Disturbed (COE Wetland Only)	10.35	9,017	20	80
641	Freshwater Marsh	9.01	5,887	30	90
6419	Freshwater Marsh, Disturbed	4.67	3,051	30	90
643	Wet Prairie	1.29	843	30	90
6439	Wet Prairie, Disturbed	18.11	11,833	30	90
740	Disturbed Land[2]	103.19	59,933	30	80
742	Borrow Area[2]	0.20	98	40	90
743	Spoil	0.43	375	20	80
832	Utility Easement[2]	33.04	71,961	50	50
8321	Utility Easement, Hydric[2]	2.45	533	50	50

N/A = Not Applicable
[1]Average visibility to one side of transect
[2]Habitat surveyed as a precautionary measure

SURVEY RESULTS

During the surveys, a total of five different Lee County protected species were identified on the project site. The protected species identified included gopher tortoises, burrowing owls, Florida sandhill cranes, little blue herons, and wood storks. (Figure 3 and Appendix A). Passarella and Associates, Inc. identified 236 gopher tortoise burrows, eight burrowing owls, three burrowing owl burrows, two Florida sandhill cranes, three little blue herons, and three wood storks on the property. A copy of the May 2002 aerial photograph with the survey transects and protected species observations is provided as Appendix A.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations for observed Lee County protected species were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted August 30, 1989. The gopher tortoise densities were based on the number of active (A) and inactive (I) burrows found within each habitat. Based on past experience, a gopher tortoise burrow conversion factor of 0.3 was used to estimate gopher tortoise density. The Lee County protected species abundance calculations are provided in Table 5, while Table 6 summarizes the protected species survey findings.

Table 5. Lee County Protected Species Abundance Calculations

Protected Species Density:

$$= \{n/[L\,(w_1+w_2)]\}\ (43{,}560\ ft.^2/ac)\ (C)$$

Where n= number of individuals observed or active plus inactive gopher tortoise burrows
L= length of transect
w_1= distance of visibility to the right of transect
w_2= distance of visibility to the left of transect
C= gopher tortoise conversion factor (0.3)*
* Used for gopher tortoise calculation only

<u>Gopher Tortoise</u> *(Gopherus polyphemus)*

FLUCFCS Code 242

$$= [6GT/44{,}624\ ft.\ (100ft. + 100ft.)]\ (43{,}560\ ft.^2/ac)\ (0.3)$$
$$= [6GT/8{,}924{,}800]\ (43{,}560\ ft.^2/ac)\ (0.3)$$
$$= [6.7 \times 10^{-7}\ GT/ft.^2]\ (43{,}560\ ft.^2/ac)\ (0.3)$$
$$= 0.01\ GT/ac$$

Table 5. (Continued)

FLUCFCS Code 3209

= [1GT/68,885 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [1GT/2,755,400] (43,560 $ft.^2$/ac) (0.3)
= [3.6×10^{-7} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.005 GT/ac

FLUCFCS Code 321

= [29GT/53,753 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [29GT/2,150,120] (43,560 $ft.^2$/ac) (0.3)
= [1.3×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.17 GT/ac

FLUCFCS Code 3219

= [41GT/35,928 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [41GT/1,437,120] (43,560 $ft.^2$/ac) (0.3)
= [2.8×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.37 GT/ac

FLUCFCS Code 411

= [3GT/25,474 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [3GT/1,018,960] (43,560 $ft.^2$/ac) (0.3)
= [2.9×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.04 GT/ac

FLUCFCS Code 4119

= [71GT/383,615 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [71GT/15,344,600] (43,560 $ft.^2$/ac) (0.3)
= [4.6×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.06 GT/ac

FLUCFCS Code 4219

= [64GT/18,095 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [64GT/723,800] (43,560 $ft.^2$/ac) (0.3)
= [8.8×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 1.15 GT/ac

Table 5. (Continued)

FLUCFCS Code 428

= [1GT/1,278 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [1GT/51,120] (43,560 $ft.^2$/ac) (0.3)
= [1.9×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.25 GT/ac

FLUCFCS Code 434

= [3GT/32,600 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [3GT/1,304,000] (43,560 $ft.^2$/ac) (0.3)
= [2.3×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.03 GT/ac

FLUCFCS Code 4349

= [15GT/61,367 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac) (0.3)
= [15GT/2,454,680] (43,560 $ft.^2$/ac) (0.3)
= [6.1×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.08 GT/ac

FLUCFCS Code 641

= [1GT/5,887 ft. (30ft. + 30ft.)] (43,560 $ft.^2$/ac) (0.3)
= [1GT/353,220] (43,560 $ft.^2$/ac) (0.3)
= [2.8×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.04 GT/ac

FLUCFCS Code 832

= [1GT/533 ft. (50ft. + 50ft.)] (43,560 $ft.^2$/ac) (0.3)
= [1GT/53,300] (43,560 $ft.^2$/ac) (0.3)
= [1.8×10^{-5} GT/$ft.^2$] (43,560 $ft.^2$/ac) (0.3)
= 0.25 GT/ac

<u>Burrowing Owl</u> ***(Athene cunicularia floridana)***

FLUCFCS Code 211

= {8/[83,716 ft. (100 ft. + 100 ft.)]}(43,560)
= {8/16,743,200}(43,560)
= {4.78×10^{-7}}(43,560)
= 0.02 Burrowing Owls/Acre

Table 5. (Continued)

Florida Sandhill Crane ***(Grus Canadensis pratensis)***

FLUCFCS Code 211

= {2/[83,716 ft. (100 ft. + 100 ft.)]}(43,560)
= {2/16,743,200}(43,560)
= {1.2×10^{-7}}(43,560)
= 0.005 Florida Sandhill Cranes/Acre

Little Blue Heron ***(Egretta caerulea)***

FLUCFCS Code 4291

= [2LBHE/19,497 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac)
= [2.5×10^{-6} LBHE/ft^2] (43,560 $ft.^2$/ac)
= 0.11 LBHE/ac

FLUCFCS Code 630

= [1LBHE/5,070 ft. (20ft. + 20ft.)] (43,560 $ft.^2$/ac)
= [4.9×10^{-6} LBHE/ft^2] (43,560 $ft.^2$/ac)
= 0.21 LBHE/ac

Wood Stork ***(Mycteria americana)***

FLUCFCS Code 211
= [3WDST/83,716 ft. (100ft. + 100ft.)] (43,560 $ft.^2$/ac)
= [1.7×10^{-7} ft^2] (43,560 $ft.^2$/ac)
= 0.007 WDST/ ac

Table 6. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator	514	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	618	80		X	
	621	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator (Continued)	6219	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Eastern Indigo Snake	3209	80		X	
	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	421	80		X	
	4219	80		X	
	427	90		X	
	4279	90		X	
	428	90		X	
	4289	90		X	
Gopher Tortoise	211	90		X	
	242	90	X		0.01
	3209	80	X		0.005
	321	80	X		0.17
	3219	80	X		0.37
	411	80	X		0.04
	4119	80	X		0.06
	415	90		X	
	4159	90		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
Gopher Tortoise (Continued)	421	80		X	
	4219	80	X		1.15
	427	90		X	
	4279	90		X	
	428	90	X		0.25
	4289	90		X	
	429	80		X	
	434	80	X		0.03
	4349	80	X		0.08
	641	90	X		0.04
	743	80		X	
	832	50	X		0.25
Gopher Frog	3209	80		X	
	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	421	80		X	
	4219	80		X	
	429	80		X	
Birds					
Bald Eagle	411	80		X	
	4119	80		X	
Burrowing Owl	211	90	X		0.02
	321	80		X	
	3219	80		X	
Southeastern American Kestrel	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Southeastern American Kestrel (Continued)	415	90		X	
	4159	90		X	
Audubon's Crested Caracara	321	80		X	
	3219	80		X	
	428	90		X	
	4289	90		X	
Florida Scrub Jay	421	80		X	
	4219	80		X	
Red-Cockaded Woodpecker	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	625	80		X	
	6259	80		X	
Limpkin	514	90		X	
	525	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Roseate Spoonbill	514	90		X	
	525	90		X	
Little Blue Heron	4291	80	X		0.11
	514	80		X	
	525	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80	X		0.21
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Reddish Egret	514	90		X	
	525	90		X	
Snowy Egret	4291	80		X	
	514	90		X	
	525	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Snowy Egret (Continued)	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Tri-colored Heron	4291	80		X	
	514	80		X	
	525	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Arctic Peregrine Falcon	617	80		X	
	6179	80		X	
	6179C	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Arctic Peregrine Falcon (Continued)	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
Snail Kite	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Florida Sandhill Crane	211	90	X		0.005
	321	80		X	
	3219	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Wood Stork	211	90	X		0.007
	514	90		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Wood Stork (Continued)	6309	80		X	
	6309C	80		X	
	8321	50		X	
Mammals					
Big Cypress Fox Squirrel	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
Everglades Mink	514	90		X	
	525	90		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
	641	90		X	
	6419	90		X	
	643	90		X	
	6439	90		X	
	8321	50		X	
Florida Black Bear	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
	415	90		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals					
Florida Black Bear (Continued)	4159	90		X	
	427	90		X	
	4279	90		X	
	428	90		X	
	4289	90		X	
	434	80		X	
	4341	80		X	
	4349	80		X	
	4389	80		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309	80		X	
	6309C	80		X	
Florida Panther	211	90		X	
	411	80		X	
	4119	80		X	
	415	90		X	
	4159	90		X	
	427	90		X	
	4279	90		X	
	428	90		X	
	4289	90		X	
	434	80		X	
	4341	80		X	
	4349	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals					
Florida Panther (Continued)	4389	80		X	
	617	80		X	
	6179	80		X	
	6179C	80		X	
	621	80		X	
	6219	80		X	
	625	80		X	
	6259	80		X	
	630	80		X	
	630C	80		X	
	6309C	80		X	
Plants					
Curtis Milkweed	3209	80		X	
	321	80		X	
	3219	80		X	
Fakahatchee Burmannia	3209	80		X	
	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
	4119	80		X	
Satinleaf	411	80		X	
	4119	80		X	
Beautiful Pawpaw	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	
Florida Coontie	3209	80		X	
	321	80		X	
	3219	80		X	
	411	80		X	
	4119	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Plants					
Florida Coontie (Continued)	421	80		X	
	4219	80		X	
Twisted Air Plant	427	90		X	
	4279	90		X	
Simpson's Stopper	427	90		X	
	4279	90		X	
	428	90		X	
	4289	90		X	
Hand Adder's Tongue Fern	427	90		X	
	4279	90		X	

MANAGEMENT PLAN

Per Lee County DES' request, Passarella and Associates, Inc. has updated the protected species survey for the Hawk's Haven project site. Management plans for the gopher tortoise, burrowing owls, and wading birds will be prepared.

To date, the applicant has obtained a Florida Fish and Wildlife Conservation Commission Gopher Tortoise Incidental Take Permit (#LEE-58). Prior to construction the tortoises will be relocated out of harms way to an on-site preserve area located in the southeast portion of the site. The applicant intends to apply for an incidental take permit for the burrowing owls identified on-site. A management plan will be prepared to address the Florida sandhill cranes, little blue herons, and wood storks identified on-site. In general, the applicant proposes to preserve and enhance the wetlands in the general vicinity where the wading birds were observed.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

AERIAL WITH FLUCFCS, WETLANDS, SURVEY TRANSECTS, AND PROTECTED SPECIES LOCATIONS

DCI 2004 00054
RECEIVED
FEB 25 2005
PERMIT COUNTER

30± ACRE DEAN PARCEL
LEE COUNTY PROTECTED SPECIES SURVEY

February 2005

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067

Project No. 05LMG1268

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INTRODUCTION

Passarella and Associates, Inc. conducted a Lee County protected species survey for the 30± Acre Dean Parcel. The purpose of the survey was to review the site for Lee County protected species as outlined in Lee County's Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat).

The Dean Parcel totals 30± acres and is located in Section 25, Township 43 South, Range 26 East, Lee County (Figure 1). The project site is just south of Hickey's Creek Road and is adjacent to the north side of the Hawk's Haven project site. The property consists primarily of improved pasture with forested wetlands and uplands located in the eastern portion of the site.

The surrounding land uses consist of single-family homes and a Florida Power and Light (FPL) power line easement north of the parcel. The permitted Hawk's Haven project site is located adjacent to the east, west, and south of the parcel.

LAND USES AND COVER TYPES

Land uses and cover types for the property were determined using 2002 rectified Lee County aerials (1" = 200') and on-site field surveys conducted on October 13, 2004 and February 1, 2005. During the surveys, lines were drawn on an aerial delineating the different vegetation associations on-site. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (FDOT 1999). The FLUCFCS map is provided as Figure 2. Table 1 outlines the various cover types delineated on-site and their associated acreages, while a brief description of each of the FLUCFCS classifications follows. The FLUCFCS delineations depicted on a 2002 aerial photograph are provided as Appendix A.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
211	Improved Pasture	20.53	68.4
321	Palmetto Prairie	0.28	0.9
411	Pine Flatwoods	3.24	10.8
427	Live Oak	0.65	2.2
514	Ditch	0.03	0.1
525	Cow Pond	0.32	1.1
617	Mixed Wetland Hardwoods	2.48	8.3
625	Pine, Hydric	2.07	6.9
740	Disturbed Land	0.26	0.9
743	Spoil Area	0.15	0.5
TOTAL		**30.01**	**100.0**

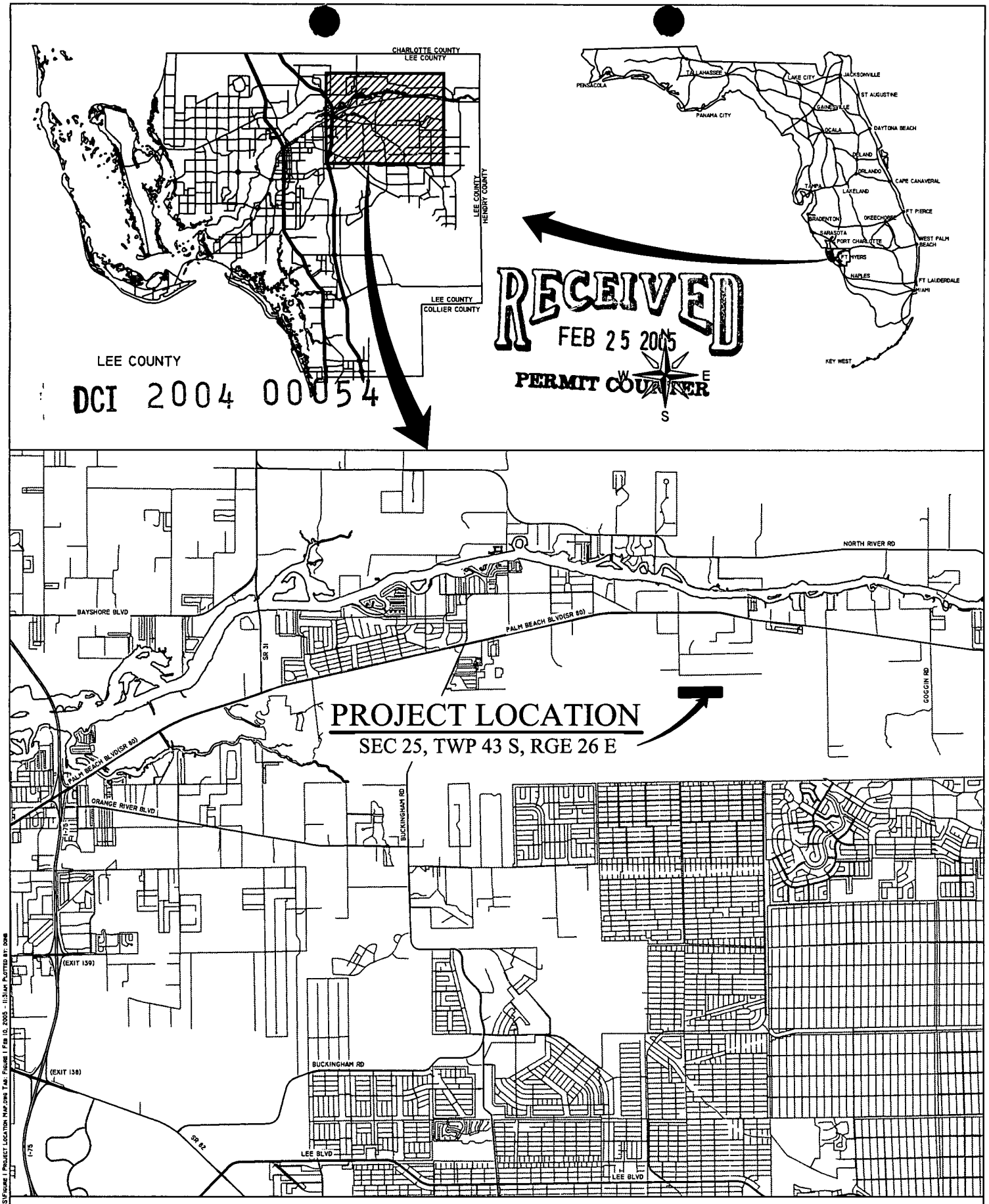

FIGURE 1. PROJECT LOCATION MAP
30± ACRE DEAN PARCEL

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: W.C. DATE: 2/8/05

SCALE: 1" = 200'

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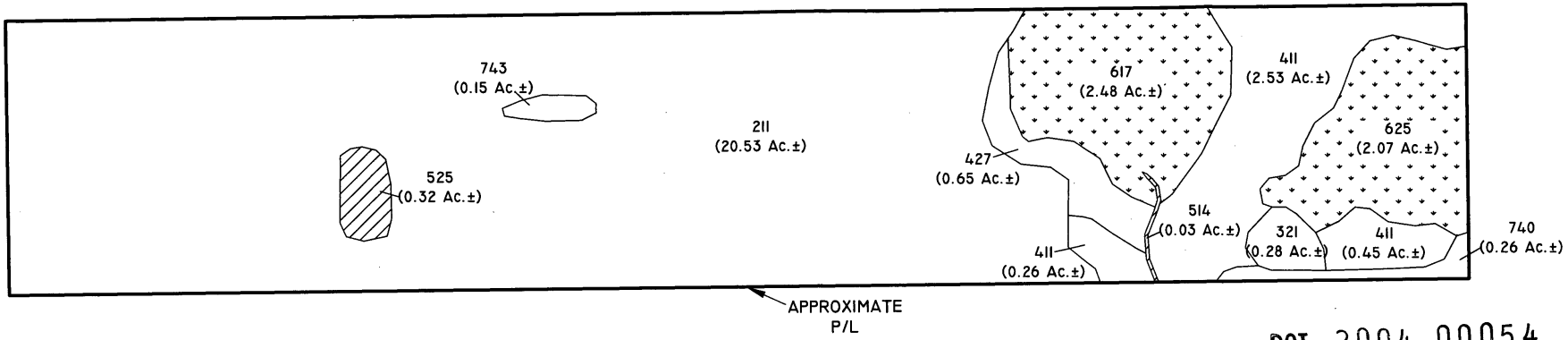


DCI 2004 00054

LEGEND:

SFWMD AND COE WETLANDS (4.55 Ac.±)

SFWMD "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (0.35 Ac.±)

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	20.53 Ac.±	68.4%
321	PALMETTO PRAIRIE	0.28 Ac.±	0.9%
411	PINE FLATWOODS	3.24 Ac.±	10.8%
427	LIVE OAK	0.65 Ac.±	2.2%
514	DITCH	0.03 Ac.±	0.1%
525	COW POND	0.32 Ac.±	1.1%
617	MIXED WETLAND HARDWOODS	2.48 Ac.±	8.3%
625	PINE, HYDRIC	2.07 Ac.±	6.9%
740	DISTURBED LAND	0.26 Ac.±	0.9%
743	SPOIL AREAS	0.15 Ac.±	0.5%
	TOTAL	30.01 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ESTIMATED FROM LEE COUNTY PROPERTY APPRAISER'S GIS WEBSITE.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS		DESIGNED BY H.S.	DATE 10/14/04	HORIZONTAL SCALE 1"=200'	PASSARELLA and ASSOCIATES, INC. Consulting Ecologists 9110 College Pointe Court, Fort Myers, Florida 33919	30± ACRE DEAN PARCEL FLUCFCS AND WETLANDS MAP	DRAWING No.: 05LMG1268
		CHECKED BY K.C.P.	DATE 10/14/04	VERTICAL SCALE N/A			SHEET No.: FIGURE 2
		DRAWN BY D.B.,W.C.	DATE 10/14/04	SEC./TWP./RNG. 25/43/26			

J:\2005\05LMG1268\2005\PSS\Figure 2 FLUCFCS and WETLANDS 2-8-05.DWG Tab: Figure 2 Feb 10, 2005 - 11:31am Plotted by: DDB

Improved Pasture (FLUCFCS Code 211)
This upland habitat occupies 20.53± acres or 68.4 percent of the parcel. This particular area has been previously used for cattle grazing. The canopy and sub-canopy are relatively open with sparsely scattered slash pine (*Pinus elliottii*) and live oak (*Quercus virginiana*). The ground cover is dominated by bahia grass (*Paspalum notatum*) and also contains scattered reticulated paw-paw (*Asimina reticulata*), dog fennel (*Eupatorium capillifolium*), flatsedge (*Cyperus surinamensis*), fog-fruit (*Phyla nodiflora*), saw palmetto (*Serenoa repens*), bluestem grass (*Andropogon* sp.), caesar weed (*Urena lobata*), and broomsedge (*Andropogon virginicus*).

Palmetto Prairie (FLUCFCS Code 321)
This habitat occupies 0.28± acre or 0.9 percent of the parcel. The canopy is open. The sub-canopy contains scattered slash pine and wax-myrtle (*Myrica cerifera*). The ground cover is dominated by saw palmetto and also contains smutgrass (*Sporobolis indicus*) and broomsedge.

Pine Flatwoods (FLUCFCS Code 411)
This habitat occupies 3.24± acres or 10.8 percent of the parcel. The canopy is dominated by slash pine and also contains occasional cabbage palm (*Sabal palmetto*). The sub-canopy consists of wax-myrtle, myrsine (*Rapanea punctata*), and dahoon holly (*Ilex cassine*). The ground cover is dominated by saw palmetto with scattered broomsedge and grapevine (*Vitis rotundifolia*).

Live Oak (FLUCFCS Code 427)
This upland community type occupies 0.65± acre or 2.2 percent of the parcel. The canopy consists of live oak and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes myrsine, saw palmetto, beauty-berry (*Callicarpa americana*), bracken fern (*Pteridium aquilinum*), grapevine, poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*).

Ditch (FLUCFCS Code 514)
A ditch occupies 0.03± acre or 0.1 percent of the parcel. The canopy and sub-canopy are open. The ground cover is mostly open with scattered maidencane (*Panicum hemitomon*), pickerel weed (*Pontedaria cordata*), and torpedo grass (*Panicum repens*).

Cow Pond (FLUCFCS Code 525)
A small cow pond occupies 0.32± acre or 1.1 percent of the parcel. The canopy and sub-canopy are open. The herbaceous area consists of bare ground.

Mixed Wetland Hardwoods (FLUCFCS Codes 617)
This wetland habitat occupies 2.48± acres or 8.3 percent of the parcel. The canopy contains red maple (*Acer rubrum*), laurel oak (*Quercus laurifolia*), pop ash *(Fraxinus caroliniana)*, and Carolina willow (*Salix caroliniana*). The sub-canopy includes Carolina willow and pop ash. The ground cover includes swamp fern (*Blechnum serrulatum*), sawgrass (*Cladium jamaicense*), and smartweed (*Polygonum setaceum*).

Pine, Hydric (FLUCFCS Code 625)
This wetland habitat occupies 2.07± acres or 6.9 percent of the parcel. The canopy contains slash pine. The sub-canopy is mostly open with scattered slash pine and cabbage palm. The ground cover includes sawgrass, musky-mint (*Hyptis alata*), smartweed, beaksedge (*Rhynchospora tracyi*), wiregrass (*Aristida stricta*), and flatsedge.

Disturbed Land (FLUCFCS Code 740)
This upland land use occupies 0.26± acre or 0.9 percent of the parcel. The canopy and sub-canopy are open. The ground cover is dominated by bahia grass with dog fennel, reticulated paw-paw, and smutgrass.

Spoil Area (FLUCFCS Code 743)
This habitat occupies 0.15± acre or 0.5 percent of the parcel. The canopy and sub-canopy are open. The ground cover includes dog fennel, caesar weed, and bahia grass.

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site, as outlined in the LDC. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Environmental Sciences staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code And Description		Potential Protected Species
211	Improved Pasture	Gopher Tortoise (*Gopherus polyphemus*) **
		Burrowing Owl (*Athene cunicularia floridana*) **
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Florida Panther (*Felis concolor coryi*)
321	Palmetto Prairie	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Burrowing Owl (*Athene cunicularia floridana*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)

Table 2. (Continued)

FLUCFCS Code And Description		Potential Protected Species
321	Palmetto Prairie (continued)	Audubon's Crested Caracara (*Polyborus plancus audubonii*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
411	Pine Flatwoods	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Red-Cockaded Woodpecker (*Picoides borealis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Fakahatchee Burmannia (Burmannia flava)
		Satinleaf (Chrysophyllum divaeforme)
		Beautiful Pawpaw (Deeringothamnus pulchellus)
		Florida Coontie (Zamia floridana)
427	Live Oak	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
		Hand Adder's Tongue Fern (*Ophioglossum palmatum*)
		Twisted Air Plant (*Tillandsia flexuosa*)
514 525	Ditch Cow Pond	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)
		Snail Kite (*Rostrhamus sociabilis*) **

Table 2. (Continued)

FLUCFCS Code And Description	Potential Protected Species
617 Mixed Wetland Hardwoods 625 Pine, Hydric	American Alligator (*Alligator mississippiensis*)
	Gopher Frog (*Rana areolata*)
	Little Blue Heron (*Egretta caerulea*)
	Snowy Egret (*Egretta thula*)
	Tri-colored Heron (*Egretta tricolor*)
	Reddish Egret (*Egretta rufescens*)
	Limpkin (*Aramus guarauna*)
	Wood Stork (*Mycteria americana*)
	Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
	Red-Cockaded Woodpecker (*Picoides borealis*) **
	Everglades Mink (*Mustela vison evergladensis*)
	Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
	Florida Panther (*Felis concolor coryi*)
	Florida Black Bear (*Ursus americanus floridanus*)
	Twisted Air Plant (*Tillandsia flexuosa*)
740 Disturbed Land *	Gopher Tortoise (*Gopherus polyphemus*)
743 Spoil Area*	Gopher Tortoise (*Gopherus polyphemus*)

*Habitat surveyed for the species noted as a precautionary measure although not required per the LDC.
**Species surveyed, although not required per the LDC.

The protected species survey for the 30± acre tract was conducted by Passarella and Associates, Inc. on February 1, 2005. Surveys were conducted during the daylight hours. Weather conditions during the survey period are summarized in Table 3. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS methodology, previously approved by the county.

Table 3. Survey Date and Weather Conditions

Survey Date	Weather Conditions
February 1, 2005	Sunny with light winds and temperatures in the low 70's.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 4.

Table 4. Summary of Habitat Coverage

FLUCFCS Code and Description		Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent Coverage
211	Improved Pasture	20.53	4024	100	90
321	Palmetto Prairie	0.28	244	20	80
411	Pine Flatwoods	3.24	1882	30	80
427	Live Oak	0.65	425	30	90
514	Ditch	0.03	17	30	80
525	Cow Pond	0.32	157	40	90
617	Mixed Wetland Hardwoods	2.48	2161	20	80
625	Pine, Hydric	2.07	1803	20	80
740	Disturbed Land[2]	0.26	113	40	80
743	Spoil Areas	0.15	131	20	80

N/A = Not Applicable, per the LDC
[1]Average visibility to one side of transect
[2]Habitat surveyed as a precautionary measure

SURVEY RESULTS

The results of the survey identified great horned owl (*Bubo virginianus*), gray squirrel (*Sciurus carolinensis*), black racer (*Coluber constrictor priapus*), and ringed-neck water snake (*Diadophis punctatus*). However, no listed or protected species were identified on-site that are listed by Lee County, Florida Fish and Wildlife Conservation Commission, or the U.S. Fish and Wildlife Service. Table 5 summarizes the results of the survey.

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A

Table 5. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
Eastern Indigo Snake	321	80		X	N/A
	411	80		X	N/A
	427	90		X	N/A
Gopher Tortoise	211	90		X	N/A
	321	80		X	N/A
	411	80		X	N/A
	427	90		X	N/A
	740	80		X	N/A
	743	80		X	N/A
Gopher Frog	321	80		X	N/A
	411	80		X	N/A
	625	80		X	N/A
Birds					
Burrowing Owl	211	90		X	N/A
	321	80		X	N/A
Southeastern American Kestrel	321	80		X	N/A
	411	80		X	N/A
Red-cockaded Woodpecker	411	80		X	N/A
	625	80		X	N/A
Limpkin	514	80		X	N/A
	525	90		X	N/A
Roseate Spoonbill	514	80		X	N/A
	525	90		X	N/A
Little Blue Heron	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
	625	80		X	N/A
Snowy Egret	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
	625	80		X	N/A
Reddish Egret	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
Tri-colored Heron	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
	625	80		X	N/A

Table 5. (Continued)

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (continued)					
Wood Stork	617	80		X	N/A
Arctic Peregrine Falcon	625	80		X	N/A
Snail Kite	525	90		X	N/A
Audubon's Crested Caracara	321	80		X	N/A
Florida Sandhill Crane	211	90		X	N/A
	321	80		X	N/A
Mammals					
Florida Panther	211	90		X	N/A
	411	80		X	N/A
	427	90		X	N/A
	617	80		X	N/A
Big Cypress Fox Squirrel	411	80		X	N/A
Everglades Mink	514	80		X	N/A
	525	90		X	N/A
	617	80		X	N/A
Florida Black Bear	321	80		X	N/A
	411	80		X	N/A
	427	90		X	N/A
	617	80		X	N/A
Plants					
Curtis Milkweed	321	80		X	N/A
Fakahatchee Burmannia	321	80		X	N/A
	411	80		X	N/A
Satinleaf	411	80		X	N/A
Beautiful Pawpaw	321	80		X	N/A
	411	80		X	N/A
Florida Coontie	321	80		X	N/A
	411	80		X	N/A
Simson's Stopper	427	90		X	N/A
Hand Adder's Tongue	427	90		X	N/A
Twisted Air Plant	427	90		X	N/A
	617	80		X	N/A

MANAGEMENT PLAN

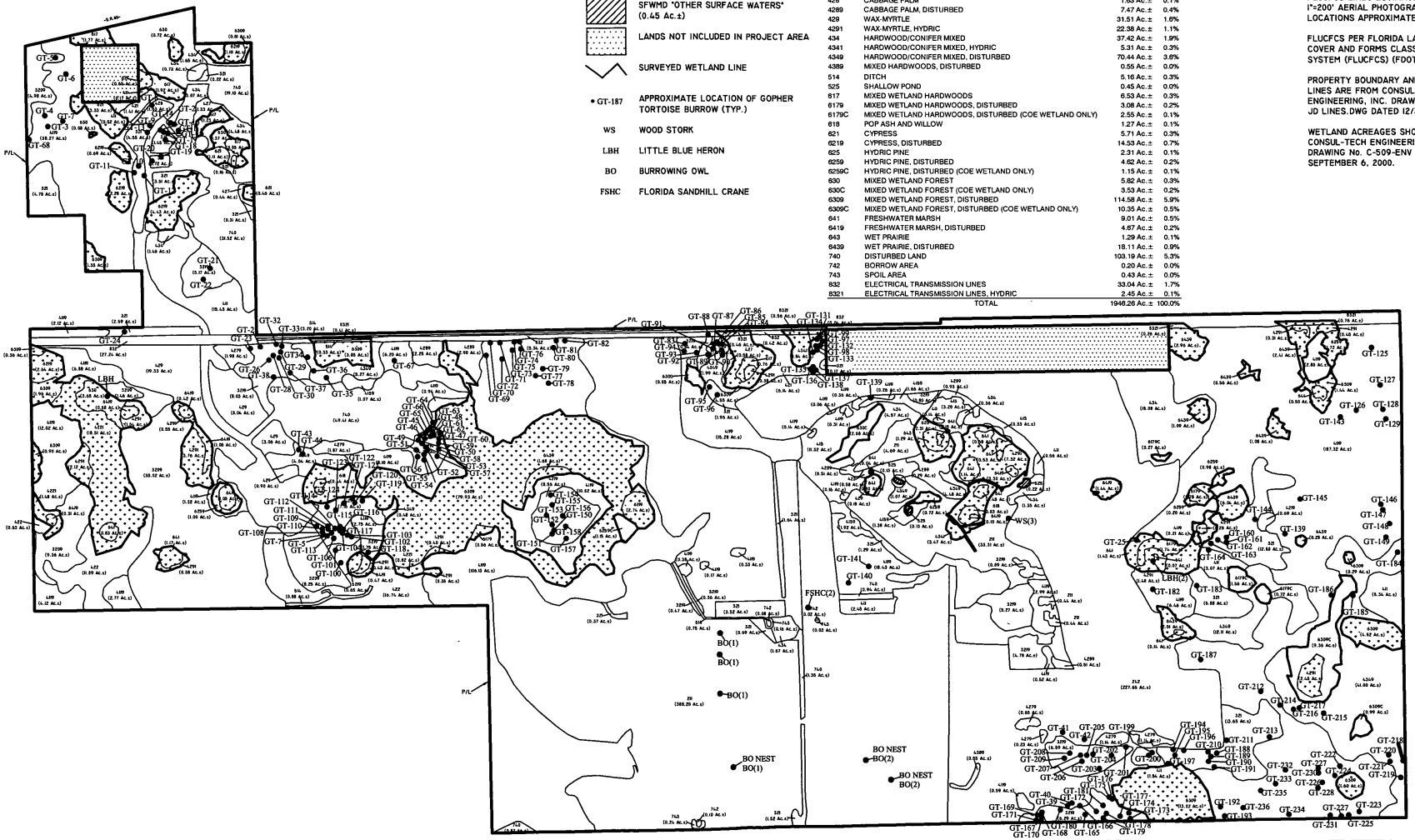
No management plan is required since no protected species were identified on-site.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

AERIAL WITH FLUCFCS MAPPING AND WALKED TRANSECT LINES



LEGEND:

- SFWMD WETLANDS (242.81 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (0.45 Ac.±)
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE
- • GT-187 APPROXIMATE LOCATION OF GOPHER TORTOISE BURROW (TYP.)
- WS WOOD STORK
- LBH LITTLE BLUE HERON
- BO BURROWING OWL
- FSHC FLORIDA SANDHILL CRANE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	427.08 Ac.±	21.9%
242	SOD FARM	227.65 Ac.±	11.7%
3209	SHRUB AND BRUSHLAND, DISTURBED	79.07 Ac.±	4.1%
321	PALMETTO PRAIRIE	61.70 Ac.±	3.2%
3219	PALMETTO PRAIRIE, DISTURBED	41.24 Ac.±	2.1%
411	PINE FLATWOODS	29.24 Ac.±	1.5%
4119	PINE FLATWOODS, DISTURBED	440.33 Ac.±	22.6%
415	PINE FLATWOODS, GRAMINOID GROUND COVER	14.85 Ac.±	0.8%
4159	MIXED PINE FLATWOODS, DISTURBED	6.03 Ac.±	0.3%
421	XERIC OAK	7.55 Ac.±	0.4%
4219	XERIC OAK, DISTURBED	20.77 Ac.±	1.1%
422	BRAZILIAN PEPPER	29.84 Ac.±	1.5%
4221	BRAZILIAN PEPPER, HYDRIC	20.81 Ac.±	1.1%
427	LIVE OAK	2.35 Ac.±	0.1%
4279	LIVE OAK, DISTURBED	7.01 Ac.±	0.4%
428	CABBAGE PALM	1.69 Ac.±	0.1%
4289	CABBAGE PALM, DISTURBED	7.47 Ac.±	0.4%
429	WAX-MYRTLE	31.51 Ac.±	1.6%
4291	WAX-MYRTLE, HYDRIC	22.38 Ac.±	1.1%
434	HARDWOOD/CONIFER MIXED	37.42 Ac.±	1.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	5.31 Ac.±	0.3%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	70.44 Ac.±	3.6%
4389	MIXED HARDWOODS, DISTURBED	0.55 Ac.±	0.0%
514	DITCH	5.16 Ac.±	0.3%
525	SHALLOW POND	0.45 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	6.53 Ac.±	0.3%
6179	MIXED WETLAND HARDWOODS, DISTURBED	3.08 Ac.±	0.2%
6179C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	2.55 Ac.±	0.1%
618	POP ASH AND WILLOW	1.27 Ac.±	0.1%
621	CYPRESS	5.71 Ac.±	0.3%
6219	CYPRESS, DISTURBED	14.53 Ac.±	0.7%
625	HYDRIC PINE	2.31 Ac.±	0.1%
6259	HYDRIC PINE, DISTURBED	4.62 Ac.±	0.2%
6259C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	5.82 Ac.±	0.3%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	3.53 Ac.±	0.2%
6309	MIXED WETLAND FOREST, DISTURBED	114.58 Ac.±	5.9%
6309C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	9.01 Ac.±	0.5%
6419	FRESHWATER MARSH, DISTURBED	4.67 Ac.±	0.2%
643	WET PRAIRIE	1.29 Ac.±	0.1%
6439	WET PRAIRIE, DISTURBED	18.11 Ac.±	0.9%
740	DISTURBED LAND	103.19 Ac.±	5.3%
742	BORROW AREA	0.20 Ac.±	0.0%
743	SPOIL AREA	0.43 Ac.±	0.0%
832	ELECTRICAL TRANSMISSION LINES	33.04 Ac.±	1.7%
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	2.45 Ac.±	0.1%
	TOTAL	1946.26 Ac.±	100.0%

SCALE: 1" = 1200'

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

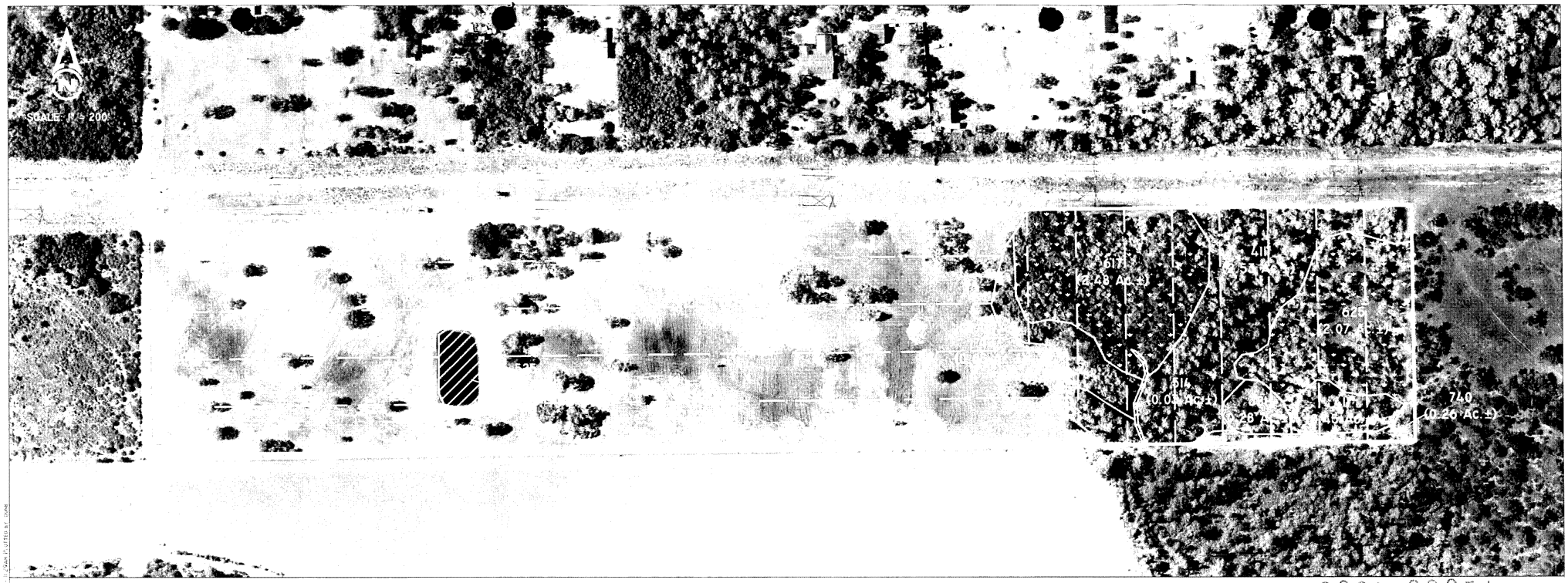
WETLAND ACREAGES SHOWN PER CONSUL-TECH ENGINEERING, INC. DRAWING No. C-509-ENV DATED SEPTEMBER 6, 2000.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		J.H.	9/29/04	1"=1200'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	9/29/04	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	9/29/04	25,26,27,34,35,36/43/28

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

HAWK'S HAVEN
FLUCFCS AND WETLANDS MAP WITH PROTECTED SPECIES LOCATIONS

DRAWING No.: 03PEG931
SHEET No.: FIGURE 3



DCI 2004 00054

LEGEND:

SFWMD AND COE WETLANDS (4.55 Ac.±)

SFWMD "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (0.35 Ac.±)

WALKED TRANSECT LINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	20.53 Ac.±	68.4%
321	PALMETTO PRAIRIE	0.28 Ac.±	0.9%
411	PINE FLATWOODS	3.24 Ac.±	10.8%
427	LIVE OAK	0.65 Ac.±	2.2%
514	DITCH	0.03 Ac.±	0.1%
525	COW POND	0.32 Ac.±	1.1%
617	MIXED WETLAND HARDWOODS	2.48 Ac.±	8.3%
625	PINE, HYDRIC	2.07 Ac.±	6.9%
740	DISTURBED LAND	0.26 Ac.±	0.9%
743	SPOIL AREAS	0.15 Ac.±	0.5%
	TOTAL	30.01 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISERS OFFICE WITH A FLIGHT DATE OF APRIL-MAY, 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ESTIMATED FROM LEE COUNTY PROPERTY APPRAISER'S GIS WEBSITE.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
	H.S.	10/14/04	1"=200'
	CHECKED BY	DATE	VERTICAL SCALE
	K.C.P.	10/14/04	N/A
	DRAWN BY	DATE	SEC./TWP./RNG.
	D.B.,W.C.	10/14/04	25/43/26

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

30± ACRE DEAN PARCEL

AERIAL WITH FLUCFCS MAPPING AND WALKED TRANSECT LINES

DRAWING No.: 05LMG1268

SHEET No.: APPENDIX A

EXHIBIT PH-2.C.1.

PROPERTY OWNERS LIST

Hawk's Haven Developers, L.L.C.
2202 North West Shore Blvd., Suite 125
Tampa, FL 33607
Contact: James P. Harvey
Tel: 813/207-0138 Ext 210
Fax: 813/207-0139
E-Mail: jpharvey@landmargroup.com

25-43-26-00-00121.0000
26-43-26-00-00011.0000
26-43-26-00-00011.0010
Portion of 27-43-26-00-00003.0010
Portion of 27-43-26-00-00003.0020
34-43-26-00-00001.0010
Portion of 34-43-26-00-00001.0020
36-43-26-00-00001.0000
35-43-26-00-00001.0010
35-43-26-00-00001.0000
35-43-26-00-00002.0000

Levitt and Sons at Hawk's Haven, L.L.C.
777 Glades Road, Suite 410
Boca Raton, FL 33434
Contact: Jeffrey Hoyos
Tel: 561/482-5100
Fax: 561/488-9188

Portion of 27-43-26-00-00003.0010
Portion of 27-43-26-00-00003.0020
27-43-26-00-00016.0000
Portion of 34-43-26-00-00001.0020

The School District of Lee County
3800 Canal Street
Fort Myers, FL 33916
Contact: Bill Moore
Tel: 479-4205
Fax: 334-8637

Portion of 27-43-26-00-00003.0010
Portion of 27-43-26-00-00003.0020

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Strap #:	Owner(s):
25-43-26-00-00121.0000	Hawk's Haven Developers, L.L.C.
26-43-26-00-00011.0000	Hawk's Haven Developer, L.L.C.
26-43-26-00-00011.0010	Hawk's Haven Developers, L.L.C.
27-43-26-00-00003.0010	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C. The School District of Lee County
27-43-26-00-00003.0020	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C. The School District of Lee County
27-43-26-00-00016.0000	Levitt and Sons at Hawk's Haven, L.L.C.
34-43-26-00-00001.0010	Hawk's Haven Developers, L.L.C
34-43-26-00-00001.0020	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C.
36-43-26-00-00001.0000	Hawk's Haven Developers, L.L.C.
35-43-26-00-00001.0010	Hawk's Haven Developers, L.L.C.
35-43-26-00-00001.0000	Hawk's Haven Developers, L.L.C.
35-43-26-00-00002.0000	Hawk"s Haven Developers, L.L.C.

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EXHIBIT "A"

Strap:	Site Address:
25-43-26-00-00121.0000	17750, Alva, Florida 33920
26-43-26-00-00011.0000	2970 Hickey Creek Rd, Alva, Florida 33920
26-43-26-00-00011.0010	Reserved, Florida
27-43-26-00-00003.0010	Access Undetermined, Fort Myers, FL 33905
27-43-26-00-00003.0020	Access Undetermined, Fort Myers, FL 33905
27-43-26-00-00016.0000	Access Undetermined, Fort Myers, FL 33905 (property being added)
34-43-26-00-00001.0010	Access Undetermined, Alva, FL 33920
34-43-26-00-00001.0020	Reserved, Florida
36-43-26-00-00001.0000	Access Undetermined, Alva, FL 33920
35-43-26-00-00001.0010	Reserved, Florida
35-43-26-00-00001.0000	Access Undetermined, Alva FL 33920
35-43-26-00-00002.0000	Access Undetermined, Alva, FL 33920 (property being added)

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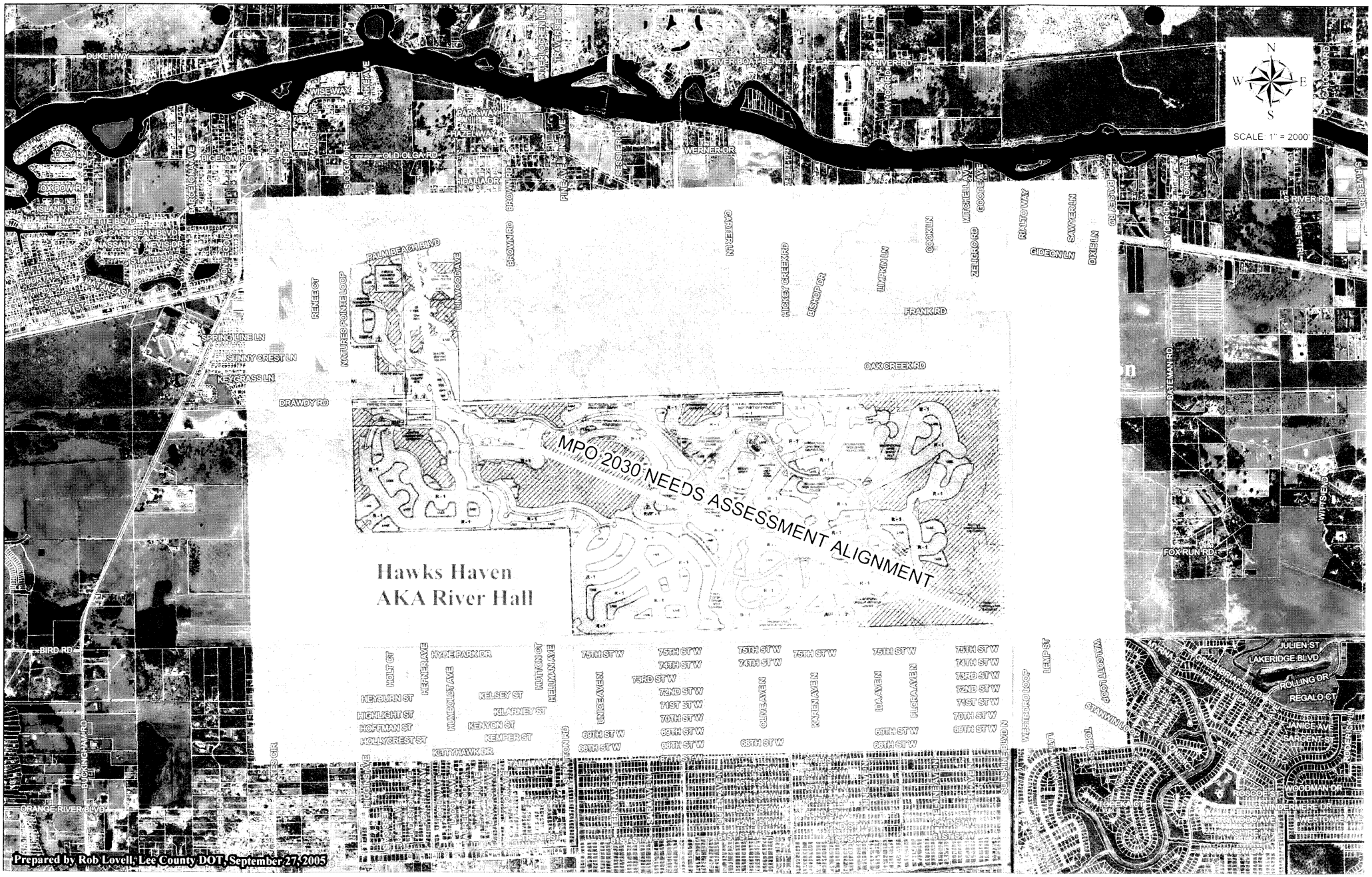
MPO 2030 NEEDS ASSESSMENT ALIGNMENT
Hawks Haven
AKA River Hall
SCALE 1" = 2000'
N
W
E
S
DUKE HWY
WISE WAY
OLD OLGA RD
WERNER DR
BICELOW RD
OXBOW RD
ISLAND RD
MARQUETTE BLVD
CARIBBEAN BLVD
NASSAU
NEVISPOR
ST KITTS
FIRST ST
FOURTH ST
THIRD ST
SECOND ST
BROWN RD
PINE AVE
GESSLER RD
RIVER BOAT DR
TAYLOR RD
CALOOSAHATCHEE
CANAL
PALM BEACH BLVD
LINWOOD AVE
REXLEE CT
MATURES POULTRE LOOP
SPRING LINE LN
SUNNY CREST LN
KEYGRASS LN
DRAWDY RD
KRIEGER
KIRKEY GREEN RD
BISHOP DR
LIMERICK LN
COOK LN
ZELLIGER RD
MITCHELL AVE
GOODE AVE
RUNTO WAY
GIDEON LN
SAWYER LN
DIXIE LN
GRAVES AVE
SNYDER DR
CONCORD
S RIVER RD
SUNSET TRL
FRANK RD
OAK CREEK RD
BATEMAN RD
WITT BLVD
FOX RUN RD
BIRD RD
ORANGE RIVER BLVD
BOONE CIR
HEYBURN ST
HIGHLIGHT ST
HOFFMAN ST
HOLLYCREST ST
KEENER AVE
HYDE PARK DR
KEMPER ST
KELSEY ST
KILLARNEY ST
KENYON ST
KEMPER ST
KITTYHAWK DR
HEIDI AVE
75TH ST W
74TH ST W
73RD ST W
72ND ST W
71ST ST W
70TH ST W
69TH ST W
68TH ST W
UNISE AVE
OLIVE AVE
KAREN AVE
IDA AVE
FLORA AVE
WEBERGOOD LOOP
LEUP ST
WILLOW LOOP
JULIEN ST
LAKERIDGE BLVD
ROLLING DR
REGALO CT
JANICE AVE
SARGENT ST
WOODMANOR
WESTLAKE
Prepared by Rob Lovell, Lee County DOT, September 27, 2005

Schedule of Uses
EXHIBIT 6-M

Banks and Financial Establishments, Group I
Business Services, Group I
Consumption on Premises
Convenience Store
Day Care Center, Adult and Child
Drive-through, in connection with any other approved use
Pharmacy
EMS, Fire, or Sheriff's Station
Essential Services
Excavation, Water Retention
Food Stores, Group I
Hardware Store
Laundry or Dry Cleaning, Group I
Personal Services, Group I
Place of Worship
Real Estate Sales Office
Repair Shop, Group I
Restaurant, Groups I, II, and III
Specialty Retail Shops, Group I

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East Lee County Council

Striving to Improve the quality of life in the Greater Palm Beach Boulevard Area

ELCC Meeting
Meeting Minutes of September 27, 2004
6:30 P.M.

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Call to Order: Doug Vaught opened meeting with Pledge of Allegiance.

Announcements: No smoking at this facility

Sheriff's Department, Corporal Joel Bennett:
- Community policing officer. Car thefts occurring, attempted robberies at Winn Dixie and Rib City.

Rowing Club, Mary Rawl:
- Working on some legal issues
- 04/05 budget includes dock permitting
- Looking for new name – Caloosa Crew?

August Minutes approved with correction – street at light is Louise (Leeward Yacht Club)

Committees:
Landscaping at SR80/I-75 – Kris Cella:
- Palm Beach MSTBU can/will now fund maintenance at that location – should improve appearance.
- Also county has $200,000 to install new plantings in this fiscal year.

Planning Committee, Mike Roeder:
- Need to advertise LDC meetings in paper. Will meet next month at 5:00 p.m. and advertise.
- Met with county regarding Caloosahatchee Shores this month. Told county we needed them to hire a design professional to help implement the plans. The staff was not Apposed, but will not promote it. We will have to get with other Plans and lobby commissioners.
- Planning Committee will meet October 11th at 5:30 pm here to hear from the Olga sub-committee regarding Caloosahatchee Estates. October 21st at 6:30 p.m. here will be a Town Hall meeting on the same subject.
- We will invite Wayne Daltry to be our speaker on community plans/smart growth at October East Lee County Council meeting.

Presentation: Hawks Haven - Matt Uhle, Jim Harvey, Grady Miars
Matt Uhle, Knott, Consoer Ebelini, Hart & Swett – 1999 zoning plan review
- 1598 units on 1800 acres
- Agreed at that time not to access Hickory Creek, still won't.
- Acquired (1) 140 ac. and (1) 8 ac. parcel
- Received environmental permits, won't change
- Plan amendment changed and land on west boundary to outlying suburban at 2 u/ac.
- School board has acquired a site within the project
- Levitt will do active adult community
- May - Amendment. Approved to change layout but couldn't increase density.
- 1598 units on 1800 acre = .9u/ac→1999 units on 1950 ac= 1u/ac
- Filed application for Comprehensive Plan Amendment to go to Outlying Suburban – 2u/ac. (now mostly

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East Lee County Council

Striving to improve the quality of life in the Greater Palm Beach Boulevard Area

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rural at 1u/ac)
- Public Hearing next year sometime
- If that is approved, will increase to 2500 units.

Grady Miars, Landmar
- Used to work for The Bonita Bay Group
- 36-hole golf course no longer marketable
- First section of road will be public
- Fire station and information center planned for, up front, possibly also church, post office
- Far west property has been sold to Levitt for age-restricted at 570 units
- Then 50' and 65' lots in single-family community close to school with 699 units. Pulte and Ryland will be builders.
- Third community will be Davis Love, designed 27-hole golf course and be bundled with purchase.
- Will relocate 200 oak trees
- Want old Florida low country look, not Mediterranean.
- Linear Park under FPL easement
- Break ground in November and first leg of road.
- Open info center July next year.
- Models open January 2006 for all three communities
- Fall 2006 golf course open

Jim Harvey – Lanmar, Regional Manager for West Coast
- Duke Energy Fortune 500 company became partner in 1999.
- Six active golf communities. Have also done some high-rise and some redevelopment work
- Heavy into design and programming
- Want to stay involved and give back to community.

Question & Answer
- ◊ Plan Grady reviewed with us has 1999 units
- ◊ 7-10 year project to build out
- ◊ Guess 700 kids generated from this project. School will be elementary for 1000 kids.
- ◊ Levitt project will be all detached single family similar to Cascades.
- ◊ Max 200 units in condominiums
- ◊ 3,364 units are requested in Comp. Plan application. Lanmar won't ask for that many units in zoning and only condition that will change is traffic. Ultimate proposal is 1.3 u/ac.
- ◊ What if ownership changes? Subsequent developers would be subject to public hearing process.
- ◊ Kris Cella: Hickory Creek opposes increase to 2 u/ac.
- ◊ Willing to consider sewing as a "relief valve" for Orange River by taking stormwater runoff their site, but it is not currently permitted.
- ◊ Have two emergency access points in addition to main access at SR80. No permanent access thru Portico.
- ◊ Can maintain SR80 at LOS C at 1999 units, don't know about increase to 2500+
- ◊ Could put new Comp. Plan category on less than the entire property in order to reduce total units possible.

East Lee County Council

Striving to improve the quality of life in the Greater Palm Beach Boulevard Area

- ◊ Sales Prices:
  - $170 - $400,000 at Levitt
  - $190 - $400,000 (avg. $250) – sf
  - $210 - $1,000,000 – golf community

- ◊ Traffic light will go in when they can meet the FDOT – required warrants.
- ◊ Environmental buffers are now larger than in original 1999 plan.
- ◊ Working with Lee County Utilities.

Consensus: No need to go Planning Committee for this proposal. They will come back to us before going to Comp. Plan.

Old Business:

- Radio control club got land across from Red Socks practice fields (Joe Fanelli)

New Business:

- Babcock Ranch proposal – petition to buy the Ranch (Karl). Sign now or in October. Can give 20 minute PowerPoint.

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EXHIBIT PH-3.C.1.

Legal Description

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Parcel in
Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:
Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet tot he East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S ½) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W) (chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N89°06'39"E along the South line of the North Half (N ½) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,316.66 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along the Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run

N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E ½) of said Section 27; thence run S00°51'17"E along said West line for 3,420.35 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet to the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2,643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels:

From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 858.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "B" run S88°44'46" along the South line of the Southeast Quarter (SE 1/4) for said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25, run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26 and POINT OF BEGINNING.

From said Point of Beginning run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 1,325.98 feet to

an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 26; thence run S00°33'55"E along said East line for 531.91 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,978.44 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

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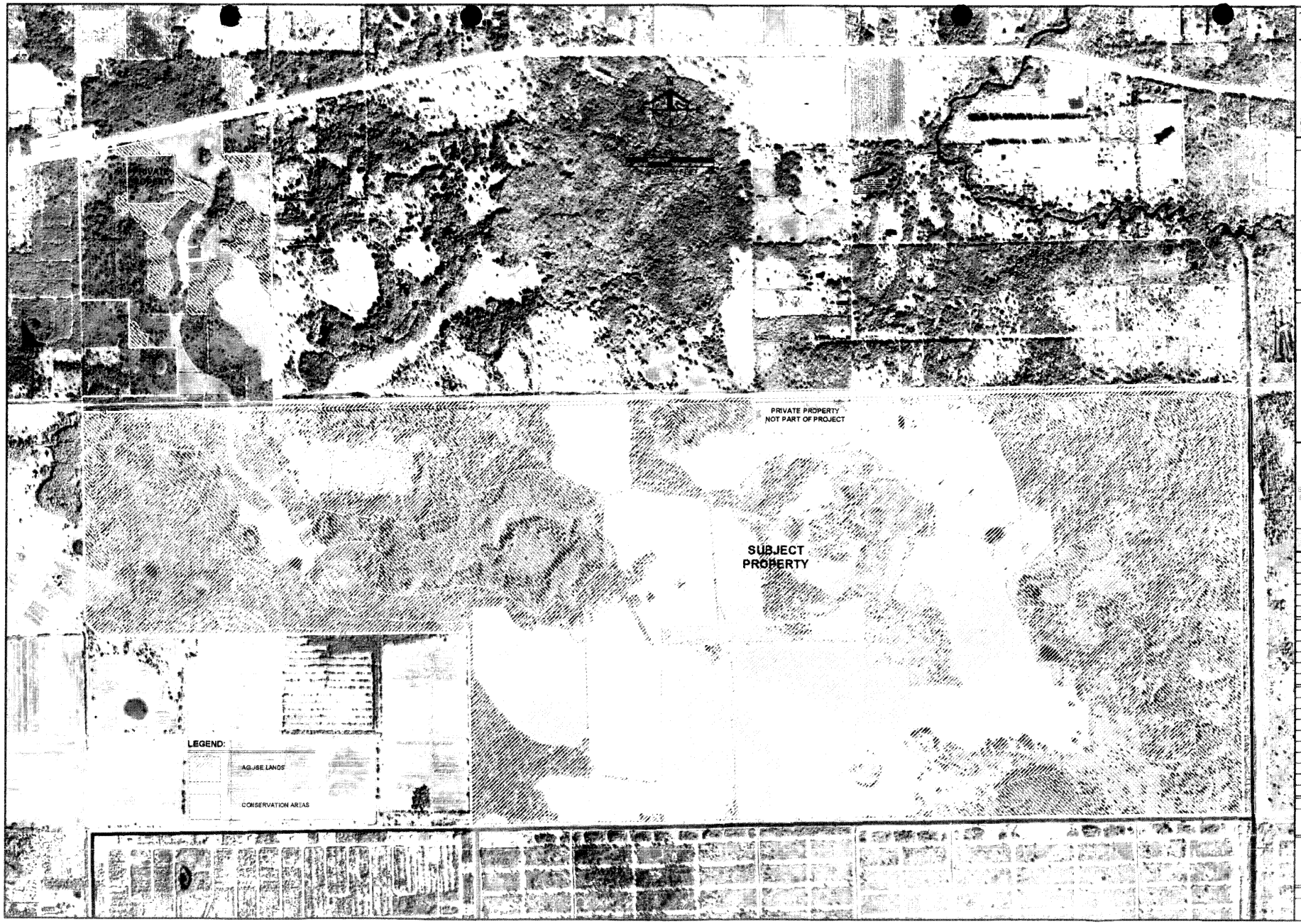

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 1865 - SURVEYING - LB642

LandMar GROUP, LLC
2502 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6368

HAWK'S HAVEN

PART OF SECTIONS 27, 34, 35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES. "NOT FOR CONSTRUCTION"

HAWKS-HAVEN.DGN

AG USE EXHIBIT

21988 | A

Property Development Regulations / Town Center
(CN-1 Standards)

- Minimum lot area and dimensions:

Minimum Lot Size:	
Nonresidential uses (square feet):	
Corner lot	10,000
Interior lot	10,000
Lot width (feet)	75
Lot depth (feet)	100

- Minimum Setbacks:

Side yard (feet)	15
Rear yard (feet)	20

- Maximum Height (feet) 35
- Maximum Height (in stories) 2
- Maximum lot coverage (percent of total lot area) 40%

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AGREEMENT

THIS AGREEMENT (the "Agreement") dated as of the 15th day of October, 2003, by and between JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER and GRAEME R. HUNTER, whose address is 3181 Buckingham Road, Fort Myers, FL 33905 ("Hunter") and BUCKINGHAM DEVELOPMENT, LLC, a Florida limited liability company, whose mailing address is 8045 Northwest 155th Street, Miami Lakes, FL 33016 ("Buckingham") and HAWKS HAVEN INVESTMENT, L.L.C., a Florida limited liability company, whose mailing address is 12800 University Drive, Suite 275, Fort Myers, FL 33907 ("Hawks Haven").

RECITALS

WHEREAS, Hunter is the owner of the real property more particularly described in **Exhibit "A"** attached hereto (the "Hunter Property"); and

WHEREAS, Buckingham is the owner of the real property more particularly described in **Exhibit "B"** attached hereto (the "Buckingham Property"); and

WHEREAS, Hawks Haven is the owner of the real property more particularly described in **Exhibit "C"** attached hereto (the "Hawks Haven Property"); and

WHEREAS, by Deed recorded in Deed Book 263, Page 186, Public Records of Lee County, Florida, Hunter reserved the following roadway easement over the Buckingham Property:

> An easement for roadway purposes 100 feet in width, said easement extending 50 feet as measured on a perpendicular on each side from the center line which is the dividing line between Sections 28 and 33 and extending from the Easterly side of the old Buckingham-Olga Road known as Road No. 80-S to the East line of said Sections 28 and 33 in Township 43 South, Range 26 East (the "East-West Easement "); and

WHEREAS, by Deed recorded in O.R. Book 1468, Page 1179, Public Records of Lee County, Florida, Hunter reserved the following roadway easement over the Buckingham Property:

> The West 60 feet of the South 590.91 feet, more or less, of the Southwest one-quarter of the Southeast one-quarter of the Southeast one-quarter of Section 28, Township 43 South, Range 26 East and the West 60 feet of the North 187.50 feet of the Northwest one-quarter of the Northeast one-quarter of the Northeast one-quarter of Section 33, Township 43 South, Range 26 East, in Lee County, Florida (the "North-South Easement"); and

WHEREAS, in the Deed recorded in Deed Book 263, Page 186, Public Records of Lee County, Florida, Hunter also reserved a permanent ingress/egress easement over the Hawks Haven Property described as follows:

> A permanent easement in and to a tract of land one (1) acre square, being 210 feet by 210 feet, in the Southwest corner of the North Half of said Section 34, Township 43 South, Range 26 East (the "Section 33/34 Connector Easement"); and

WHEREAS, the East-West Easement and the North-South Easement are located on the Buckingham Property; and

WHEREAS, Buckingham has requested that Hunter limit or terminate its rights in the East-West Easement and the North-South Easement; and

WHEREAS, Buckingham has objected to the pending Lee County Comprehensive Plan Amendment described as CPA 2002-04-Caloosahatchee Shores Community Plan which affects and includes the Hunter Property; and

WHEREAS, Hunter has requested that Buckingham withdraw its objection to the said Comprehensive Plan Amendment; and

WHEREAS, Hawks Haven holds rights in the East-West Easement which ostensibly provides access to Hawks Haven lands in the north one-half of Section 34, Township 43 South, Range 26 East, Lee County, Florida and Hawks Haven agrees to terminate such rights on the condition that Buckingham provides Hawks Haven with an acceptable emergency access easement in its place; and

WHEREAS, Hunter and Hawks Haven have agreed to terminate the Connector Easement and, in lieu thereof, have agreed that Hawks Haven will receive fee simple title to a portion of the land encumbered by said easement and Hunter will receive fee simple title to a portion of the land encumbered by said easement; and

WHEREAS, Hunter currently holds certain mineral royalty rights with regard to that portion of the Hawks Haven Property and Hunter has agreed to convey those rights to Hawks Haven; and

WHEREAS, Buckingham and Hunter each agree to support and not to oppose future zoning applications filed for residential use development on the others property.

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the adequacy and sufficiency of said covenants having been acknowledged by all parties hereto, the parties covenant and agree as follows:

1. The above-referenced recitals are true and correct and are incorporated herein by reference.

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2. In connection with the East-West Easement and the North-South Easement, Hunter has agreed to deliver to Buckingham, a fully executed Notice of Termination of Easement in the form attached hereto as **Exhibit "D"**. As consideration for the delivery of the Notice of Termination of Easement, Buckingham hereby agrees to deliver to Hunter a Temporary Easement Agreement over the East-West Easement and the North-South Easement in the form attached hereto and incorporated herein as **Exhibit "E"**.

3. In connection with the East-West Easement, Hawks Haven agrees to terminate, relinquish and release any rights it may have, or claim to have, in the East-West Easement, provided that Buckingham replaces the East-West Easement with an emergency access easement in favor of Hawks Haven at a location to be agreed upon between the parties at a later date. The parties shall , in good faith, negotiate the forms to be used to accomplish the intent of this paragraph.

4. Hunter and Hawks Haven have agreed to terminate the Section 33/34 Connector Easement with each party receiving fee simple title to a portion of the land which is the subject of the Section 33/34 Connector Easement. Hunter hereby agrees to execute and deliver a quit claim deed to Hawks Haven for that portion of the Hawks Haven Property encumbered by the Section 33/34 Connector Easement more particularly described in **Exhibit "F"** attached hereto. The quit claim deed shall be in the form attached hereto and incorporated herein as **Exhibit "G"**. Hawks Haven hereby agrees to execute and deliver a quit claim deed to Hunter for that portion of the Hawks Haven Property encumbered by the Section 33/34 Connector Easement more particularly described in **Exhibit "H"** attached hereto. The quit claim deed shall be in the form attached hereto and incorporated herein as **Exhibit "I"**. Notwithstanding that Hunter and Hawks Haven are to exchange quit claim deeds, each party represents to the other that title to the properties to be conveyed shall be free of all monetary encumbrances.

5. Hunter hereby agrees to execute and convey to Hawks Haven all oil, gas and mineral royalty interests which Hunter holds in the Hawks Haven Property. The conveyance shall be by quit claim deed in the form attached hereto and incorporated herein as **Exhibit "J"**. Hunter hereby warrants that the foregoing oil, gas and mineral royalty interests are the only oil, gas and mineral royalty interests which Hunter holds with regard to the Hawks Haven Property. In the event any oil, gas and mineral interests in the Hawks Haven Property are later found to be owned by Hunter, Hunter agrees to execute such other and further instruments as are necessary to convey the oil, gas and mineral interests to Hawks Haven.

6. Buckingham hereby agrees to withdraw all objections to the Lee County Comprehensive Plan Amendment identified as CPA-2002-04-Caloosahatchee Shores Community Plan and hereby agrees to deliver to Hunter a signed letter addressed to the Lee County Board of County Commissioners with a copy to the Lee County Planning Staff and the East Lee County Civic Association, indicating Buckingham's withdrawal of all objections to the Comprehensive Plan Amendment and Buckingham's approval and support of the Comprehensive Plan Amendment. Additionally, a representative of Buckingham agrees to attend the Public Hearing before the Lee County Board of

County Commissioners with regard to the adoption of the Comprehensive Plan Amendment and speak in favor of the Comprehensive Plan Amendment.

7. Buckingham agrees to support and not oppose zoning applications for residential use development on the Hunter Property whether filed by Hunter or its successors in interest. Hunter agrees to support and not oppose zoning applications for residential use development on the Buckingham Property whether filed by Buckingham or its successors in interest. It is the intent of Buckingham and Hunter that this covenant shall benefit successors in interest to their respective properties and shall be enforceable by such successors in interest. Each party shall notify the other party thirty (30) days prior to the sale or transfer of their respective properties and provide the name and address of the respective transferees.

8. The parties agree that all documents required by this Agreement shall be fully executed and deposited in escrow with the law firm of Henderson, Franklin, Starnes & Holt, P.A. by October 16, 2003. In the event any party has not deposited all of its documents into escrow by October 16, 2003, the parties agree that Henderson, Franklin, Starnes & Holt, P.A. shall continue to hold the documents until October 20, 2003. In the event the performing parties have not filed suit to enforce specific performance of this Agreement by October 20, 2003, Henderson, Franklin, Starnes & Holt, P.A. is hereby instructed to re-deliver to each of the undersigned parties the documents deposited in escrow by that party, whereupon this Agreement shall terminate and be of no further force and effect. In the event a suit for specific performance is filed, all documents deposited by the parties shall continue to be held in escrow pending the outcome of the suit. If by October 16, 2003 all parties have delivered their respective documents to Henderson, Franklin, Starnes & Holt, P.A., Henderson, Franklin, Starnes & Holt, P.A. shall deliver the documents to each respective party to be benefited by each of the documents. Whereupon, the obligations of Henderson, Franklin, Starnes & Holt, P.A. shall terminate.

9. The parties to this Agreement hereby agree to indemnify, defend and hold Henderson, Franklin, Starnes & Holt, P.A. harmless from and against any and all claims or loss arising from its agreement to act as escrow agent pursuant to the terms and provisions of this Agreement.

10. This Agreement may be enforced by any party to this Agreement only by suit for specific performance or suit for injunctive relief.

11. The venue of any proceeding with regard to this Agreement shall be in the appropriate court located within Lee County, Florida.

12. This Agreement shall be construed pursuant to the laws of the State of Florida without reference to any provision of Florida law which would select the laws of another jurisdiction.

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13. If any provision of this Agreement is judicially found to be invalid or unenforceable, the invalid or unenforceable provision shall be deemed modified to the extent necessary to render such provision valid and enforceable.

14. This Agreement shall survive the delivery of the documents referenced herein as regards all obligations which are to be performed after the date of the delivery of the documents referenced herein.

15. Each party to this Agreement represents that such party is the owner of its respective real property in fee simple.

16. This Agreement shall be binding on all parties hereto and their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written.

SIGNATURES APPEAR ON FOLLOWING PAGES

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SIGNATURE PAGE OF JESSIE C. HUNTER A/K/A CATHERINE HUNTER FOR AGREEMENT BY AND BETWEEN JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER AND GRAEME R. HUNTER, BUCKINGHAM DEVELOPMENT, LLC AND HAWKS HAVEN INVESTMENT, L.L.C.

WITNESS:

Witness Signature

Jessie C. Hunter
JESSIE C. HUNTER a/k/a CATHERINE HUNTER

RONALD W SMALLEY
Print/Type Witness Name

Deborah M. Camelo
Witness Signature

DEBORAH M. CAMELO
Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this 13th day of OCTOBER, 2003, by JESSIE C. HUNTER a/k/a CATHERINE HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

Notary Public

RONALD W SMALLEY
Print/Type Name of Notary

Commission No. _____

Ronald W. Smalley
MY COMMISSION # DD009839 EXPIRES
April 10, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

RECEIVED
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PERMIT COUNTER

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SIGNATURE PAGE OF JILL LUCKEY FOR AGREEMENT BY AND BETWEEN JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER AND GRAEME R. HUNTER, BUCKINGHAM DEVELOPMENT, LLC AND HAWKS HAVEN INVESTMENT, L.L.C.

WITNESS:

Denise Brasher
Witness Signature

Jill Luckey
JILL LUCKEY

Denise Brasher
Print/Type Witness Name

Sonya Lewis
Witness Signature

Sonya Lewis
Print/Type Witness Name

STATE OF ALABAMA

COUNTY OF JEFFERSON

THE FOREGOING INSTRUMENT was acknowledged before me this 13th day of OCT., 2003, by JILL LUCKEY, who is personally known to me or who has produced AL. DL.#3071122 as identification.

My Commission Expires:

William Wong
Notary Public

WILLIAM WONG
Print/Type Name of Notary

Commission No. _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: OCT. 27, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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RECORDED
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PERMIT COUNTER

SIGNATURE PAGE OF MARCIA MOLLER FOR AGREEMENT BY AND BETWEEN JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER AND GRAEME R. HUNTER, BUCKINGHAM DEVELOPMENT, LLC AND HAWKS HAVEN INVESTMENT, L.L.C.

WITNESS:

Cathy C. DeSalvo
Witness Signature

Marcia Moller
MARCIA MOLLER

Cathy C. DeSalvo
Print/Type Witness Name

Jerri S. Bigam
Witness Signature

Jerri S. Bigam
Print/Type Witness Name

STATE OF ~~TEXAS~~ Louisiana
Parish Caddo
~~COUNTY~~ OF ~~HARRISON~~

THE FOREGOING INSTRUMENT was acknowledged before me this 13th day of October, 2003, by MARCIA MOLLER, who is personally known to me or who has produced Texas driver's license as identification.

My Commission ~~Expires~~:

Nelda McKeehan
Notary Public

NELDA McKEEHAN, NOTARY PUBLIC
CADDO PARISH, LOUISIANA
MY COMMISSION IS FOR LIFE

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE OF LISA HUNTER FOR AGREEMENT BY AND BETWEEN JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER AND GRAEME R. HUNTER, BUCKINGHAM DEVELOPMENT, LLC AND HAWKS HAVEN INVESTMENT, L.L.C.

WITNESS:

Witness Signature

LISA HUNTER

RONALD W SMALLEY
Print/Type Witness Name

Deborah M. Camelo
Witness Signature

DEBORAH M. CAMELO
Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this 13B day of OCTOBER, 2003, by LISA HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

Notary Public

RONALD W SMALLEY
Print/Type Name of Notary

Commission No. _____

Ronald W. Smalley
MY COMMISSION # DD009839 EXPIRES
April 10, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

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SIGNATURE PAGE OF GRAEME R. HUNTER FOR AGREEMENT BY AND BETWEEN JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER AND GRAEME R. HUNTER, BUCKINGHAM DEVELOPMENT, LLC AND HAWKS HAVEN INVESTMENT, L.L.C.

WITNESS:

Witness Signature

GRAEME R. HUNTER

RONALD W SMALLEY

Print/Type Witness Name

Deborah M. Camelo

Witness Signature

DEBORAH M. CAMELO

Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this 13th day of OCTOBER, 2003, by GRAEME R. HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

Notary Public

Ronald W. Smalley
MY COMMISSION # DD009839 EXPIRES
April 10, 2005
BONDED THRU TROY FAIN INSURANCE, INC.

RONALD W SMALLEY

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE ONE OF BUCKINGHAM DEVELOPMENT, LLC FOR AGREEMENT BY AND BETWEEN JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER AND GRAEME R. HUNTER, BUCKINGHAM DEVELOPMENT, LLC AND HAWKS HAVEN INVESTMENT, L.L.C.

WITNESS:

Witness Signature

Print/Type Witness Name

Witness Signature

Print/Type Witness Name

BUCKINGHAM DEVELOPMENT, LLC,
a Florida limited liability company

By: _____
DAVID KRAIZGRUN, Managing Member

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 10th day of October, 2003, by DAVID KRAIZGRUN, as a Managing Member of BUCKINGHAM DEVELOPMENT, LLC, a limited liability company under the laws of the State of Florida, on behalf of the limited liability company and who is personally known to me or who has produced Florida drivers license as identification.

My Commission Expires:

Notary Public

Mary C. Jennings
Commission #DD157236
Expires: Nov 14, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE TWO OF BUCKINGHAM DEVELOPMENT, LLC FOR AGREEMENT BY AND BETWEEN JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER AND GRAEME R. HUNTER, BUCKINGHAM DEVELOPMENT, LLC AND HAWKS HAVEN INVESTMENT, L.L.C.

WITNESS:

Witness Signature

Print/Type Witness Name

Witness Signature

Print/Type Witness Name

BUCKINGHAM DEVELOPMENT, LLC,
a Florida limited liability company

By: _____
EDDY GARCIA, Managing Member

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 10th day of October, 2003, by EDDY GARCIA, as a Managing Member of BUCKINGHAM DEVELOPMENT, LLC, a limited liability company under the laws of the State of Florida, on behalf of the limited liability company and who is personally known to me or who has produced Florida drivers license as identification.

My Commission Expires:

Notary Public

Mary C. Jennings
Commission #DD157236
Expires: Nov 14, 2006
Bonded Thru
Atlantic Bonding Co., Inc.

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE OF HAWKS HAVEN INVESTMENT, L.L.C. FOR AGREEMENT BY AND BETWEEN JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER AND GRAEME R. HUNTER, BUCKINGHAM DEVELOPMENT, LLC AND HAWKS HAVEN INVESTMENT, L.L.C.

WITNESS:

Witness Signature

DAVID WILENS
Print/Type Witness Name

Witness Signature

GREGG S. TRUXTON
Print/Type Witness Name

HAWKS HAVEN INVESTMENT, L.L.C., a Florida limited liability company

By: _____
GREGORY M. MORRIS,
Executive Vice President

STATE OF Florida

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 15 day of October, 2003, by GREGORY M. MORRIS, as Executive Vice President of HAWKS HAVEN INVESTMENT, L.L.C., a Florida limited liability company, on behalf of the company and who is personally known to me or who has produced N/A as identification.

My Commission Expires:

Notary Public

Print/Type Name of Notary

Commission No. _____

OFFICIAL NOTARY SEAL
GREGG S TRUXTON
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD021303
MY COMMISSION EXP. MAY 21,2005

#1151476v1

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EXHIBIT "A"

(HUNTER PROPERTY)

PARCEL 1:

The South one-half (½) of Section 34, Township 43 South, Range 26 East, and the West one-half (½) of the Northwest quarter (1/4) of the Southeast quarter (1/4) and the Northeast quarter (1/4) and the Northeast quarter (1/4) of the Southwest quarter (1/4) and all that portion of the North one-half (½) of the Northwest quarter (1/4) lying East of State Road No. 80-S (Buckingham Road) all in Section 33, Township 43 South, Range 26 East, less and except all that part thereof as described in that certain Trustee Deed dated October 3, 1980 and recorded in O.R. Book 1468, page 1179, Public Records of Lee County, Florida.

Together with a non-exclusive easement for ingress and egress over, under, across and through a tract of land one (1) acre square, being 210 feet by 210 feet in the Southwest corner of the North half (½) of Section 34, Township 43 South, Range 26 East, Lee County, Florida;

And less and except the following parcel:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. run North 24°24'46" East along said r/w line for 200.00'; thence run South 70°50'14" East for 228.00'; thence run South 18°02'17" West for 183.00'; thence run South 89°19'33" West for 47.724'; thence run North 70°50'14" West for 205.00' to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road;

And less and except the following parcel:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

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From said P.O.B. continue South 70°50'14" East for 205.00'; thence run North 89°19'33" East for 47.724'; thence run North 18°02'17" East for 183.00'; thence run South 56°35'54.5" East for 325.05'; thence run South 00°51'46.5" East for 342.39' more or less to a point on the South line of the North one-half (½) of the Northwest Quarter (1/4) of said Section 33; thence run South 89°08'13.5" West along said South line of the North one-half (½) of the Northwest Quarter (1/4) of Section 33 for 767.781' more or less to a point on the aforementioned Southeasterly r/w line of Buckingham Road; thence run North 24°24'46" East along said r/w line for 467.303' more or less to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

PARCEL 2:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. run North 24°24'46" East along said r/w line for 200.00'; thence run South 70°50'14" East for 228.00'; thence run South 18°02'17" West for 183.00'; thence run South 89°19'33" West for 47.724'; thence run North 70°50'14" West for 205.00' to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

PARCEL 3:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. continue South 70°50'14" East for 205.00'; thence run North 89°19'33" East for 47.724'; thence run North 18°02'17" East for 183.00'; thence run South 56°35'54.5" East for 325.05'; thence run South 00°51'46.5" East for 342.39' more or less to a point on the South

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line of the North one-half (½) of the Northwest Quarter (1/4) of said Section 33; thence run South 89°08'13.5" West along said South line of the North one-half (½) of the Northwest Quarter (1/4) of Section 33 for 767.781' more or less to a point on the aforementioned Southeasterly r/w line of Buckingham Road; thence run North 24°24'46" East along said r/w line for 467.303' more or less to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

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EXHIBIT "B"
(BUCKINGHAM PROPERTY)

A Tract or Parcel of Land lying in Sections 28 and 33, Township 43 South, Range 26 East, Lee County, Florida; said Tract or Parcel is further described as follows:

Begin at the Northeast corner of said Section 33; thence run South 00°49'36" East, along the East line of said Section 33, for 187.50 feet; thence run South 89°10'24" West, at right angles to said East line of Section 33, for 4,467.24 feet to a point 50.00 feet East of the center line of Buckingham Road, formerly known as S.R. #S-80; thence run North 24°24'46" East along a line which is parallel to and 50.00 feet East of the center line of Buckingham Road for 737.33 feet, more or less, to a point on the South line of the former Seaboard all Florida Railway R.O.W.; thence run North 89°00'54" East, along said South line of R.O.W., for 449.53 feet, more or less, to a concrete monument being the S.E. corner of parcel as recorded in Deed Book 233, Page 481, Public Records of Lee County, Florida; thence run North 00°59'06" West, for 100.00 feet to a concrete monument on the North line of said former Seaboard all Florida Railway R.O.W.; thence run North 89°00'54" East, along said North line of R.O.W. for 3,703.67 feet, more or less, to a concrete monument on the East line of said Section 28, Township 43 South, Range 26 East; thence run South 00°49'13" East, along said East line of Section 28 for 590.91 feet, more or less, to the S.E. corner of said Section 28 and the P.O.B.

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EXHIBIT "C"
(HAWKS HAVEN PROPERTY)

All that property more particularly described in Deed recorded in O.R. Book 4077, Page 4790, Public Records of Lee County, Florida.

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Prepared By:
Denis H. Noah, Esq.
Henderson, Franklin, Starnes & Holt, P.A.
P. O. Box 280
Fort Myers, FL 33902-0280

EXHIBIT "D"

NOTICE OF TERMINATION OF EASEMENT

THIS NOTICE OF TERMINATION OF EASEMENT ("Notice") is made as of this ____day of _____, 2003, by the JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER and GRAEME R. HUNTER, whose address is 3181 Buckingham Road, Fort Myers, FL 33905 ("Hunter").

WHEREAS, Hunter is the owner of certain real property described on Exhibit "A", attached hereto and by this reference made a part hereof ("Hunter Property"); and

WHEREAS, the Hunter Property is benefitted by a 100 foot easement reserved in the Deed recorded in Deed Book 263, Page 186, Public Records of Lee County, Florida as described in Exhibit "B" attached hereto ("East-West Easement"), which was created for the benefit and use of the owner of the Hunter Property, as well as other property lying adjacent and to the north of the Hunter Property; and

WHEREAS, the Hunter Property is benefited by a 60 foot easement reserved in the Deed recorded in O.R. Book 1468, Page 1179, Public Records of Lee County, Florida as described in Exhibit "C" attached hereto ("North-South Easement"), which was created for the benefit and use of the owner of the Hunter Property; and

WHEREAS, the East-West Easement and the North-South Easement encumber property owned by Buckingham Development, LLC, a Florida limited liability company ("Buckingham"); and

WHEREAS, Buckingham and Hunter desire to terminate the East-West Easement and the North-South Easement as to their use by Hunter.

NOW THEREFORE, Hunter hereby rescinds, terminates, releases and forever discharges their rights in the East-West Easement and the North-South Easement and hereby further declares and states that the East-West Easement and the North-South Easement shall no longer benefit the Hunter Property.

IN WITNESS WHEREOF, Hunter does hereby execute this Notice of Termination of Easement as of the day and year first above mentioned.

SIGNATURES APPEAR ON FOLLOWING PAGES

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SIGNATURE PAGE OF JESSIE C. HUNTER A/K/A CATHERINE HUNTER FOR NOTICE OF TERMINATION OF EASEMENTS

WITNESS:

_____
Witness Signature

_____
JESSIE C. HUNTER a/k/a CATHERINE HUNTER

_____
Print/Type Witness Name

_____
Witness Signature

_____
Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by JESSIE C. HUNTER a/k/a CATHERINE HUNTER, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

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OCT 26 2004
PERMIT COUNTER

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SIGNATURE PAGE OF JILL LUCKEY FOR NOTICE OF TERMINATION OF EASEMENTS

WITNESS:

_____ _____

Witness Signature JILL LUCKEY

_____

Print/Type Witness Name

_____

Witness Signature

_____

Print/Type Witness Name

STATE OF ALABAMA

COUNTY OF _____

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by JILL LUCKEY, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____

Notary Public

_____

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE OF MARCIA MOLLER FOR NOTICE OF TERMINATION OF EASEMENTS

WITNESS:

_____
Witness Signature

_____
MARCIA MOLLER

_____
Print/Type Witness Name

_____
Witness Signature

_____
Print/Type Witness Name

STATE OF TEXAS

COUNTY OF HARRISON

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by MARCIA MOLLER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE OF LISA HUNTER FOR NOTICE OF TERMINATION OF EASEMENTS

WITNESS:

_____ _____

Witness Signature LISA HUNTER

_____

Print/Type Witness Name

_____

Witness Signature

_____

Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by LISA HUNTER, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____

Notary Public

_____

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE OF GRAEME R. HUNTER FOR NOTICE OF TERMINATION OF EASEMENTS

WITNESS:

_____ _____

Witness Signature GRAEME R. HUNTER

_____

Print/Type Witness Name

_____

Witness Signature

_____

Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by GRAEME R. HUNTER, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____

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Print/Type Name of Notary

Commission No. _____

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EXHIBIT "A"

(HUNTER PROPERTY)

PARCEL 1:

The South one-half (½) of Section 34, Township 43 South, Range 26 East, and the West one-half (½) of the Northwest quarter (1/4) of the Southeast quarter (1/4) and the Northeast quarter (1/4) and the Northeast quarter (1/4) of the Southwest quarter (1/4) and all that portion of the North one-half (½) of the Northwest quarter (1/4) lying East of State Road No. 80-S (Buckingham Road) all in Section 33, Township 43 South, Range 26 East, less and except all that part thereof as described in that certain Trustee Deed dated October 3, 1980 and recorded in O.R. Book 1468, page 1179, Public Records of Lee County, Florida.

Together with a non-exclusive easement for ingress and egress over, under, across and through a tract of land one (1) acre square, being 210 feet by 210 feet in the Southwest corner of the North half (½) of Section 34, Township 43 South, Range 26 East, Lee County, Florida;

And less and except the following parcel:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. run North 24°24'46" East along said r/w line for 200.00'; thence run South 70°50'14" East for 228.00'; thence run South 18°02'17" West for 183.00'; thence run South 89°19'33" West for 47.724'; thence run North 70°50'14" West for 205.00' to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road;

And less and except the following parcel:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

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From said P.O.B. continue South 70°50'14" East for 205.00'; thence run North 89°19'33" East for 47.724'; thence run North 18°02'17" East for 183.00'; thence run South 56°35'54.5" East for 325.05'; thence run South 00°51'46.5" East for 342.39' more or less to a point on the South line of the North one-half (½) of the Northwest Quarter (1/4) of said Section 33; thence run South 89°08'13.5" West along said South line of the North one-half (½) of the Northwest Quarter (1/4) of Section 33 for 767.781' more or less to a point on the aforementioned Southeasterly r/w line of Buckingham Road; thence run North 24°24'46" East along said r/w line for 467.303' more or less to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

PARCEL 2:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. run North 24°24'46" East along said r/w line for 200.00'; thence run South 70°50'14" East for 228.00'; thence run South 18°02'17" West for 183.00'; thence run South 89°19'33" West for 47.724'; thence run North 70°50'14" West for 205.00' to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

PARCEL 3:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. continue South 70°50'14" East for 205.00'; thence run North 89°19'33" East for 47.724'; thence run North 18°02'17" East for 183.00'; thence run South 56°35'54.5" East for 325.05'; thence run South 00°51'46.5" East for 342.39' more or less to a point on the South

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line of the North one-half (½) of the Northwest Quarter (1/4) of said Section 33; thence run South 89°08'13.5" West along said South line of the North one-half (½) of the Northwest Quarter (1/4) of Section 33 for 767.781' more or less to a point on the aforementioned Southeasterly r/w line of Buckingham Road; thence run North 24°24'46" East along said r/w line for 467.303' more or less to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

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EXHIBIT "B"
(EASEMENT DESCRIPTION 263/186)

An easement for roadway purposes 100 feet in width, said easement extending 50 feet as measured on a perpendicular on each side from the center line which is the dividing line between Sections 28 and 33 and extending from the Easterly side of the old Buckingham-Olga Road known as Road No. 80-S to the East line of said Sections 28 and 33 in Township 43 South, Range 26 East

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EXHIBIT "C"
(EASEMENT DESCRIPTION 1468/1179)

The West 60 feet of the South 590.91 feet, more or less, of the Southwest one-quarter of the Southeast one-quarter of the Southeast one-quarter of Section 28, Township 43 South, Range 26 East and the West 60 feet of the North 187.50 feet of the Northwest one-quarter of the Northeast one-quarter of the Northeast one-quarter of Section 33, Township 43 South, Range 26 East, in Lee County, Florida

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Prepared By:
Denis H. Noah, Esq.
P. O. Box 280
Fort Myers, FL 33902-0280

EXHIBIT "E"

TEMPORARY EASEMENT AGREEMENT

THIS AGREEMENT dated the _____ day of _____, 2003 by and between, BUCKINGHAM DEVELOPMENT, LLC, a Florida limited liability company, hereinafter called "BUCKINGHAM", whose mailing address is 8045 N.W. 155th St., Miami Lakes, Florida 33016 and JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER and GRAEME R. HUNTER, hereinafter called "HUNTER", whose address is 3181 Buckingham Road, Fort Myers, FL 33905.

WHEREAS, BUCKINGHAM is the owner of the property described in Exhibit "A" attached hereto and made a part hereof ("Buckingham Property"); and

WHEREAS, HUNTER is the owner of the property described in Exhibit "B" attached hereto and made a part hereof ("Hunter Property"); and

WHEREAS, HUNTER held an easement described in Exhibit "C" attached hereto over the Buckingham Property pursuant to a reservation of easement recorded in Deed Book 263, Page 186, of the Public Records of Lee County, Florida; and

WHEREAS, HUNTER has delivered to BUCKINGHAM a Notice of Termination of Easement for the easement originally reserved in Deed Book 263, Page 186 of the Public Records of Lee County, Florida and described in Exhibit "C" attached hereto; and

WHEREAS, in consideration of HUNTER'S release and termination of the easement over the property described in Exhibit "C" attached hereto, BUCKINGHAM has agreed to grant to HUNTER a temporary non-exclusive ingress/egress easement over the Buckingham Property as more particularly described in Exhibit "C" attached hereto; and

WHEREAS, HUNTER held an easement described in Exhibit "D" attached hereto over the Buckingham Property pursuant to a reservation of easement recorded in O.R. Book 1468, Page 1179, of the Public Records of Lee County, Florida; and

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WHEREAS, HUNTER has delivered to BUCKINGHAM a Notice of Termination of Easement for the easement originally reserved in O.R. Book 1468, Page 1179 of the Public Records of Lee County, Florida and described in Exhibit "D" attached hereto; and

WHEREAS, in consideration of HUNTER'S release and termination of the easement reserved in the instrument recorded in O.R. Book 1468, Page 1179, Public Records of Lee County, Florida over the property described in Exhibit "D" attached hereto, BUCKINGHAM has agreed to grant to HUNTER a temporary non-exclusive ingress/egress easement over the Buckingham Property as more particularly described in Exhibit "D" attached hereto.

NOW THEREFORE, in consideration of $10.00 and other good and valuable consideration, Buckingham hereby agrees as follows:

1. BUCKINGHAM grants unto HUNTER, their heirs and assigns, temporary roadway easements for purposes of ingress and egress over and across the Property described in Exhibit "C" and Exhibit "D" attached hereto (collectively "the Temporary Easements"). The Temporary Easements shall be non-exclusive and may be utilized by each party, their heirs, successors and assigns.

2. The Temporary Easements shall terminate upon the earlier of the date upon which Hunter conveys title to the Hunter Property to a third party or September 30, 2004.

3. BUCKINGHAM shall have the right to relocate the Temporary Easements provided (a) the new location shall provide reasonable and direct access to the Hunter Property at the current connection point with the Hunter Property and (b) BUCKINGHAM shall, at BUCKINGHAM'S sole expense, construct a new road in the new easement location in an equal or better condition than the existing road lying within the Temporary Easements.

4. In any litigation arising out of this Agreement, the prevailing party in such litigation shall be entitled to recover from the non-prevailing party reasonable attorneys' fees and costs.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written.

SIGNATURES APPEAR ON THE FOLLOWING PAGES

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SIGNATURE PAGE OF JESSIE C. HUNTER A/K/A CATHERINE HUNTER FOR TEMPORARY EASEMENT AGREEMENT WITH BUCKINGHAM

WITNESS:

_____
Witness Signature

_____
Print/Type Witness Name

_____
Witness Signature

_____
Print/Type Witness Name

_____
JESSIE C. HUNTER a/k/a CATHERINE HUNTER

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by JESSIE C. HUNTER a/k/a CATHERINE HUNTER, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE OF JILL LUCKEY FOR TEMPORARY EASEMENT AGREEMENT WITH BUCKINGHAM

WITNESS:

_____
Witness Signature

_____
JILL LUCKEY

_____
Print/Type Witness Name

_____
Witness Signature

_____
Print/Type Witness Name

STATE OF ALABAMA

COUNTY OF _____

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by JILL LUCKEY, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

RECORD
OCT 26 2004
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SIGNATURE PAGE OF MARCIA MOLLER FOR TEMPORARY EASEMENT AGREEMENT WITH BUCKINGHAM

WITNESS:

_____ _____

Witness Signature MARCIA MOLLER

_____

Print/Type Witness Name

_____

Witness Signature

_____

Print/Type Witness Name

STATE OF TEXAS

COUNTY OF HARRISON

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by MARCIA MOLLER, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____

Notary Public

_____

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE OF LISA HUNTER FOR TEMPORARY EASEMENT AGREEMENT WITH BUCKINGHAM

WITNESS:

_____ _____

Witness Signature LISA HUNTER

_____

Print/Type Witness Name

_____

Witness Signature

_____

Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by LISA HUNTER, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____

Notary Public

_____

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE OF GRAEME R. HUNTER FOR TEMPORARY EASEMENT AGREEMENT WITH BUCKINGHAM

WITNESS:

_____ _____

Witness Signature GRAEME R. HUNTER

_____

Print/Type Witness Name

_____

Witness Signature

_____

Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by GRAEME R. HUNTER, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____

Notary Public

_____

Print/Type Name of Notary

Commission No. _____

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SIGNATURE PAGE ONE OF BUCKINGHAM DEVELOPMENT, LLC FOR TEMPORARY EASEMENT AGREEMENT WITH HUNTER

WITNESS:

BUCKINGHAM DEVELOPMENT, LLC,
a Florida limited liability company

By:_____
DAVID KRAIZGRUN

_____
Witness Signature

_____
Print/Type Witness Name

_____
Witness Signature

_____
Print/Type Witness Name

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2003, by DAVID KRAIZGRUN, as a Managing Member of BUCKINGHAM DEVELOPMENT, LLC, a limited liability company under the laws of the State of Florida, on behalf of the limited liability company and who is personally known to me or who has produced _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

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EXHIBIT "A"
(BUCKINGHAM PROPERTY)

A Tract or Parcel of Land lying in Sections 28 and 33, Township 43 South, Range 26 East, Lee County, Florida; said Tract or Parcel is further described as follows:

Begin at the Northeast corner of said Section 33; thence run South 00°49'36" East, along the East line of said Section 33, for 187.50 feet; thence run South 89°10'24" West, at right angles to said East line of Section 33, for 4,467.24 feet to a point 50.00 feet East of the center line of Buckingham Road, formerly known as S.R. #S-80; thence run North 24°24'46" East along a line which is parallel to and 50.00 feet East of the center line of Buckingham Road for 737.33 feet, more or less, to a point on the South line of the former Seaboard all Florida Railway R.O.W.; thence run North 89°00'54" East, along said South line of R.O.W., for 449.53 feet, more or less, to a concrete monument being the S.E. corner of parcel as recorded in Deed Book 233, Page 481, Public Records of Lee County, Florida; thence run North 00°59'06" West, for 100.00 feet to a concrete monument on the North line of said former Seaboard all Florida Railway R.O.W.; thence run North 89°00'54" East, along said North line of R.O.W. for 3,703.67 feet, more or less, to a concrete monument on the East line of said Section 28, Township 43 South, Range 26 East; thence run South 00°49'13" East, along said East line of Section 28 for 590.91 feet, more or less, to the S.E. corner of said Section 28 and the P.O.B.

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EXHIBIT "B"

(HUNTER PROPERTY)

PARCEL 1:

The South one-half (½) of Section 34, Township 43 South, Range 26 East, and the West one-half (½) of the Northwest quarter (1/4) of the Southeast quarter (1/4) and the Northeast quarter (1/4) and the Northeast quarter (1/4) of the Southwest quarter (1/4) and all that portion of the North one-half (½) of the Northwest quarter (1/4) lying East of State Road No. 80-S (Buckingham Road) all in Section 33, Township 43 South, Range 26 East, less and except all that part thereof as described in that certain Trustee Deed dated October 3, 1980 and recorded in O.R. Book 1468, page 1179, Public Records of Lee County, Florida.

Together with a non-exclusive easement for ingress and egress over, under, across and through a tract of land one (1) acre square, being 210 feet by 210 feet in the Southwest corner of the North half (½) of Section 34, Township 43 South, Range 26 East, Lee County, Florida;

And less and except the following parcel:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. run North 24°24'46" East along said r/w line for 200.00'; thence run South 70°50'14" East for 228.00'; thence run South 18°02'17" West for 183.00'; thence run South 89°19'33" West for 47.724'; thence run North 70°50'14" West for 205.00' to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road;

And less and except the following parcel:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

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From said P.O.B. continue South 70°50'14" East for 205.00'; thence run North 89°19'33" East for 47.724'; thence run North 18°02'17" East for 183.00'; thence run South 56°35'54.5" East for 325.05'; thence run South 00°51'46.5" East for 342.39' more or less to a point on the South line of the North one-half (½) of the Northwest Quarter (1/4) of said Section 33; thence run South 89°08'13.5" West along said South line of the North one-half (½) of the Northwest Quarter (1/4) of Section 33 for 767.781' more or less to a point on the aforementioned Southeasterly r/w line of Buckingham Road; thence run North 24°24'46" East along said r/w line for 467.303' more or less to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

PARCEL 2:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. run North 24°24'46" East along said r/w line for 200.00'; thence run South 70°50'14" East for 228.00'; thence run South 18°02'17" West for 183.00'; thence run South 89°19'33" West for 47.724'; thence run North 70°50'14" West for 205.00' to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

PARCEL 3:

A tract or parcel of land lying in the Northwest Quarter (1/4) of Section 33, Township 43 South, Range 26 East, Lee County, Florida, said parcel is further described as follows:

Commence at the Northwest corner of said Section 33; thence run North 89°18'48" East along the North line of said Section 33 for 871.09' more or less to its intersection with the centerline of Buckingham Road; thence run South 24°24'46" West along said centerline of Buckingham Road for 989.50'; thence run South 70°50'14" East for 30.126' to a point on the Southeasterly r/w line of said Buckingham Road and the P.O.B. of the parcel herein described:

From said P.O.B. continue South 70°50'14" East for 205.00'; thence run North 89°19'33" East for 47.724'; thence run North 18°02'17" East for 183.00'; thence run South 56°35'54.5" East for 325.05'; thence run South 00°51'46.5" East for 342.39' more or less to a point on the South

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line of the North one-half (½) of the Northwest Quarter (1/4) of said Section 33; thence run South 89°08'13.5" West along said South line of the North one-half (½) of the Northwest Quarter (1/4) of Section 33 for 767.781' more or less to a point on the aforementioned Southeasterly r/w line of Buckingham Road; thence run North 24°24'46" East along said r/w line for 467.303' more or less to the P.O.B.

NOTE: The bearings as mentioned herein are based on an assumed bearing of North 24°24'46" East on the centerline of Buckingham Road.

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EXHIBIT "C"
(EASEMENT DESCRIPTION 263/186)

An easement for roadway purposes 100 feet in width, said easement extending 50 feet as measured on a perpendicular on each side from the center line which is the dividing line between Sections 28 and 33 and extending from the Easterly side of the old Buckingham-Olga Road known as Road No. 80-S to the East line of said Sections 28 and 33 in Township 43 South, Range 26 East

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EXHIBIT "D"
(EASEMENT DESCRIPTION 1468/1179)

The West 60 feet of the South 590.91 feet, more or less, of the Southwest one-quarter of the Southeast one-quarter of the Southeast one-quarter of Section 28, Township 43 South, Range 26 East and the West 60 feet of the North 187.50 feet of the Northwest one-quarter of the Northeast one-quarter of the Northeast one-quarter of Section 33, Township 43 South, Range 26 East, in Lee County, Florida.

#1130200v2

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July 24, 2003

DESCRIPTION

REMAINDER OF EASEMENT
SECTION 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 34, Township 43 South, Range 26 East, Lee County, Florida being a part of an Ingress/Egress Easement as described in Deed Book 278 at Page 235, Public Records of Lee County, Florida, which tract or parcel is described as follows:

From the southwest corner of the North Half (N-1/2) of said Section 34 run N 00° 50' 15" W along the west line of said Section 34 also being the west line of an Ingress/Egress Easement as described in Deed Book 278 at Page 235, said public records for 206.07 feet to the Point of Beginning.

From said Point of Beginning continue N 00° 50' 15" W along said west line for 3.93 feet; thence run N 89° 15' 30" E departing said section line and along the north line of said Ingress/Egress Easement for 210.00 feet to the northeast corner of said easement; thence run S 00° 50' 15" E along the east line of said easement for 210.00 feet to an intersection with the south line of the North Half (N-1/2) of said Section 34; thence run S 89° 15' 30" W along said south line and the south line of said easement for 29.72 feet to an intersection with a non-tangent curve; thence run northwesterly along said curve departing said south line and easement line to the left of radius 240.00 feet (delta 21° 30' 24") (chord bearing N 34° 21' 11" W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N 45° 06' 23" W for 156.71 feet to a point curvature; thence run northwesterly along the arc of said curve to the left of radius 240.00 feet (delta 06° 55' 14") (chord bearing N 48° 34' 00" W) (chord 28.97 feet) for 28.99 feet to an intersection with the west line of said Section 34 and the Point of Beginning.

Parcel contains 0.54 acres, more or less.

Bearings hereinabove mentioned are based on plane coordinates for the Florida West Zone NAD 1983 (1990 Adjustment) wherein the west line of Section 34, Township 43 South, Range 26 East bears N 00° 50' 15" W.

20033930/Remainder Easement 072403

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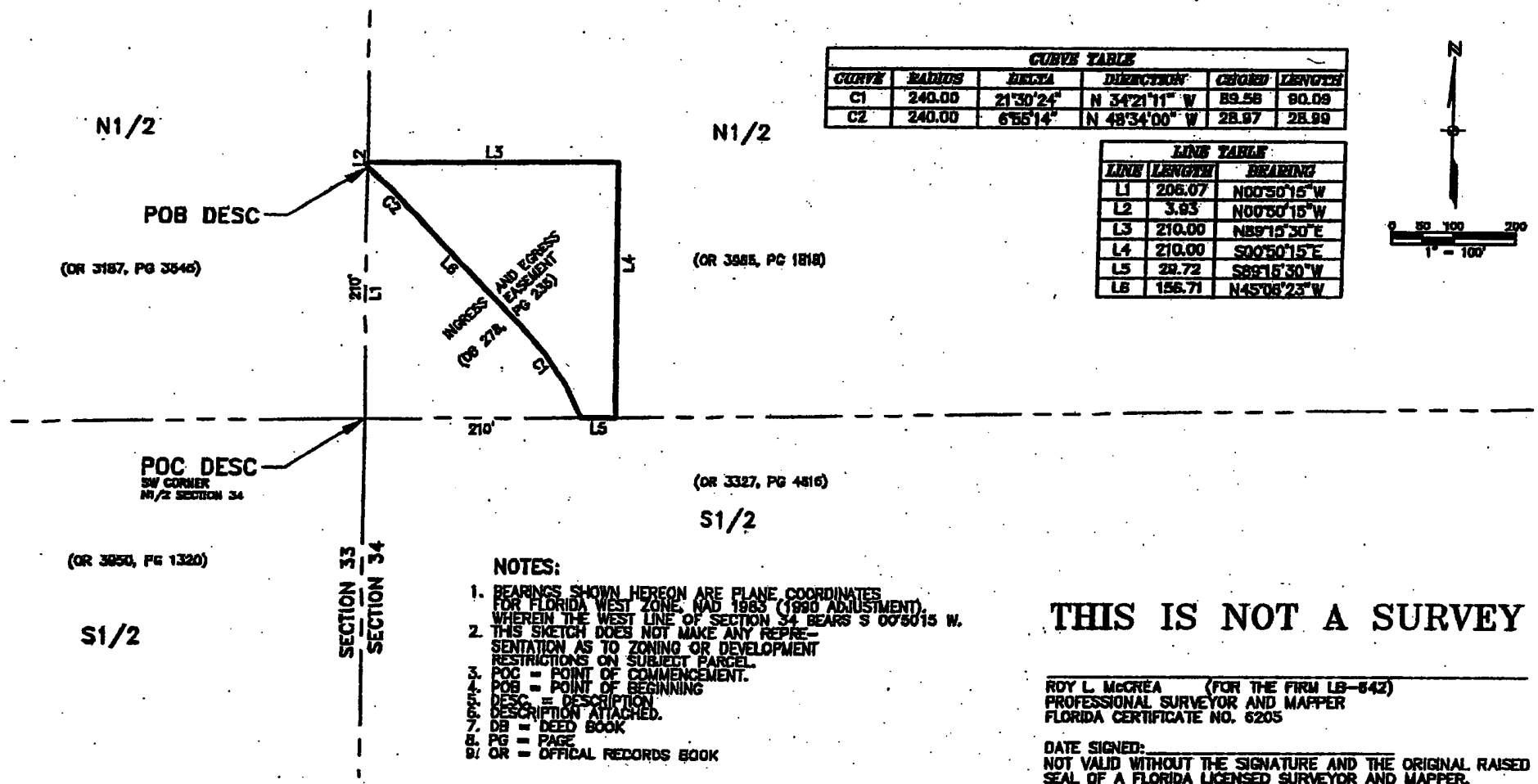
EXHIBIT "F"

DCI2004-00054

DCI2004-00054



CURVE TABLE					
CURVE	RADIUS	DELTA	DIRECTION	CHORD	LENGTH
C1	240.00	21°30'24"	N 34°21'11" W	89.58	90.09
C2	240.00	6°55'14"	N 48°34'00" W	28.97	28.99

LINE TABLE		
LINE	LENGTH	BEARING
L1	206.07	N00°50'15"W
L2	3.93	N00°50'15"W
L3	210.00	N89°15'30"E
L4	210.00	S00°50'15"E
L5	29.72	S89°15'30"W
L6	156.71	N45°06'23"W

NOTES:

1. BEARINGS SHOWN HEREON ARE PLANE COORDINATES FOR FLORIDA WEST ZONE, NAD 1983 (1990 ADJUSTMENT), WHEREIN THE WEST LINE OF SECTION 34 BEARS S 00°50'15" W.
2. THIS SKETCH DOES NOT MAKE ANY REPRE-SENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POC = POINT OF COMMENCEMENT.
4. POB = POINT OF BEGINNING
5. DESC = DESCRIPTION
6. DESCRIPTION ATTACHED.
7. DB = DEED BOOK
8. PG = PAGE
9. OR = OFFICAL RECORDS BOOK

THIS IS NOT A SURVEY

ROY L. McCREA (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6205

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

REMAINDER OF EASEMENT
SECTION 34, TWP. 43 S, RGE. 26 E.
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
7/24/03	20033830	34-43-26	1" = 100'	1 OF 1

THIS INSTRUMENT PREPARED BY:
Ronald W. Smalley, Esquire
P.O. Box 280
Fort Myers, FL 33902-0280

EXHIBIT "G"

QUIT CLAIM DEED

THIS INDENTURE, made this _____ day of _____, 2003 between JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER and GRAEME R. HUNTER, whose mailing address is 3181 Buckingham Road, Fort Myers, FL 33905, of the County of Lee, and State of Florida, Party of the First Part, and HAWKS HAVEN INVESTMENT, L.L.C., a Florida limited liability company, whose mailing address is 12800 University Drive, Suite 275, Fort Myers, FL 33907, Party of the Second Part.

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of TEN DOLLARS ($10.00), in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, have remised, released and quitclaimed, and by these presents do remise, release and quitclaim unto the said Party of the Second Part all the right, title, interest claim and demand, which the said Party of the First Part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Lee, State of Florida, to wit:

As described in Exhibit "A" attached hereto and by reference made a part hereof.

Parcel Identification No. 34-43-26-00-0001.0020

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said Party of the First Part, either in law or equity, to the only proper use, benefit and behoof of the said Party of the Second Part.

IN WITNESS WHEREOF, the said Party of the First Part have hereunto set their hands and seals on the day and year first above written.

OCT 26 2004
PERMIT COUNTER

DCI2004-00054

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF:

Witness (Type/Print Name of Witness)	JESSIE C. HUNTER a/k/a CATHERINE HUNTER
Witness (Type/Print Name of Witness)	
Witness (Type/Print Name of Witness)	JILL LUCKEY
Witness (Type/Print Name of Witness)	
Witness (Type/Print Name of Witness)	MARCIA MOLLER
Witness (Type/Print Name of Witness)	
Witness (Type/Print Name of Witness)	LISA HUNTER
Witness (Type/Print Name of Witness)	

OCT 26 2004
PERMIT COUNTER

DCI2004-00054

Witness

(Type/Print Name of Witness)

Witness

(Type/Print Name of Witness)

GRAEME R. HUNTER

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by JESSIE C. HUNTER a/k/a CATHERINE HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

Notary Public

Print/Type Name of Notary

Commission No. _____

STATE OF ALABAMA

COUNTY OF _____

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by JILL LUCKEY, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

Notary Public

Print/Type Name of Notary

Commission No. _____

DCI2004-00054

OCT 26 2004

PLEASANT COUNTER

STATE OF TEXAS

COUNTY OF HARRISON

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by MARCIA MOLLER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by LISA HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by GRAEME R. HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

OCT 26 2004
PERMIT COUNTER
DCI2004-00054

July 24, 2003

DESCRIPTION

REMAINDER OF EASEMENT
SECTION 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 34, Township 43 South, Range 26 East, Lee County, Florida being a part of an Ingress/Egress Easement as described in Deed Book 278 at Page 235, Public Records of Lee County, Florida, which tract or parcel is described as follows:

From the southwest corner of the North Half (N-1/2) of said Section 34 run N 00° 50' 15" W along the west line of said Section 34 also being the west line of an Ingress/Egress Easement as described in Deed Book 278 at Page 235, said public records for 206.07 feet to the Point of Beginning.

From said Point of Beginning continue N 00° 50' 15" W along said west line for 3.93 feet; thence run N 89° 15' 30" E departing said section line and along the north line of said Ingress/Egress Easement for 210.00 feet to the northeast corner of said easement; thence run S 00° 50' 15" E along the east line of said easement for 210.00 feet to an intersection with the south line of the North Half (N-1/2) of said Section 34; thence run S 89° 15' 30" W along said south line and the south line of said easement for 29.72 feet to an intersection with a non-tangent curve; thence run northwesterly along said curve departing said south line and easement line to the left of radius 240.00 feet (delta 21° 30' 24") (chord bearing N 34° 21' 11" W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N 45° 06' 23" W for 156.71 feet to a point curvature; thence run northwesterly along the arc of said curve to the left of radius 240.00 feet (delta 06° 55' 14") (chord bearing N 48° 34' 00" W) (chord 28.97 feet) for 28.99 feet to an intersection with the west line of said Section 34 and the Point of Beginning.

Parcel contains 0.54 acres, more or less.

Bearings hereinabove mentioned are based on plane coordinates for the Florida West Zone NAD 1983 (1990 Adjustment) wherein the west line of Section 34, Township 43 South, Range 26 East bears N 00° 50' 15" W.

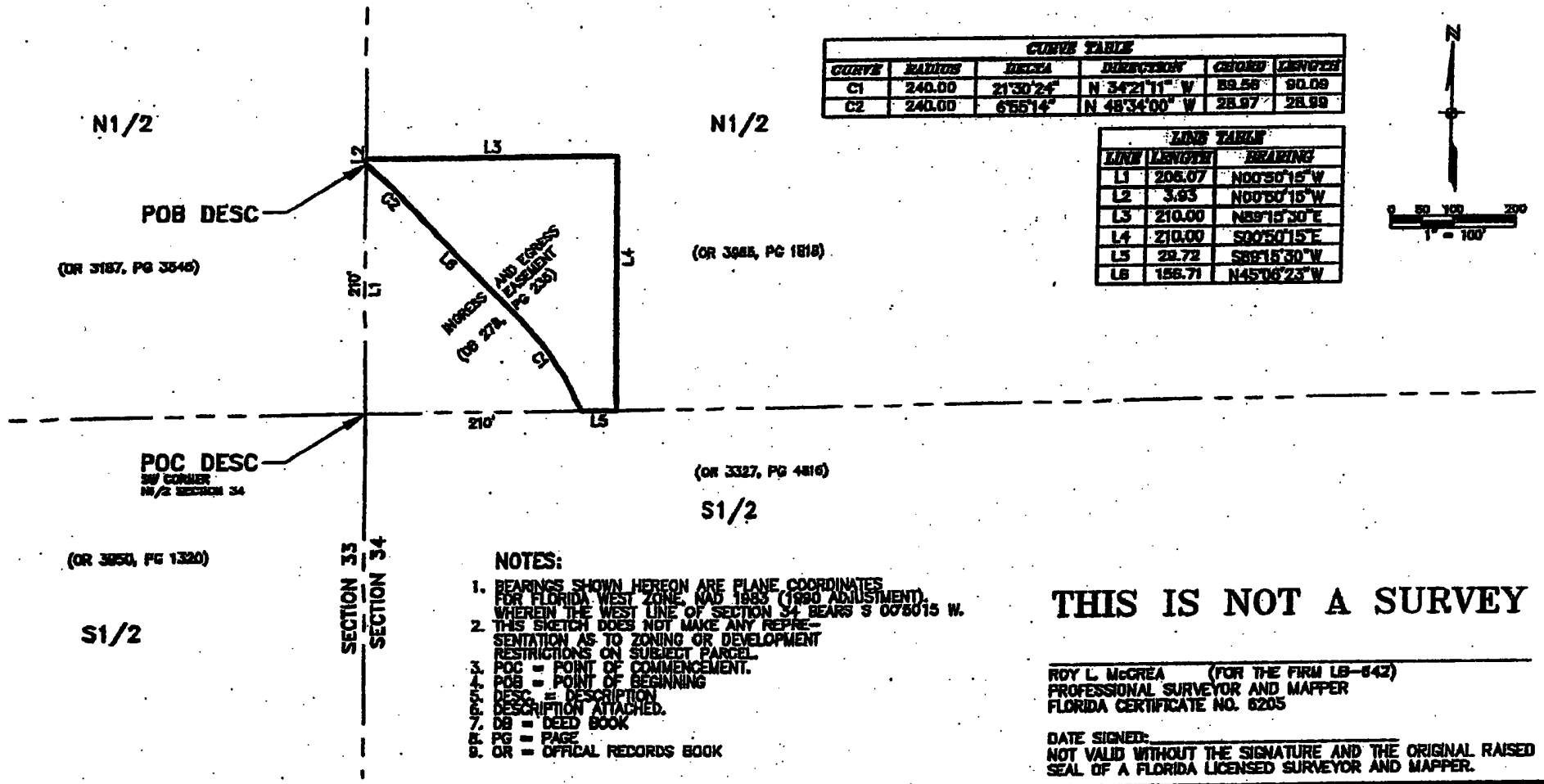
20033930/Remainder Easement 072403

RECEIVED
OCT 26 2004
PERMIT COUNTER

EXHIBIT "A"

DCI2004-00054

DCI2004-00054



CURVE TABLE					
CURVE	RADIUS	DELTA	DIRECTION	CHORD	LENGTH
C1	240.00	21°30'24"	N 34°21'11" W	89.56	90.09
C2	240.00	6°55'14"	N 48°34'00" W	28.97	28.99

LINE TABLE		
LINE	LENGTH	BEARING
L1	206.07	N00°50'15"W
L2	3.93	N00°50'15"W
L3	210.00	N89°15'30"E
L4	210.00	S00°50'15"E
L5	29.72	S89°15'30"W
L6	156.71	N45°06'23"W

NOTES:

1. BEARINGS SHOWN HEREON ARE PLANE COORDINATES FOR FLORIDA WEST ZONE, NAD 1983 (1990 ADJUSTMENT), WHEREIN THE WEST LINE OF SECTION 34 BEARS S 00°50'15" W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POC = POINT OF COMMENCEMENT.
4. POB = POINT OF BEGINNING
5. DESC. = DESCRIPTION
6. DESCRIPTION ATTACHED.
7. DB = DEED BOOK
8. PG = PAGE
9. OR = OFFICAL RECORDS BOOK

THIS IS NOT A SURVEY

ROY L. McGREA (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6205

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

REMAINDER OF EASEMENT
SECTION 34, TWP. 43 S, RGE. 26 E.
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661

SKETCH TO ACCOMPANY DESCRIPTION

DATE	DRAWN BY	FILE NO.	SCALE	SHEET
7/24/03	20033830	34-43-26	1" = 100'	1 OF 1

July 24, 2003

DESCRIPTION

ACCESS EASEMENT
SECTION 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 34, Township 43 South, Range 26 East, Lee County, Florida being a part of an Ingress/Egress Easement as described in Deed Book 278 at Page 235, Public Records of Lee County, Florida, which tract or parcel is described as follows:

From the southwest corner of the North Half (N-1/2) of said Section 34 run N 00° 50' 15" W along the west line of said Section 34 also being the west line of an Ingress/Egress Easement as described in said Deed Book 278 at Page 235 for 206.07 feet to an intersection with a non-tangent curve; thence run southeasterly along said curve, departing said section line, to the right of radius 240.00 feet (delta 06° 55' 14") (chord bearing S 48° 34' 00" E) (chord 28.97 feet) for 28.99 feet to a point of tangency; thence run S 45° 06' 23" E for 156.71 feet to a point of curvature; thence run southeasterly along an arc of said curve to the right of radius 240.00 feet (delta 21° 30' 24") (chord bearing S 34° 21' 11" E) (chord 89.56 feet) for 90.09 feet to an intersection with the south line of the North Half (N-1/2) of said Section 34; thence run S 89° 15' 30" W along said south line for 180.28 feet to the Point of Beginning.

Parcel contains 0.47 acres, more or less.

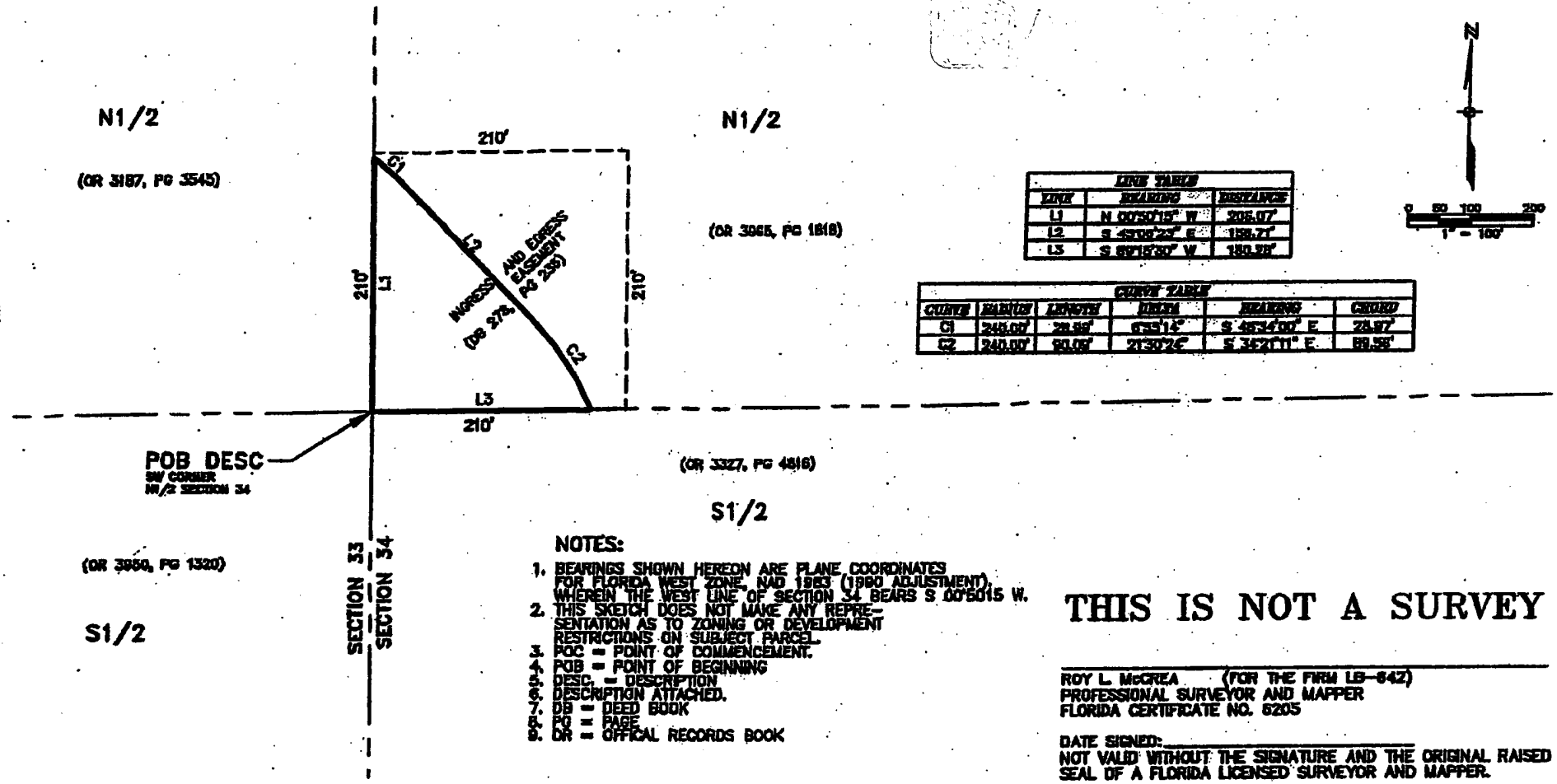
Bearings hereinabove mentioned are based on plane coordinates for the Florida West Zone NAD 1983 (1990 Adjustment) wherein the west line of Section 34, Township 43 South, Range 26 East bears N 00° 50' 15" W.

20033930/Access Easement 072403

RECEIVED
OCT 26 2004
PERMIT CENTER

EXHIBIT "H"

DCI2004-00054



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 00°50'15" W	205.07'
L2	S 45°05'25" E	158.21'
L3	S 89°15'30" W	180.28'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	240.00'	28.98'	6°55'14"	S 48°34'00" E	28.97'
C2	240.00'	90.05'	21°30'24"	S 34°21'11" E	89.55'

NOTES:

1. BEARINGS SHOWN HEREON ARE PLANE COORDINATES FOR FLORIDA WEST ZONE, NAD 1983 (1990 ADJUSTMENT), WHEREIN THE WEST LINE OF SECTION 34 BEARS S 00°50'15" W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POC = POINT OF COMMENCEMENT.
4. POB = POINT OF BEGINNING
5. DESC. = DESCRIPTION
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7. DB = DEED BOOK
8. PG = PAGE
9. OR = OFFICAL RECORDS BOOK

THIS IS NOT A SURVEY

ROY L. McGREA (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6205

DATE SIGNED:

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

ACCESS EASEMENT

SECTION 34, TWP. 43 S, RGE. 26 E.
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING
3165 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
C.O. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
7/24/03	20033830	34-43-26	1" = 100'	1 OF 1

\\Rmd1\Proj-fm\20033830\ACCESS.dwg (Layout1) Thu Jul 24, 2003 - 4:14pm

THIS INSTRUMENT PREPARED BY:
Ronald W. Smalley, Esquire
P.O. Box 280
Fort Myers, FL 33902-0280

EXHIBIT "I"

QUIT CLAIM DEED

THIS INDENTURE, made this _____ day of _____, 2003 between HAWKS HAVEN INVESTMENT, L.L.C., a Florida limited liability company, whose mailing address is 12800 University Drive, Suite 275, Fort Myers, FL 33907; Party of the First Part, and JESSIE C. HUNTER a/k/a CATHERINE HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER and GRAEME R. HUNTER, whose mailing address is 3181 Buckingham Road, Fort Myers, FL 33905, of the County of Lee, and State of Florida, Party of the Second Part.

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of TEN DOLLARS ($10.00), in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said Party of the Second Part all the right, title, interest claim and demand, which the said Party of the First Part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Lee, State of Florida, to wit:

As described in Exhibit "A" attached hereto and by reference made a part hereof.

Parcel Identification No. 34-43-26-00-00001.0020

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said Party of the First Part, either in law or equity, to the only proper use, benefit and behoof of the said Party of the Second Part.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set its hand and seal on the day and year first above written.

RECEIVED
OCT 26 2004
PERMIT COUNTER

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF:

HAWKS HAVEN INVESTMENT, L.L.C., a
Florida limited liability company

_____
Witness

BY:_____
Print Name:_ Gregory M. Morris
ITS: Executive Vice President

_____
(Type/Print Name of Witness)

_____
Witness

_____
(Type/Print Name of Witness)

STATE OF _____

COUNTY OF _____

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by Gregory M. Morris as Executive Vice President of HAWKS HAVEN INVESTMENT, L.L.C., a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced _____ _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

RECEIVED
OCT 26 2004
PERMIT COUNTER

DGI2004-00054

DESCRIPTION

SECTION 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

A tract or parcel of land lying in Section 34, Township 43 South, Range 26 East, Lee County, Florida being a part of an Ingress/Egress Easement as described in Deed Book 278 at Page 235, Public Records of Lee County, Florida, which tract or parcel is described as follows:

From the southwest corner of the North Half (N-1/2) of said Section 34 run N 00° 50' 15" W along the west line of said Section 34 also being the west line of an Ingress/Egress Easement as described in said Deed Book 278 at Page 235 for 206.07 feet to an intersection with a non-tangent curve; thence run southeasterly along said curve, departing said section line, to the right of radius 240.00 feet (delta 06° 55' 14") (chord bearing S 48° 34' 00" E) (chord 28.97 feet) for 28.99 feet to a point of tangency; thence run S 45° 06' 23" E for 156.71 feet to a point of curvature; thence run southeasterly along an arc of said curve to the right of radius 240.00 feet (delta 21° 30' 24") (chord bearing S 34° 21' 11" E) (chord 89.56 feet) for 90.09 feet to an intersection with the south line of the North Half (N-1/2) of said Section 34; thence run S 89° 15' 30" W along said south line for 180.28 feet to the Point of Beginning.

Parcel contains 0.47 acres, more or less.

Bearings hereinabove mentioned are based on plane coordinates for the Florida West Zone NAD 1983 (1990 Adjustment) wherein the west line of Section 34, Township 43 South, Range 26 East bears N 00° 50' 15" W.

Exhibit "A"

RECEIVED
OCT 26 2004
PERMIT COUNTER

DCI2004-00054

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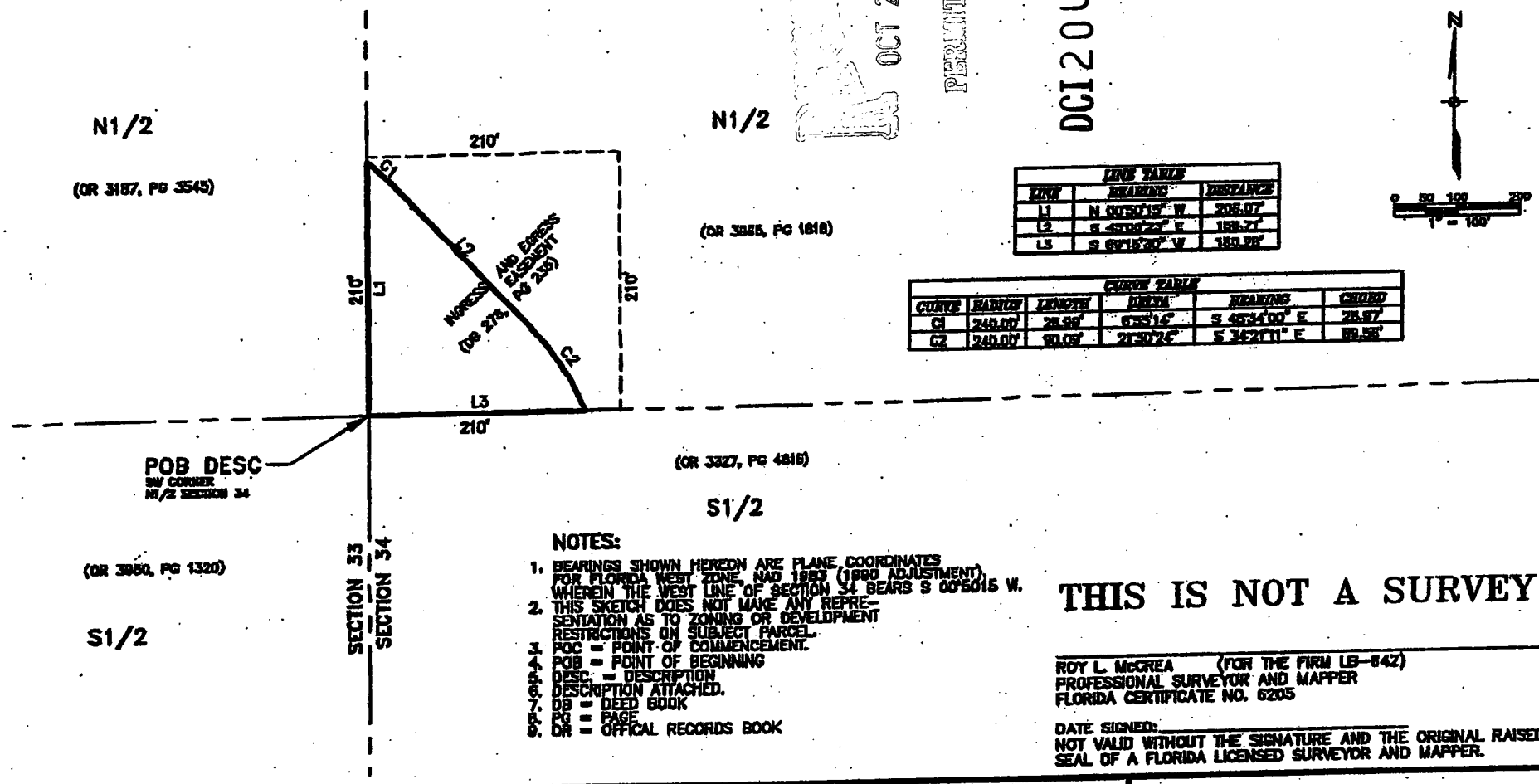
DCI2004-00054

OCT 2 1 2004

PETITIONER



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 00°50'15" W	205.07'
L2	S 45°06'22" E	158.71'
L3	S 89°15'30" W	180.98'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	240.00'	28.58'	6°35'14"	S 45°34'00" E	28.57'
C2	240.00'	90.09'	21°30'24"	S 34°21'11" E	89.58'

NOTES:

1. BEARINGS SHOWN HEREON ARE PLANE COORDINATES FOR FLORIDA WEST ZONE NAD 1983 (1990 ADJUSTMENT) WHEREIN THE WEST LINE OF SECTION 34 BEARS S 00°50'15" W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. POC = POINT OF COMMENCEMENT.
4. POB = POINT OF BEGINNING
5. DESC. = DESCRIPTION
6. DESCRIPTION ATTACHED.
7. DB = DEED BOOK
8. PG = PAGE
9. OR = OFFICAL RECORDS BOOK

THIS IS NOT A SURVEY

ROY L. McCREA (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6205

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

\\Planet01\Proj-Inv\20030930\20030930.dwg (Layout1) THU Jul 24, 2003 - 4:14pm

ACCESS EASEMENT
SECTION 34, TWP. 43 S, RGE. 26 E.
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
7/24/03	20030930	34-43-26	1" = 100'	1 OF 1

THIS INSTRUMENT PREPARED BY:
Ronald W. Smalley, Esquire
P.O. Box 280
Fort Myers, FL 33902-0280

EXHIBIT "J"

QUIT CLAIM DEED

THIS INDENTURE, made this _____ day of _____, 2003 between JESSIE C. HUNTER, JILL LUCKEY, MARCIA MOLLER, LISA HUNTER and GRAEME R. HUNTER, being all of the surviving heirs of N. H. HUNTER (also known as NAT HUNTER), whose mailing address is 3181 Buckingham Road, Fort Myers, FL 33905, of the County of Lee, and State of Florida, collectively referred to as Party of the First Part, and HAWKS HAVEN INVESTMENT, L.L.C., a Florida limited liability company, whose mailing address is 12800 University Drive, Suite 275, Fort Myers, FL 33907, Party of the Second Part.

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of TEN DOLLARS ($10.00), in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, have remised, released and quitclaimed, and by these presents do remise, release and quitclaim unto the said Party of the Second Part all the right, title, interest claim and demand, which the said Party of the First Part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Lee, State of Florida, to wit:

All rights of the Party of the First Part herein to any rent, royalties and income from any present or future oil, gas or mineral revenues derived from the lands described in O.R. Book 3327, Page 4816 and O.R. Book 3965, Page 1818, Public Records of Lee County, Florida.

Parcel Identification Nos. 34-43-26-00-00001.0010

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said Party of the First Part, either in law or equity, to the only proper use, benefit and behoof of the said Party of the Second Part.

IN WITNESS WHEREOF, the said Party of the First Part have hereunto set their hands and seals on the day and year first above written.

RECEIVED
OCT 26 2004
PERMIT COUNTER

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF:

Witness	JESSIE C. HUNTER
(Type/Print Name of Witness)	
Witness	
(Type/Print Name of Witness)	
Witness	JILL LUCKEY
(Type/Print Name of Witness)	
Witness	
(Type/Print Name of Witness)	
Witness	MARCIA MOLLER
(Type/Print Name of Witness)	
Witness	
(Type/Print Name of Witness)	
Witness	LISA HUNTER
(Type/Print Name of Witness)	
Witness	
(Type/Print Name of Witness)	

RECEIVED
OCT 26 2004
PERMIT COUNTER

DCI2004-00054

Witness

(Type/Print Name of Witness)

Witness

(Type/Print Name of Witness)

GRAEME R. HUNTER

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by JESSIE C. HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

Notary Public

Print/Type Name of Notary

Commission No. _____

STATE OF ALABAMA

COUNTY OF _____

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by JILL LUCKEY, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

Notary Public

Print/Type Name of Notary

Commission No. _____

RECEIVED
OCT 26 2004
PERMIT COUNTER

DCI2004-00054

STATE OF TEXAS

COUNTY OF HARRISON

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by MARCIA MOLLER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by LISA HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2003, by GRAEME R. HUNTER, who is personally known to me or who has produced _____ as identification.

My Commission Expires:

_____
Notary Public

_____
Print/Type Name of Notary

Commission No. _____

OCT 26 2004
PERMIT COUNTER
DCI2004-04054

METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 239-278-3090
FAX 239-278-1906
www.metrotransportation.com
TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

September 21, 2004

RECEIVED
OCT 26 2004
PERMIT COUNTER

Mr. Matt Uhle
Knott Consoer
1625 Hendry Street
Fort Myers, FL 33901

RE: Sufficiency Comments
Hawks Haven RPD
DCI2004-00054

DCI2004-00054

Dear Mr. Uhle:

Metro Transportation Group Inc. (Metro) has reviewed the comments issued by Lee County regarding the above referenced zoning application. A discussion was held with Mr. Bob Rentz of Lee County Development Services prior to responding to the comments issued by Lee County, dated August 11, 2004. The comments, and our response, are listed below.

<u>TIS Checklist</u>

S.R. 80 east of Buckingham Road: Based on the 2003 Traffic Count report data from 1995 to 2003, the compound growth rate would be 3.83%. Applying this rate to the Concurrency Report peak hour, peak season, peak direction volume of 951, then adding the project traffic, would yield a volume of 2,065, which is a level of service "F".

Based on the information provided on Table 2A, the annual growth rate for the roadway segment of SR 80, east of Buckingham Road, shall be 3.8%, not 3.5% as used in the TIS.

The Table 2A indicates there will be 1,210 trips of PM peak hour directional traffic volumes (background traffic and P.C. Station #5 shows eastbound being peak direction) in Year 2010 on SR 80, east of Buckingham Road. However, there are only 750 trips on the eastbound through movement in the intersection analysis. The intersection analysis needs to be reanalyzed.

Table 2A was revised to reflect an annual growth rate of 3.83%. Since the previous traffic analysis was prepared, the Master Concept Plan for this project has been revised to include additional internal amenities that would increase the rate of internal capture that will occur in this project. The previous analysis included trip reductions for the school site as a large percentage of school children are anticipated to originate from within the project. The trips

for the golf course were assumed to be internal as well as the golf course will be private and only open for memberships from residents of the project. Additional features that were added to the Master Concept Plan since this original TIS (dated May 24, 2004) include the addition of a "town center" type area that will include amenities for the residents of the golf community as well as the single family community. The amenity area will include a restaurant, fitness center and community center. In addition, there will be restaurant and associated amenities provided within the golf course community that will be separate from the amenities just described. Discussions with Mr. Rentz occurred after the issuance of the sufficiency comments with regards to a discount in the external trip generation due to the potential for internal capture, mainly due to the two full service restaurants that will be available to residents of this community. The two restaurants, and the additional amenities, will be located within the gated community and only available to residents of the community.

Based on the discussion, a trip reduction of 3% was applied to the residential trip generation for the project to account for potential internal capture that may occur as a result of the amenities being provided within the project. This is consistent with the zoning TIS that was prepared for the previous re-zoning of this parcel when a reduction was applied for internal capture (there was no school as part of the previous re-zoning done in 2000). In the previous TIS, a 6% reduction was applied to the residential trip generation. The updated Master Concept Plan being submitted with this zoning request identifies more amenities available for the residents. The revised trip generation is shown below in **Table 2**.

Table 2
Revised Trip Generation

Proposed Zoning							
Single Family (LUC 210)	235	715	950	700	415	1,115	11,375
Multi-Family (LUC 230)	10	45	55	40	20	60	655
Active Adult (LUC 251)	45	75	120	105	65	170	2,305
School (LUC 520)	210	170	380	115	145	260	1,290
Golf Course (LUC 430)	10	0	10	5	10	15	200
Less Internal Capture [1]	-105	-85	-190	-60	-75	-135	-645
Less Internal Capture [2]	-10	-20	-30	-20	-15	-35	-340
Total	395	900	1,295	885	565	1,450	14,840

[1] Internal Capture for proposed zoning assumed ±50% of elementary school children will originate from within the community. Also assumed the golf course was private and the majority of trips for this use were generated internally.
[2] Internal Capture between the residential uses and the internal commercial uses (3% of residential trips)

Tables 1A and 2A were revised to reflect the new trip external trip generation and are attached for reference. With the slight reduction in trips, Palm Beach Boulevard (S.R. 80) east of Buckingham Road is show to operate at LOS "C" at build-out (2010).

The HCS analysis for the site access drive was revised and is attached for reference.

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

Sincerely,

Ted B. Treesh
Principal/Regional Manager

Attachments

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TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
PROPOSED ZONING (1,999 UNITS)

Revised 9-21-04

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1295 VPH IN= 395 OUT= 900

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1450 VPH IN= 885 OUT= 565

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Rd.	W. of S.R. 31	2LN	210	420	690	1080	1120	8.00%	72	10.4%
Buckingham Road	S. of State Road 80	2LN	130	310	530	870	940	15.00%	135	25.5%
	E. of Alvin Avenue	2LN	130	310	530	870	940	5.00%	45	8.5%
I-75	S. of Palm Beach Blvd	4LF	1270	2110	2940	3580	3980	10.0%	90	3.1%
	S. of Bayshore Road	4LF	1270	2110	2940	3580	3980	5.0%	45	1.5%
	N. of Bayshore Road	4LF	1270	2110	2940	3580	3980	2.0%	18	0.6%
Palm Beach Blvd.	E. of City Limits	4LN	0	810	1790	1980	2030	15.00%	135	7.5%
(S.R. 80)	E. of Ortiz	6LN	0	1220	2730	2970	3040	25.00%	225	8.2%
	E. of I-75	6LN	2570	3070	3080	3080	3080	45.00%	405	13.1%
	E. of S.R. 31	4LN	1690	2040	2050	2050	2050	65.00%	585	28.5%
	E. of Buckingham Rd.	4LN	1690	2040	2050	2050	2050	90.00%	810	39.5%
	E. of H ickey Creek	4LN *	1690	2040	2050	2050	2050	10.00%	90	4.4%
State Route 31	N. of Palm Beach	2LN	220	440	710	1120	1170	12.00%	108	15.2%
	N. of Bayshore Rd.	2LN	220	440	710	1120	1170	3.00%	27	3.8%

* 4 Lane SR 80 under construction from Hickey Creek to Lee County line

Denotes significantly impacted link

DCI2004-00054

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
100th HIGHEST HOUR LEVEL OF SERVICE ANALYSIS ON SIGNIFICANTLY IMPACTED LINKS
PROPOSED ZONING (1,999 UNITS)

Truck Adjustment = 0.900

Revised 9/21/04

TOTAL PROJECT TRAFFIC AM =	1295	VPH	IN = 395	OUT=	900
TOTAL PROJECT TRAFFIC PM =	1450	VPH	IN= 885	OUT=	565

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bayshore Rd.	E. of SR 31	11	8300	10100	9	2.20%	449	523	8.00%	72	71	595	594
Buckingham Road	S. of State Road 80	11	5200	7300	9	3.84%	452	588	15.00%	135	133	723	721
Palm Beach Blvd.	E. of I-75	5	21000	25000	8	2.20%	1432	1668	45.00%	405	398	2073	2066
(S.R. 80)	E. of S.R. 31	5	23600	27900	9	1.88%	1524	1736	65.00%	585	575	2321	2311
	E. of Buckingham Rd.	5	13400	18100	8	3.83%	951	1237	90.00%	810	797	2047	2034
State Route 31	N. of Palm Beach	5	6300	9500	9	4.67%	454	625	12.00%	108	106	733	731

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

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		2010 BCKGRND + AM PROJ LOS	2010 BCKGRND + PM PROJ LOS
Palm Beach Blvd.	E. of I-75	A	A
(S.R. 80)	E. of S.R. 31	F	F
	E. of Buckingham Rd.	C	C

DCI2004-00054

ICS2000™ DETAILED REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	9/27/2004	Jurisdiction	Lee Co./FDOT
Time Period	AM Peak Hour	Analysis Year	2010
		Project ID	Hawks Haven Re-Zoning

2 6 2004
PERMIT COUNTER

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume, V (vph)		900	365	40	1240		825		95			
% Heavy vehicles, %HV		0	0	0	0		0		0			
Peak-hour factor, PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Pretimed (P) or actuated (A)		A	A	A	A		A		A			
Start-up lost time, l_1		2.0	2.0	2.0	2.0		2.0		2.0			
Extension of effective green, e		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type, AT		3	3	3	3		3		3			
Unit extension, UE		3.0	3.0	3.0	3.0		3.0		3.0			
Filtering/metering, I		1.000	1.000	1.000	1.000		1.000	1.000	1.000			
Initial unmet demand, Q_b		0.0	0.0	0.0	0.0		0.0		0.0			
Ped / Bike / RTOR volumes	0		165				0		15	0		
Lane width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N		N
Parking maneuvers, N_m												
Buses stopping, N_B		0	0	0	0		0		0			
Min. time for pedestrians, G_p	3.2						3.2			3.2		

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =

Duration of Analysis, T = 0.25 | Cycle Length, C = 120.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		968	215	43	1333		887		86			
Lane group capacity, c		1655	1386	266	2016		1255		579			
v/c ratio, X		0.58	0.16	0.16	0.66		0.71		0.15			
Total green ratio, g/C		0.46	0.86	0.56	0.56		0.36		0.36			
Uniform delay, d_1		24.1	1.4	15.0	18.6		33.1		26.1			
Progression factor, PF		1.000	1.000	1.000	1.000		1.000		1.000			
Delay calibration, k		0.18	0.11	0.11	0.24		0.27		0.11			
Incremental delay, d_2		0.5	0.1	0.3	0.8		1.8		0.1			
Initial queue delay, d_3												
Control delay		24.6	1.4	15.2	19.4		34.9		26.2			

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Lane group LOS			A	B	B		C		C			
Approach delay	20.4			19.2			34.2					
Approach LOS	C			B			C					
Intersection delay	23.7			$X_c = 0.68$			Intersection LOS			C		

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CS2000™ DETAILED REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	9/27/2004	Jurisdiction	Lee Co./FDOT
Time Period	PM Peak Hour	Analysis Year	2010
		Project ID	Hawks Haven Re-Zoning

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	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume, V (vph)		1240	815	90	900		520		60			
% Heavy vehicles, %HV		0	0	0	0		0		0			
Peak-hour factor, PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Pretimed (P) or actuated (A)		A	A	A	A		A		A			
Start-up lost time, l_1		2.0	2.0	2.0	2.0		2.0		2.0			
Extension of effective green, e		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type, AT		3	3	3	3		3		3			
Unit extension, UE		3.0	3.0	3.0	3.0		3.0		3.0			
Filtering/metering, I		1.000	1.000	1.000	1.000		1.000	1.000	1.000			
Initial unmet demand, Q_b		0.0	0.0	0.0	0.0		0.0		0.0			
Ped / Bike / RTOR volumes	0		225				0		15	0		
Lane width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N		N
Parking maneuvers, N_m												
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	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		1333	634	97	968		559		48			
Lane group capacity, c		1655	1386	169	2016		1255		579			
v/c ratio, X		0.81	0.46	0.57	0.48		0.45		0.08			
Total green ratio, g/C		0.46	0.86	0.56	0.56		0.36		0.36			
Uniform delay, d_1		27.9	2.0	21.8	16.0		29.4		25.5			
Progression factor, PF		1.000	1.000	1.000	1.000		1.000		1.000			
Delay calibration, k		0.35	0.11	0.17	0.11		0.11		0.11			
Incremental delay, d_2		3.0	0.2	4.7	0.2		0.3		0.1			
Initial queue delay, d_3												
Control delay		30.9	2.2	26.5	16.2		29.6		25.5			

DCI2004-00054

Lane group LOS				A		C		B			C				C	
Approach delay	21.7					17.1					29.3					
Approach LOS	C					B					C					
Intersection delay	21.6					$X_c = 0.67$					Intersection LOS				C	

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METRO

METRO TRANSPORTATION GROUP, INC.

12651 McGREGOR BOULEVARD
SUITE 4-403
FORT MYERS, FL 33919-4489
TELEPHONE 239-278-3090
FAX 239-278-1906
www.metrotransportation.com

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

October 20, 2004

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Mr. Matt Uhle
Knott, Consoer, Ebelini, Hart & Swett
1625 Hendry Street
Fort Myers, FL 33901

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Based on the information provided on Table 2A, the annual growth rate for the roadway segment of SR 80, east of Buckingham Road, shall be 3.8%, not 3.5% as used in the TIS.

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Table 2A was revised to reflect an annual growth rate of 3.83%. Since the previous traffic analysis was prepared, the Master Concept Plan for this project has been revised to include additional internal amenities as well as a commercial "town center" concept that would increase the rate of internal capture that will occur in this project. The previous analysis included trip reductions for the school site as a large percentage of school children are

anticipated to originate from within the project. The trips for the golf course were assumed to be internal as well as the golf course will be private and only open for memberships from residents of the project. Additional features that were added to the Master Concept Plan since this original TIS (dated May 24, 2004) include the addition of a "town center" type area that will include convenience type retail and office facilities that will primarily be utilized by the residents of the project. The "town center" will be located in advance of any gates serving the community and will therefore be open to the public, but the site will be situated on the Master Concept Plan so that it is not designed to serve the motoring public on S.R. 80. The "town center" is proposed to contain a maximum of 30,000 square feet and will not have any single tenant more than 5,000 square feet to 7,000 square feet. There will also be no external signage along S.R. 80 for the "town center" tenants. Anticipated tenants of the "town center" could be an insurance agent, dry cleaners, real estate agent, hair salon, veterinarian or even a place of worship to serve the residents of Hawks Haven.

In addition to the "town center", additional amenities for the residents of the golf community as well as the single family estates community are being proposed within the gates of the community. These facilities will be located behind the gates and will be limited to use by the residents of the golf community and single family home community only. An amenity on the main spine roadway will include a restaurant, fitness center and community center. In addition, there will be a restaurant and associated amenities provided within the golf course community that will be separate from the amenities just described.

Discussions with Mr. Rentz occurred after the issuance of the sufficiency comments with regards to a discount in the external trip generation due to the potential for internal capture and pass-by trips. Based on the discussion, a trip reduction of 6% was applied to the residential trip generation for the project to account for potential internal capture that may occur as a result of the amenities being provided within the project. This is consistent with the zoning TIS that was prepared for the previous re-zoning of this parcel when a reduction was applied for internal capture (there was no school or "town center" as part of the previous re-zoning done in 2000). The updated Master Concept Plan being submitted with this zoning request identifies more amenities available for the residents. In addition, an internal capture rate was applied to the retail uses due to the reasons previously described. It was assumed that 30% of the retail trips would be "captured" from the project, which is most likely an underestimation due to the location of the "town center" and types of tenants anticipated. The revised trip generation is shown below in **Table 2**.

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Single Family (LUC 210)	235	715	950	700	415	1,115	11,375
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Golf Course (LUC 430)	10	0	10	5	10	15	200
Retail (LUC 814)	0	0	0	40	45	95	1,320
Less Internal Capture [1]	-105	-85	-190	-60	-75	-135	-645
Less Internal Capture [2]	-15	-45	-60	-45	-25	-70	-720
Less Retail Pass-by [3]	0	0	0	-10	-15	-25	-395
Total	390	875	1265	890	585	1,485	15,385

[1] Internal Capture for proposed zoning assumed ±50% of elementary school children will originate from within the community. Also assumed the golf course was private and the majority of trips for this use were generated internally.
[2] Internal Capture between the residential uses and the internal commercial uses (3% of residential trips)
[3] Internal Capture of 30% for the retail uses was assumed. Land Use Code 814 – Specialty Retail Center was utilized for the trip generation of the "town center" due to the limited amount of floor area per tenant that will be permitted.

Tables 1A and 2A were revised to reflect the new trip external trip generation and are attached for reference. With the slight reduction in trips, Palm Beach Boulevard (S.R. 80) east of Buckingham Road is show to operate at LOS "C" at build-out (2010).

The HCS analysis for the site access drive was revised and is attached for reference.

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ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bayshore Rd.	E. of SR 31	11	8300	10100	9	2.20%	449	523	8.00%	70	71	593	594
Buckingham Road	S. of State Road 80	11	5200	7300	9	3.84%	452	588	15.00%	131	134	720	722
Palm Beach Blvd.	E. of I-75	5	21000	25000	8	2.20%	1432	1668	45.00%	394	401	2062	2069
(S.R. 80)	E. of S.R. 31	5	23600	27900	9	1.88%	1524	1736	65.00%	569	579	2305	2314
	E. of Buckingham Rd.	5	13400	18100	8	3.83%	951	1237	90.00%	788	801	2025	2038
State Route 31	N. of Palm Beach	5	6300	9500	9	4.67%	454	625	12.00%	105	107	730	732

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

		2010 BCKGRND + AM PROJ LOS	2010 BCKGRND + PM PROJ LOS
Palm Beach Blvd.	E. of I-75	A	A
(S.R. 80)	E. of S.R. 31	F	F
	E. of Buckingham Rd.	C	C

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ICS2000™ DETAILED REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	9/27/2004	Jurisdiction	Lee Co./FDOT
Time Period	AM Peak Hour	Analysis Year	2010
		Project ID	Hawks Haven Re-Zoning

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Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume, V (vph)		900	365	40	1240		825		95			
% Heavy vehicles, %HV		0	0	0	0		0		0			
Peak-hour factor, PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Pretimed (P) or actuated (A)		A	A	A	A		A		A			
Start-up lost time, l_1		2.0	2.0	2.0	2.0		2.0		2.0			
Extension of effective green, e		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type, AT		3	3	3	3		3		3			
Unit extension, UE		3.0	3.0	3.0	3.0		3.0		3.0			
Filtering/metering, I		1.000	1.000	1.000	1.000		1.000	1.000	1.000			
Initial unmet demand, Q_b		0.0	0.0	0.0	0.0		0.0		0.0			
Ped / Bike / RTOR volumes	0		165				0		15	0		
Lane width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N		N
Parking maneuvers, N_m												
Buses stopping, N_B		0	0	0	0		0		0			
Min. time for pedestrians, G_p		3.2					3.2			3.2		

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis, T = 0.25						Cycle Length, C = 120.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		968	215	43	1333		887		86			
Lane group capacity, c		1655	1386	266	2016		1255		579			
v/c ratio, X		0.58	0.16	0.16	0.66		0.71		0.15			
Total green ratio, g/C		0.46	0.86	0.56	0.56		0.36		0.36			
Uniform delay, d_1		24.1	1.4	15.0	18.6		33.1		26.1			
Progression factor, PF		1.000	1.000	1.000	1.000		1.000		1.000			
Delay calibration, k		0.18	0.11	0.11	0.24		0.27		0.11			
Incremental delay, d_2		0.5	0.1	0.3	0.8		1.8		0.1			
Initial queue delay, d_3												
Control delay		24.6	1.4	15.2	19.4		34.9		26.2			

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Lane group LOS			A	B	B		C		C			
Approach delay	20.4			19.2			34.2					
Approach LOS	C			B			C					
Intersection delay	23.7			$X_c = 0.68$			Intersection LOS			C		

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General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	9/27/2004	Jurisdiction	Lee Co./FDOT
Time Period	PM Peak Hour	Analysis Year	2010
		Project ID	Hawks Haven Re-Zoning

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Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of lanes, N_1	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume, V (vph)		1240	815	90	900		520		60			
% Heavy vehicles, %HV		0	0	0	0		0		0			
Peak-hour factor, PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Pretimed (P) or actuated (A)		A	A	A	A		A		A			
Start-up lost time, l_1		2.0	2.0	2.0	2.0		2.0		2.0			
Extension of effective green, e		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type, AT		3	3	3	3		3		3			
Unit extension, UE		3.0	3.0	3.0	3.0		3.0		3.0			
Filtering/metering, I		1.000	1.000	1.000	1.000		1.000	1.000	1.000			
Initial unmet demand, Q_b		0.0	0.0	0.0	0.0		0.0		0.0			
Ped / Bike / RTOR volumes	0		225				0		15	0		
Lane width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking / Grade / Parking	N	0	N	N	0	N	N	0	N	N		N
Parking maneuvers, N_m												
Buses stopping, N_B		0	0	0	0		0		0			
Min. time for pedestrians, G_p		3.2					3.2			3.2		

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =
Duration of Analysis, T = 0.25						Cycle Length, C = 120.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Adjusted flow rate, v		1333	634	97	968		559		48			
Lane group capacity, c		1655	1386	169	2016		1255		579			
v/c ratio, X		0.81	0.46	0.57	0.48		0.45		0.08			
Total green ratio, g/C		0.46	0.86	0.56	0.56		0.36		0.36			
Uniform delay, d_1		27.9	2.0	21.8	16.0		29.4		25.5			
Progression factor, PF		1.000	1.000	1.000	1.000		1.000		1.000			
Delay calibration, k		0.35	0.11	0.17	0.11		0.11		0.11			
Incremental delay, d_2		3.0	0.2	4.7	0.2		0.3		0.1			
Initial queue delay, d_3												
Control delay		30.9	2.2	26.5	16.2		29.6		25.5			

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Lane group LOS			A	C	B		C		C			
Approach delay	21.7			17.1			29.3					
Approach LOS	C			B			C					
Intersection delay	21.6			$X_c = 0.67$			Intersection LOS			C		

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East Lee County Council

Striving to improve the quality of life in the Greater Palm Beach Boulevard Area

ELCC Meeting
Meeting Minutes of September 27, 2004
6:30 P.M.

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Call to Order: Doug Vaught opened meeting with Pledge of Allegiance.

Announcements: No smoking at this facility

Sheriff's Department, Corporal Joel Bennett:

- Community policing officer. Car thefts occurring, attempted robberies at Winn Dixie and Rib City.

Rowing Club, Mary Rawl:

- Working on some legal issues
- 04/05 budget includes dock permitting
- Looking for new name – Caloosa Crew?

August Minutes approved with correction – street at light is Louise (Leeward Yacht Club)

Committees:

Landscaping at SR80/I-75 – Kris Cella:

- Palm Beach MSTBU can/will now fund maintenance at that location – should improve appearance.
- Also county has $200,000 to install new plantings in this fiscal year.

Planning Committee, Mike Roeder:

- Need to advertise LDC meetings in paper. Will meet next month at 5:00 p.m. and advertise.
- Met with county regarding Caloosahatchee Shores this month. Told county we needed them to hire a design professional to help implement the plans. The staff was not Apposed, but will not promote it. We will have to get with other Plans and lobby commissioners.
- Planning Committee will meet October 11th at 5:30 pm here to hear from the Olga sub-committee regarding Caloosahatchee Estates. October 21st at 6:30 p.m. here will be a Town Hall meeting on the same subject.
- We will invite Wayne Daltry to be our speaker on community plans/smart growth at October East Lee County Council meeting.

Presentation: Hawks Haven - Matt Uhle, Jim Harvey, Grady Miars

Matt Uhle, Knott, Consoer Ebelini, Hart & Swett – 1999 zoning plan review

- 1598 units on 1800 acres
- Agreed at that time not to access Hickory Creek, still won't.
- Acquired (1) 140 ac. and (1) 8 ac. parcel
- Received environmental permits, won't change
- Plan amendment changed and land on west boundary to outlying suburban at 2 u/ac.
- School board has acquired a site within the project
- Levitt will do active adult community
- May - Amendment. Approved to change layout but couldn't increase density.
- 1598 units on 1800 acre = .9u/ac→1999 units on 1950 ac= 1u/ac
- Filed application for Comprehensive Plan Amendment to go to Outlying Suburban – 2u/ac. (now mostly

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Striving to improve the quality of life in the Greater Palm Beach Boulevard Area

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rural at 1u/ac)
- Public Hearing next year sometime
- If that is approved, will increase to 2500 units.

Grady Miars, Landmar
- Used to work for The Bonita Bay Group
- 36-hole golf course no longer marketable
- First section of road will be public
- Fire station and information center planned for, up front, possibly also church, post office
- Far west property has been sold to Levitt for age-restricted at 570 units
- Then 50' and 65' lots in single-family community close to school with 699 units. Pulte and Ryland will be builders.
- Third community will be Davis Love, designed 27-hole golf course and be bundled with purchase.
- Will relocate 200 oak trees
- Want old Florida low country look, not Mediterranean.
- Linear Park under FPL easement
- Break ground in November and first leg of road.
- Open info center July next year.
- Models open January 2006 for all three communities
- Fall 2006 golf course open

Jim Harvey – Lanmar, Regional Manager for West Coast
- Duke Energy Fortune 500 company became partner in 1999.
- Six active golf communities. Have also done some high-rise and some redevelopment work
- Heavy into design and programming
- Want to stay involved and give back to community.

Question & Answer
- ◊ Plan Grady reviewed with us has 1999 units
- ◊ 7-10 year project to build out
- ◊ Guess 700 kids generated from this project. School will be elementary for 1000 kids.
- ◊ Levitt project will be all detached single family similar to Cascades.
- ◊ Max 200 units in condominiums
- ◊ 3,364 units are requested in Comp. Plan application. Lanmar won't ask for that many units in zoning and only condition that will change is traffic. Ultimate proposal is 1.3 u/ac.
- ◊ What if ownership changes? Subsequent developers would be subject to public hearing process.
- ◊ Kris Cella: Hickory Creek opposes increase to 2 u/ac.
- ◊ Willing to consider sewing as a "relief valve" for Orange River by taking stormwater runoff their site, but it is not currently permitted.
- ◊ Have two emergency access points in addition to main access at SR80. No permanent access thru Portico.
- ◊ Can maintain SR80 at LOS C at 1999 units, don't know about increase to 2500+
- ◊ Could put new Comp. Plan category on less than the entire property in order to reduce total units possible.

East Lee County Council

Striving to improve the quality of life in the Greater Palm Beach Boulevard Area

- ◊ Sales Prices:
  - $170 - $400,000 at Levitt
  - $190 - $400,000 (avg. $250) – sf
  - $210 - $1,000,000 – golf community

- ◊ Traffic light will go in when they can meet the FDOT – required warrants.
- ◊ Environmental buffers are now larger than in original 1999 plan.
- ◊ Working with Lee County Utilities.

Consensus: No need to go Planning Committee for this proposal. They will come back to us before going to Comp. Plan.

Old Business:

- Radio control club got land across from Red Socks practice fields (Joe Fanelli)

New Business:

- Babcock Ranch proposal – petition to buy the Ranch (Karl). Sign now or in October. Can give 20 minute PowerPoint.

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SCHEDULE OF DEVIATIONS AND JUSTIFICATIONS
EXHIBIT 6-N

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1. **A DEVIATION FROM LDC SECTION 10-385 (d)(3)(a); HYDRANT SPACING.** SPECIFIES A MAXIMUM FIRE HYDRANT SPACING OF 800 FEET IN THE ONE AND TWO DWELLING UNIT AREA TO ELIMINATE THIS REQUIREMENT IN AREAS ALONG THE SPINE ROAD WHERE NO HOMES EXIST.

   JUSTIFICATION: THIS DEVIATION HAS ALREADY BEEN APPROVED AND IS PART OF THE EXISTING RPD ZONING

2. **A DEVIATION FROM LDC SECTION LDC 34-2015(2)(d); DESIGN.** REQUIREMENT TO PROVIDE ALL PARKING LOT SPACES WITH SUFFICIENT MANEUVERING ROOM TO ALLOW AN EXITING VEHICLE TO LEAVE THE PARKING LOT IN A FORWARD MOTION, TO ALLOW VEHICLES EXITING PARKING FOR MULTI-FAMILY RESIDENTIAL PARCELS, RECREATIONAL AMENITIES AND GUEST PARKING TO BACK ONTO PRIVATE ROADS.

   JUSTIFICATION: THIS IS MORE OF A CLARIFICATION THAN A DEVIATION. THE MULTI-FAMILY WILL BE CONVEYED AS CONDOMINIUM UNITS, WHICH TYPICALLY ARE SERVED BY PARKING LOTS. BACK OUT PARKING IN THE LAND DEVELOPMENT CODE REFERS TO BACK OUT PARKING ONTO A RIGHT-OF-WAY. SINCE THE MULTI-FAMILY CONDOMINIUM UNITS MAY HAVE GARAGES, IT APPEARS PHYSICALLY THE SAME AS TOWN HOME FEE SIMPLE UNITS, WHICH BACK OUT INTO A RIGHT-OF0WAY. THEREFORE, TECHNICALLY, THERE IS NO NEED FOR A DEVIATION, HOWEVER; COUNTY STAFF SOMETIMES PUTS THE MULTI-FAMILY CONDOMINIUMS AS FEE SIMPLE BACKING INTO A RIGHT-OF-WAY. AGAIN, THAT IS NOT THE CASE AND THIS DEVIATION IS MORE OF A CLARIFICATION THAN AN ACTUAL DEVIATION.

3. **A DEVIATION FROM LDC SECTION 10-329(d)(4); EXCAVATION BANK SLOPES.** THE DESIGN OF SHORELINES OF RETENTION AND DETENTION AREAS MUST BE SINUOUS RATHER THAN STRAIGHT, AS DESCRIBED IN DIVISION 6 OF THIS ARTICLE. THE BANKS OF EXCAVATIONS PERMITTED UNDER THIS SECTION MUST BE SLOPED AT A RATIO NOT GREATER THAN 4 HORIZONTAL TO 1 VERTICAL FROM THE TOP OF THE EXCAVATION TO A WATER DEPTH OF FOUR FEET BELOW THE DRY SEASON WATER TABLE. THE SLOPES MUST BE NOT GREATER THAN 2 HORIZONTAL TO 1 VERTICAL THEREAFTER, EXCEPT WHERE THE DIRECTOR OF DEVELOPMENT SERVICES DETERMINES THAT GEOLOGIC

CONDITIONS WOULD PERMIT A STABLE SLOPE AT STEEPER THAN A TWO TO ONE RATIO. EXCAVATION BANK SLOPES MUST COMPLY WITH THE SHORELINE CONFIGURATION, SLOPE REQUIREMENTS AND PLANTING REQUIREMENTS FOR MIMICKING NATURAL SYSTEM SPECIFIED IN SECTION 10-418.

4. **A DEVIATION FROM LDC SECTION 34-2194(b): OTHER BODIES OF WATER.** EXCEPT AS PROVIDED IN THIS SECTION OR ELSEWHERE IN THIS CHAPTER, BUILDINGS AND STRUCTURES MAY NOT BE PLACED CLOSER THAN 25 FEET TO A CANAL OR TO A BAY OR OTHER WATER BODY OR THE DISTANCE REQUIRED BY THE PROVISIONS OF CHAPTER 6, ARTICLE IV, PERTAINING TO FLOOD HAZARD REDUCTION, WHICHEVER IS GREATER.

JUSTIFICATION: DEVIATIONS 3 AND 4 ARE INTENDED TO PROVIDE FLEXIBILITY TO IMPROVE THE AESTHETICS OF THE PROJECT. IF THEY ARE APPROVED, THE DEVELOPER WILL BE ABLE TO CREATE AN ENTRANCE ROAD WITH THE APPEARANCE OF A BRIDGE, AND ATTRACTIVE DESIGN FEATURES SUCH AS OVERHANGING DECKS AND DISAPPEARING EDGE POOLS WILL BE PERMITTED IN THE AMENITY CENTERS. ADEQUATE SAFEGUARDS HAVE BEEN PROVIDED WITHIN THE REQUESTS TO PROTECT PUBLIC HEALTH AND SAFETY.

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TRAFFIC IMPACT STATEMENT

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FOR

HAWK'S HAVEN

RE-ZONING APPLICATION

DCI2004-00054

PROJECT 0404.01

Prepared by:

Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919
(239) 278-3090

May 24, 2004

EXHIBIT 6-L

CONTENTS

I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

V. FUTURE TRAFFIC CONDITIONS

VI. LEVEL OF SERVICE DETERMINATION AND IMPROVEMENTS

VII. CONCLUSION

VIII. APPENDIX

I. INTRODUCTION

Metro Transportation Group, Inc. (Metro) has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for zoning. This report has been completed in compliance with guidelines established in the Lee County Traffic Impact Statement Guidelines. The development site is located to the south of S.R. 80 (Palm Beach Boulevard) and east of Buckingham Road in the Fort Myers Shores area of Lee County, Florida.

Hawks' Haven is currently zoned to permit the construction of up to 1,598 residential dwelling units and a golf course on approximately 1,800 acres. The original zoning was approved in 1999 under Resolution Z-99-56. The proposed re-zoning would increase the size of the project to approximately 1,945 acres and permit the construction of up to 1,999 residential dwelling units. Access to the property is proposed via Palm Beach Boulevard (State Route 80). **Figure 1** illustrates the location of the subject site.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation will be completed and analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The subject site is bordered by agricultural land to the east, west and north with a short portion of the property fronting directly on Palm Beach Boulevard. To the south are platted lots within the Lehigh Acres area of Lee County. Access to the site will be provided via a single access to Palm Beach Boulevard.

Palm Beach Boulevard (S.R. 80) is a four lane divided arterial roadway in the vicinity of the subject site. Palm Beach Boulevard, east of Hickey Creek, is currently under construction to a four lane divided cross section, which will extend east to the Hendry County line. Between Buckingham Road and S.R. 31, Palm Beach Boulevard is also a four lane divided roadway. West of S.R. 31, Palm Beach Boulevard is a six-lane roadway.

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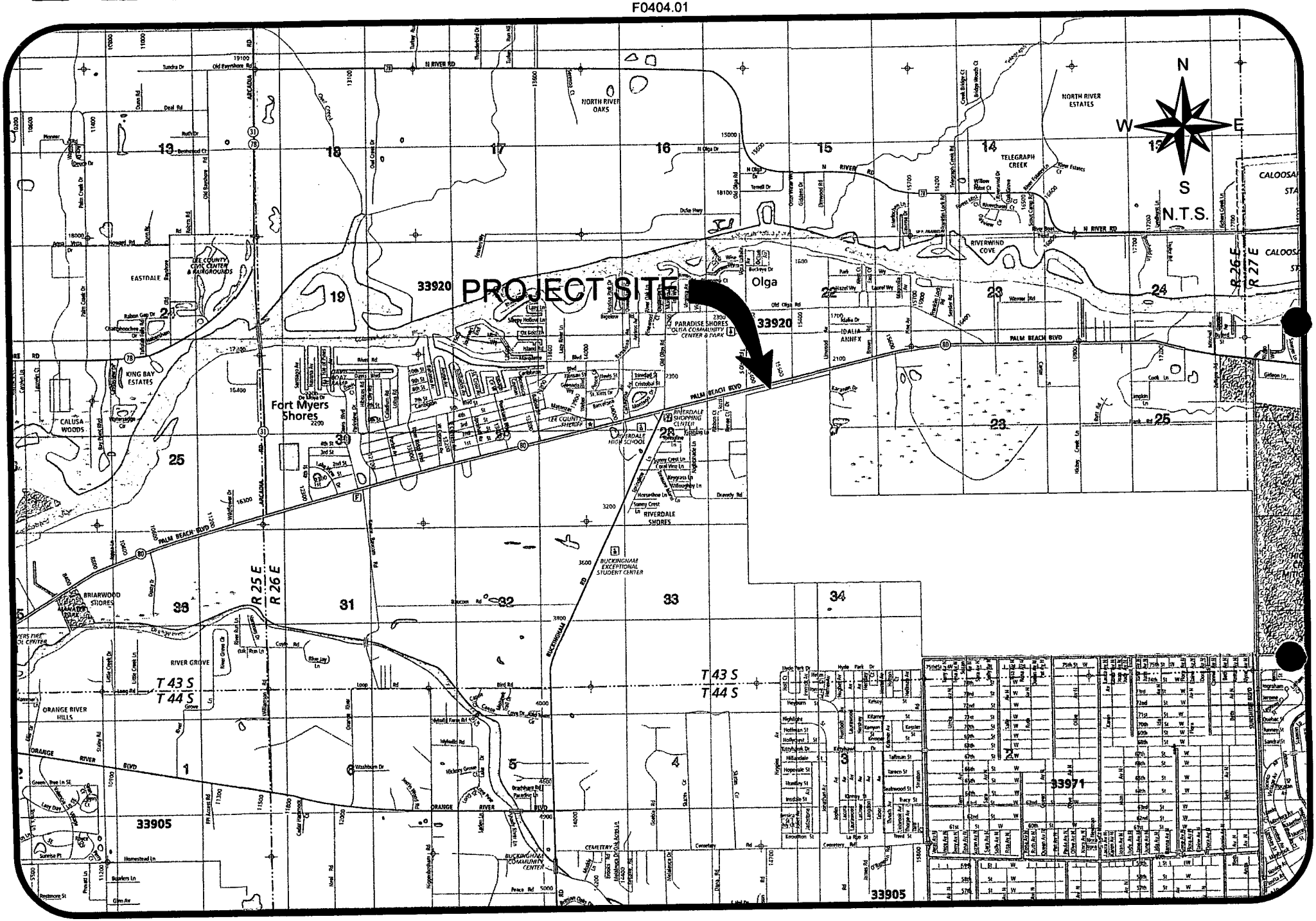

METRO

PROJECT LOCATION MAP
HAWK'S HAVEN

Figure 1

Near the subject site, Palm Beach Boulevard has a posted speed limit of 55 mph and is under the jurisdiction of the Florida Department of Transportation (FDOT).

III. PROPOSED DEVELOPMENT

The Hawk's Haven development is a an existing Residential Planned Development within the Fort Myers Shores planning community in Lee County. The proposed zoning amendment will increase the land area of the RPD as well as the permitted maximum density within the project. The re-zoning request is to include an additional approximately 145 acres of land and allow for an additional 401 residential units within the project. **Table 1** summarizes the existing zoning density and the proposed density of the project. With the re-zoning application, the residential uses are further refined. Table 1 indicates the proposed breakdown between conventional single family uses, multi-family dwelling units and an active adult community that will include age-restricted residential units.

Table 1
Hawk's Haven
Existing and Proposed Development

Existing Zoning		Proposed Zoning	
Use	Amount	Use	Amount
Single Family	1,598 Units	Single Family	1,347 Units
Golf Course (Private)	36 Holes (544 acres)	Multi-Family	102 Units
		Active Adult	550 Units
		School	1,000 Students (Elementary)
		Golf Course	36 Holes

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled Trip Generation, 7th Edition. Land Use Code 210 (Single Family Detached Housing) was utilized for trip generation purposes for the proposed single family units, Land Use Code 230 (Residential Condominium/Townhouse) was utilized for the multi-family units, Land Use Code 251 (Senior Adult Housing – Detached) was used for the Active Adult Community, Land Use Code 520 (Elementary School) was used for the school and Land Use Code 430 (Golf

Course) was used for the golf course. The equations for these land uses are contained in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the Hawk's Haven as currently approved and the trip generation as proposed under the re-zoning. In addition, the daily trip generation is included in Table 2.

Table 2
Trip Generation
Hawk's Haven

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
As Currently Zoned							
Single Family (LUC 210)	280	850	1,130	820	480	1,300	13,310
Golf Course (LUC 430)	85	30	115	55	110	165	2,745
Less Internal Capture [1]	-35	-30	-65	-45	-45	-90	-1,535
Total	330	850	1,180	830	545	1,375	14,520
Proposed Zoning							
Single Family (LUC 210)	235	715	950	700	415	1,115	11,375
Multi-Family (LUC 230)	10	45	55	40	20	60	655
Active Adult (LUC 251)	45	75	120	105	65	170	2,305
School (LUC 520)	210	170	380	115	145	260	1,290
Golf Course (LUC 430)	10	0	10	5	10	15	200
Less Internal Capture [2]	-105	-85	-190	-60	-75	-135	-645
Total	405	920	1,325	905	580	1,485	15,180

1 Internal Capture for original zoning taken from TIS prepared for zoning case, dated January 2000, revised March 2000, prepared by McMahon Associates, Inc.

2 Internal Capture for proposed zoning assumed ±50% of elementary school children will originate from within the community. Also assumed the golf course was private and the majority of trips for this use were generated internally.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Link Specific Level of Service Tables provided by the Lee County Department of Transportation.

The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. Based on current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. **Figure 2** indicates the projected trip distribution of the development traffic.

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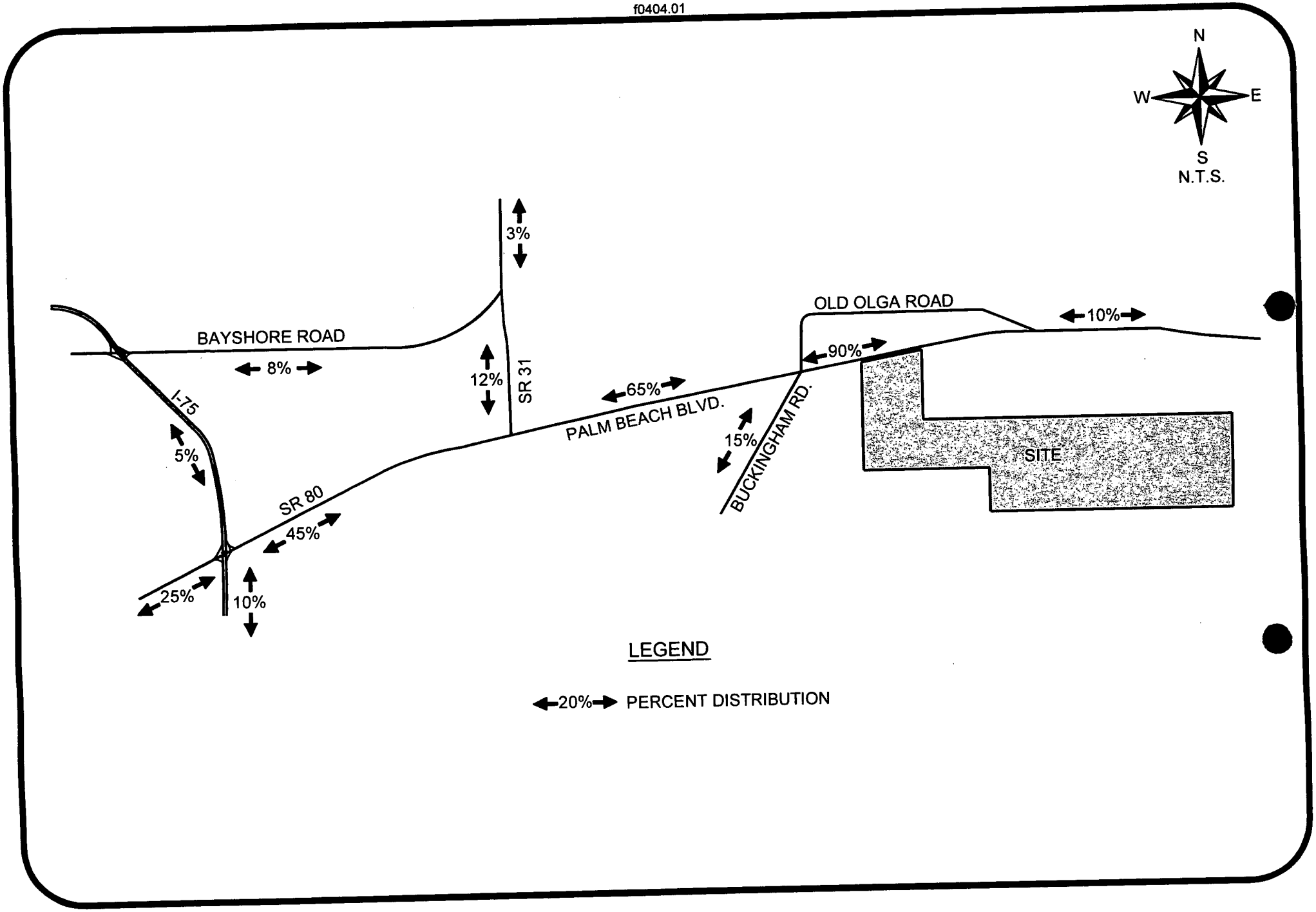

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PROJECT TRAFFIC DISTRIBUTION
HAWK'S HAVEN

Figure 2

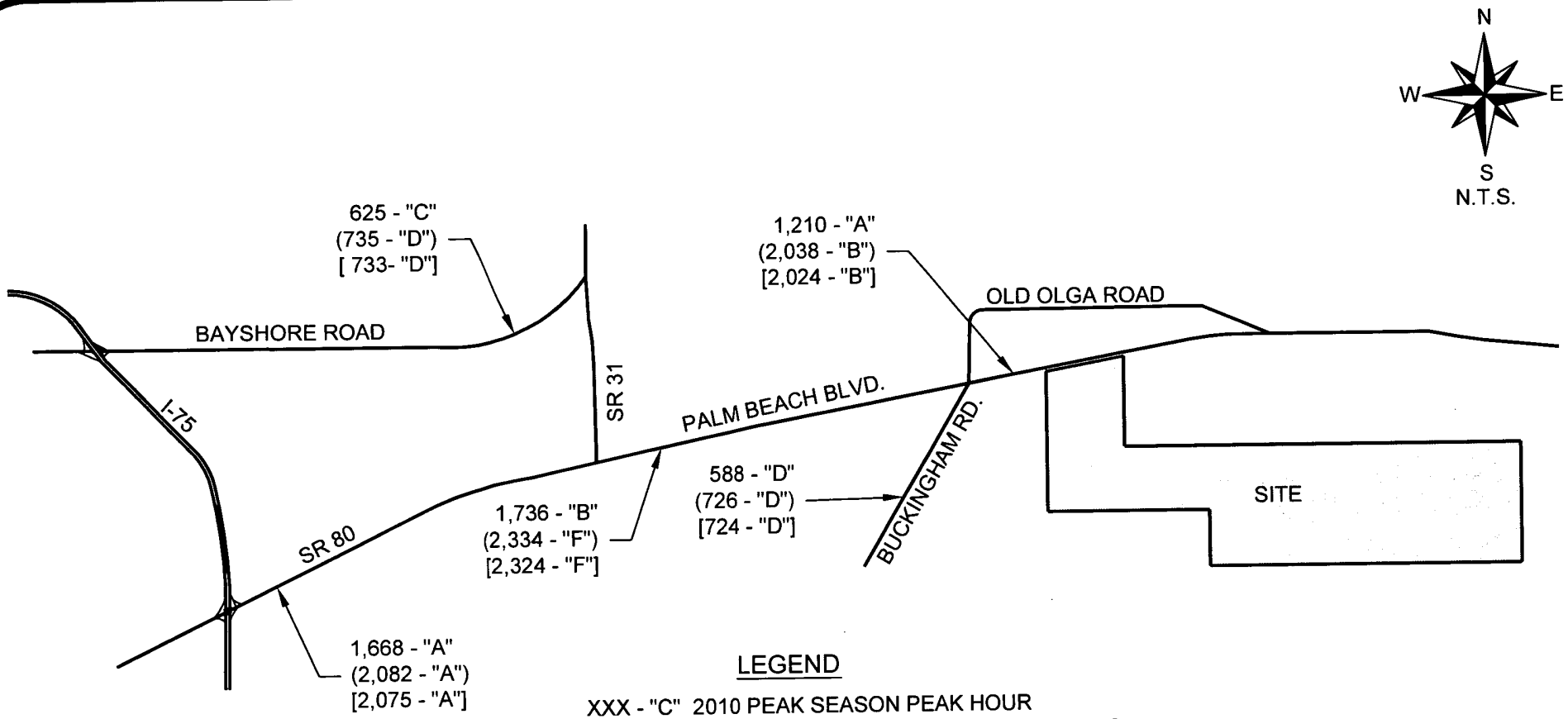
V. FUTURE TRAFFIC CONDITIONS

In order to determine which links and intersections were significantly impacted, the peak hour project traffic was compared to the 10% LOS "C" hourly traffic volumes for all links receiving a substantial amount of project traffic. The Level of Service threshold volumes were taken from the Lee County Link Specific Level of Service Spreadsheet as provided by the Lee County Department of Transportation. **Table 1A** in the Appendix provides a detail of the impact percentages. Based on the significant impact criteria, the roadway links projected to be significantly impacted are Palm Beach Boulevard between I-75 and the project entrance, Bayshore Road west of S.R. 31, S.R. 31 north of Palm Beach Boulevard and Buckingham Road south of Palm Beach Boulevard.

The build-out of the residential subdivision is anticipated to be completed by the year 2009. Therefore, the analysis year was selected as 2010. In order to calculate the future background traffic volumes for the project build-out year of 2010, an annual growth rate was determined for all links and intersections under study. The compound growth factors used were derived from the 2003 Lee County Traffic Count Report. The methodology utilized to obtain the growth factors is illustrated by **Table 2A** located in the Appendix of this report. The project traffic for the A.M. and P.M. peak hours was distributed to the surrounding roadway network based on directions of approach and distributions as previously discussed.

Future traffic volumes were determined after combining the background traffic and the project traffic at build-out (see Table 2A). The future 2010 peak hour traffic volumes without development traffic and the corresponding Levels of Service are shown in **Figure 3**. Development traffic and total traffic (i.e. background + development traffic) are also shown by link in Figure 3, along with the corresponding levels of service.

f0404.01



LEGEND

XXX - "C" 2010 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2010 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS AM PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2010 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS PM PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION

METRO

2010 100th HIGHEST HOUR LEVEL OF SERVICE ANALYSIS

Figure 3

VI. LEVEL OF SERVICE DETERMINATIONS AND IMPROVEMENTS

Figure 3 details the Levels of Service for all arterials accessed by the proposed development. These Levels of Service were derived based on the Lee County Link Specific Directional Service Volume Tables. **Table 1A** in the Appendix details the calculations to determine the Level of Service on the analyzed links.

Based on the information indicated within Figure 3, Palm Beach Boulevard is shown to operate at or above the adopted Level of Service Volume for the link directly adjacent to the subject site as well as the link between I-75 and S.R. 31. The adopted Level of Service for Palm Beach Boulevard in this area is currently a LOS "B". Palm Beach Boulevard is part of the Federal Intrastate Highway System (FIHS), as designated by the Florida Department of Transportation. FIHS roadways, pursuant to the LEE PLAN, have a higher LOS designation than do other county and state roads. An urban boundary study currently underway by FDOT will re-classify this area as Urban, thereby decreasing the adopted Level of Service to LOS "C". This study has not been finalized, thereby LOS "B" is the current adopted Level of Service for Palm Beach Boulevard. Palm Beach Boulevard is projected to maintain LOS "A" conditions in 2010 from I-75 to S.R. 31 and LOS "B" conditions from Buckingham Road to the site access drive.

The only link within the Study area that is projected to experience future Level of Service problems is Palm Beach Boulevard between S.R. 31 and Buckingham Road. This existing 4-lane roadway segment is approximately 2.5 miles in length. FDOT nor Lee County have any plans to widen this segment of Palm Beach Boulevard. The current MPO 2020 Financially Feasible Plan does not indicate the need for the widening of Palm Beach Boulevard beyond it's current condition through the year 2020. An evaluation of this roadway will be completed as part of the updated Evaluation and Appraisal Report and the updated 2030 Long Range Transportation Plan, currently underway at the County and Metropolitan Planning Organization. The existing long range transportation model does not have the proper land uses on the Hawks Haven property, which has been zoned to permit up to 1,598 units since 1999. A Level of Service analysis of the existing zoning indicates that based on today's traffic conditions, projected to the year 2010, future

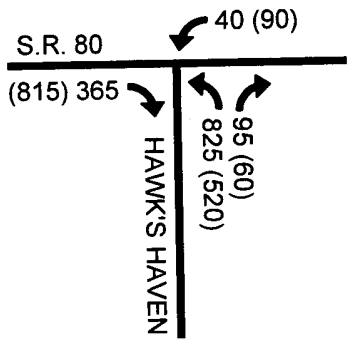
widening on Palm Beach Boulevard would be necessary. In fact, the projected 2020 peak season weekday daily traffic volume (PSWDT) on Palm Beach Boulevard east of S.R. 31 in the current MPO 2020 travel model (FSUTMS) indicates a projected volume of 32,250 PSWDT. Based on the most recent Lee County Traffic Report, the 2003 weekday Annual Average Daily Traffic (AADT) was counted at 27,900 vehicles. Therefore, the travel model currently in use by the MPO is only showing an annual growth rate of approximately eight-tenths of one percent per year (0.08% per year) on Palm Beach Boulevard east of S.R. 31.

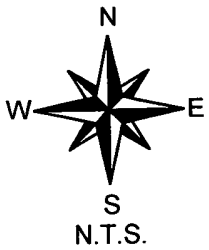
When the MPO travel model is updated and the zonal data is modified to indicate the future developments in the area (Hawks Haven, The Verandah, Buckingham 320, and other projects to the east on Palm Beach Boulevard, the need for widening Palm Beach Boulevard between S.R. 31 and Buckingham Road will be further defined.

Palm Beach Boulevard is also a State maintained roadway. Therefore, the impact fees collected by this project (estimated to be approximately $4.8 Million), will not be used for this project since the Board of County Commissioners recently voted to raise the impact fees only to support Lee County roadway projects. It is recommended that the MPO, the Fort Myers Shores area as well as Lee County further evaluate the future need for widening Palm Beach Boulevard between S.R. 31 and Buckingham Road. At the local Development Order stage for Hawks Haven, the Level of Service will only be evaluated on Palm Beach Boulevard east of Buckingham Road. Therefore, the current Hawks Haven project could be constructed to it's ultimate build-out and no Level of Service analysis would need to be conducted on Palm Beach Boulevard west of Buckingham Road.

Access to the subject site will be provided via a single access drive to Palm Beach Boulevard. An assignment of the development traffic to the site access drive was completed and is shown on **Figure 4**. Based on the future intensity of the project, it is likely that a traffic signal will be warranted at this intersection in the future. The Developer is aware that the cost of design, construction and implementation of the signal will be the sole responsibility of the Developer when and if a signal is warranted.

f0404.01





LEGEND

← 000 WEEK DAY AM PEAK HOUR TRAFFIC
← (000) WEEK DAY PM PEAK HOUR TRAFFIC

METRO

SITE TRAFFIC ASSIGNMENT
HAWK'S HAVEN

Figure 4

Capacity analyses were conducted for the site access drive and Palm Beach Boulevard for the build-out traffic conditions. It was assumed that the intersection would be signalized at build-out of the project, therefore, the capacity analyses completed assume signalization. The access drive should be constructed to permit future northbound dual left turn lanes exiting the property to travel west on Palm Beach Boulevard. Turn lanes will be warranted at the site access drive intersection with Palm Beach Boulevard. The number and length of these turn lanes will be further evaluated at the Local Development Order stage.

VII. CONCLUSION

Based on the analysis prepared within this report, the re-zoning of the Hawks Haven RPD will not have any more of a significant impact on the surrounding roadways that the existing RPD is projected to have on the roadways. Future traffic conditions on Palm Beach Boulevard adjacent to the subject site (east of Buckingham Road) indicate that this roadway will operate within the adopted Level of Service standards as prescribed in the LEE PLAN for this roadway (LOS "B") in 2010 with the build-out of this subject site as proposed.

Future projected conditions on Palm Beach Boulevard between S.R. 31 and Buckingham Road indicate the potential need to widen this segment to 6-lanes in the next 5 to 10 years. The current MPO plan, which does not include the existing zoning of the subject parcel, does not indicate the need for the widening of Palm Beach Boulevard beyond the current 4-lane section through the year 2020. Regardless, at the time of local Development Order, with the subject site as currently zoned or as proposed, the Level of Service is evaluated on Palm Beach Boulevard east of Buckingham Road, which is projected to operate within acceptable standards.

Turn lane analysis will be completed at the Local Development Order stage to determine the need for turn lanes along Palm Beach Boulevard at the site access drive intersection.

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TABLE 1A & TABLE 2A

WITH PROPOSED RE-ZONING

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
PROPOSED ZONING (1,999 UNITS)

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1325 VPH IN= 405 OUT= 920

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1485 VPH IN= 905 OUT= 580

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Rd.	W. of S.R. 31	2LN	210	420	690	1080	1120	8.00%	74	10.7%
Buckingham Road	S. of State Road 80	2LN	130	310	530	870	940	15.00%	138	26.0%
	E. of Alvin Avenue	2LN	130	310	530	870	940	5.00%	46	8.7%
I-75	S. of Palm Beach Blvd	4LF	1270	2110	2940	3580	3980	10.0%	92	3.1%
	S. of Bayshore Road	4LF	1270	2110	2940	3580	3980	5.0%	46	1.6%
	N. of Bayshore Road	4LF	1270	2110	2940	3580	3980	2.0%	18	0.6%
Palm Beach Blvd.	E. of City Limits	4LN	0	810	1790	1980	2030	15.00%	138	7.7%
(S.R. 80)	E. of Ortiz	6LN	0	1220	2730	2970	3040	25.00%	230	8.4%
	E. of I-75	6LN	2570	3070	3080	3080	3080	45.00%	414	13.4%
	E. of S.R. 31	4LN	1690	2040	2050	2050	2050	65.00%	598	29.2%
	E. of Buckingham Rd.	4LN	1690	2040	2050	2050	2050	90.00%	828	40.4%
	E. of H ickey Creek	4LN *	1690	2040	2050	2050	2050	10.00%	92	4.5%
State Route 31	N. of Palm Beach	2LN	220	440	710	1120	1170	12.00%	110	15.5%
	N. of Bayshore Rd.	2LN	220	440	710	1120	1170	3.00%	28	3.9%

* 4 Lane SR 80 under construction from Hickey Creek to Lee County line

Denotes significantly impacted link

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
100th HIGHEST HOUR LEVEL OF SERVICE ANALYSIS ON SIGNIFICANTLY IMPACTED LINKS
PROPOSED ZONING (1,999 UNITS)

Truck Adjustment = 0.900

TOTAL PROJECT TRAFFIC AM =	1325	VPH	IN =	405	OUT=	920
TOTAL PROJECT TRAFFIC PM =	1485	VPH	IN=	905	OUT=	580

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bayshore Rd.	E. of SR 31	11	8300	10100	9	2.20%	449	523	8.00%	74	72	597	595
Buckingham Road	S. of State Road 80	11	5200	7300	9	3.84%	452	588	15.00%	138	136	726	724
Palm Beach Blvd.	E. of I-75	5	21000	25000	8	2.20%	1432	1668	45.00%	414	407	2082	2075
(S.R. 80)	E. of S.R. 31	5	23600	27900	9	1.88%	1524	1736	65.00%	598	588	2334	2324
	E. of Buckingham Rd.	5	13400	18100	8	3.50%	951	1210	90.00%	828	815	2038	2024
State Route 31	N. of Palm Beach	5	6300	9500	9	4.67%	454	625	12.00%	110	109	735	733

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

TABLE 1A & TABLE 2A

AS CURRENTLY APPROVED

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
EXISTING ZONING (1,598 UNITS)

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 1180 VPH IN= 330 OUT= 850

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1375 VPH IN= 830 OUT= 545

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Rd.	W. of S.R. 31	2LN	210	420	690	1080	1120	8.00%	68	9.9%
Buckingham Road	S. of State Road 80	2LN	130	310	530	870	940	15.00%	128	24.1%
	E. of Alvin Avenue	2LN	130	310	530	870	940	5.00%	43	8.0%
I-75	S. of Palm Beach Blvd	4LF	1270	2110	2940	3580	3980	10.0%	85	2.9%
	S. of Bayshore Road	4LF	1270	2110	2940	3580	3980	5.0%	43	1.4%
	N. of Bayshore Road	4LF	1270	2110	2940	3580	3980	2.0%	17	0.6%
Palm Beach Blvd.	E. of City Limits	4LN	0	810	1790	1980	2030	15.00%	128	7.1%
(S.R. 80)	E. of Ortiz	6LN	0	1220	2730	2970	3040	25.00%	213	7.8%
	E. of I-75	6LN	2570	3070	3080	3080	3080	45.00%	383	12.4%
	E. of S.R. 31	4LN	1690	2040	2050	2050	2050	65.00%	553	27.0%
	E. of Buckingham Rd.	4LN	1690	2040	2050	2050	2050	90.00%	765	37.3%
	E. of H ickey Creek	4LN *	1690	2040	2050	2050	2050	10.00%	85	4.1%
State Route 31	N. of Palm Beach	2LN	220	440	710	1120	1170	12.00%	102	14.4%
	N. of Bayshore Rd.	2LN	220	440	710	1120	1170	3.00%	26	3.6%

* 4 Lane SR 80 under construction from Hickey Creek to Lee County line

Denotes significantly impacted link

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
100th HIGHEST HOUR LEVEL OF SERVICE ANALYSIS ON SIGNIFICANTLY IMPACTED LINKS
EXISTING ZONING (1,598 UNITS)

Truck Adjustment = 0.900

P. C. S.	K	D
I-75 Lee	0.099	0.58

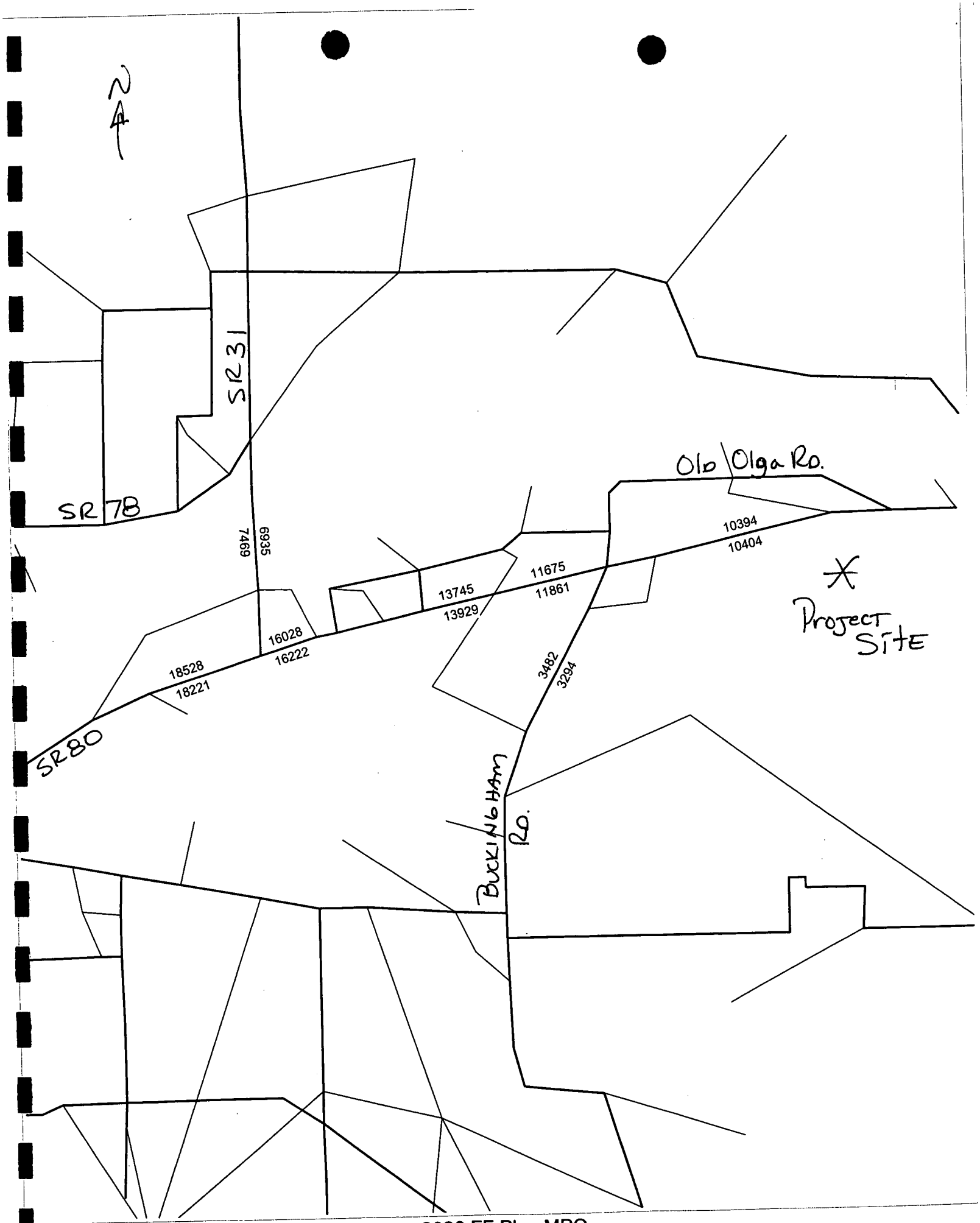
TOTAL PROJECT TRAFFIC AM =	1180	VPH	IN =	330	OUT=	850
TOTAL PROJECT TRAFFIC PM =	1375	VPH	IN=	830	OUT=	545

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2010 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2010 BCKGRND + AM PROJ TRAFFIC	2010 BCKGRND + PM PROJ TRAFFIC
Bayshore Rd.	E. of SR 31	11	8300	10100	9	2.20%	449	523	8.00%	68	66	591	589
Buckingham Road	S. of State Road 80	11	5200	7300	9	3.84%	452	588	15.00%	128	125	716	713
Palm Beach Blvd.	E. of I-75	5	21000	25000	8	2.20%	1432	1668	45.00%	383	374	2051	2042
(S.R. 80)	E. of S.R. 31	5	23600	27900	9	1.88%	1524	1736	65.00%	553	540	2288	2275
	E. of Buckingham Rd.	5	13400	18100	8	3.50%	951	1210	90.00%	765	747	1975	1957
State Route 31	N. of Palm Beach	5	6300	9500	9	4.67%	454	625	12.00%	102	100	727	724

* The Truck Factor was factored for the I-75 count data.

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

FSUTMS 2020 FINANCIALLY FEASIBLE PLAN PEAK SEASON WEEKDAY TRAFFIC VOLUMES



2020 FF Plan MPO

Viper Software by Citilabs

Licensed to Metro Transportation Group, Inc.

HCS ANALYSIS SUMMARY SHEETS

SHORT REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	5/20/2004	Jurisdiction	Lee Co./FDOT
Time Period	PM Peak Hour	Analysis Year	2010

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Num. of Lanes	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume (vph)		750	815	90	1120		520		60			
% Heavy veh		0	0	0	0		0		0			
PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Actuated (P/A)		A	A	A	A		A		A			
Startup lost time		2.0	2.0	2.0	2.0		2.0		2.0			
Ext. eff. green		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type		3	3	3	3		3		3			
Unit Extension		3.0	3.0	3.0	3.0		3.0		3.0			
Ped/Bike/RTOR Volume	0		225				0		15	0		
Lane Width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N		N
Parking/hr												
Bus stops/hr		0	0	0	0		0		0			
Unit Extension		3.0	3.0	3.0	3.0		3.0		3.0			

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =

Duration of Analysis (hrs) = 0.25 | Cycle Length C = 120.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adj. flow rate		806	634	97	1204		559		48			
Lane group cap.		1655	1386	220	2016		1255		579			
v/c ratio		0.49	0.46	0.44	0.60		0.45		0.08			
Green ratio		0.46	0.86	0.46	0.56		0.36		0.36			
Unif. delay d1		22.7	2.0	22.1	17.6		29.4		25.5			
Delay factor k		0.11	0.11	0.11	0.19		0.11		0.11			
Increm. delay d2		0.2	0.2	1.4	0.5		0.3		0.1			
PF factor		1.000	1.000	1.000	1.000		1.000		1.000			
Control delay		22.9	2.2	23.5	18.1		29.6		25.5			
Lane group LOS		C	A	C	B		C		C			
Apprch. delay	13.8			18.5			29.3					
Approach LOS	B			B			C					
Intersec. delay	18.4			Intersection LOS						B		

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SHORT REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Palm Beach/Site Access
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	5/20/2004	Jurisdiction	Lee Co./FDOT
Time Period	AM Peak Hour	Analysis Year	2010

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Num. of Lanes	0	2	1	1	2	0	2	0	1	0	0	0
Lane group		T	R	L	T		L		R			
Volume (vph)		1120	365	40	750		825		95			
% Heavy veh		0	0	0	0		0		0			
PHF		0.93	0.93	0.93	0.93		0.93		0.93			
Actuated (P/A)		A	A	A	A		A		A			
Startup lost time		2.0	2.0	2.0	2.0		2.0		2.0			
Ext. eff. green		2.0	2.0	2.0	2.0		2.0		2.0			
Arrival type		3	3	3	3		3		3			
Unit Extension		3.0	3.0	3.0	3.0		3.0		3.0			
Ped/Bike/RTOR Volume	0		165				0		15	0		
Lane Width		12.0	12.0	12.0	12.0		12.0		12.0			
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N		N
Parking/hr												
Bus stops/hr		0	0	0	0		0		0			
Unit Extension		3.0	3.0	3.0	3.0		3.0		3.0			

Phasing	WB Only	EW Perm	03	04	NB Only	06	07	08
Timing	G = 7.0	G = 55.0	G =	G =	G = 43.0	G =	G =	G =
	Y = 5	Y = 5	Y =	Y =	Y = 5	Y =	Y =	Y =

Duration of Analysis (hrs) = 0.25 | Cycle Length C = 120.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adj. flow rate		1204	215	43	806		887		86			
Lane group cap.		1655	1386	91	2016		1255		579			
v/c ratio		0.73	0.16	0.47	0.40		0.71		0.15			
Green ratio		0.46	0.86	0.46	0.56		0.36		0.36			
Unif. delay d1		26.4	1.4	22.5	15.1		33.1		26.1			
Delay factor k		0.29	0.11	0.11	0.11		0.27		0.11			
Increm. delay d2		1.6	0.1	3.8	0.1		1.8		0.1			
PF factor		1.000	1.000	1.000	1.000		1.000		1.000			
Control delay		28.1	1.4	26.3	15.2		34.9		26.2			
Lane group LOS		C	A	C	B		C		C			
Apprch. delay	24.0			15.8			34.2					
Approach LOS	C			B			C					
Intersec. delay	24.9			Intersection LOS						C		

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TRIP GENERATION EQUATIONS
HAWKS HAVEN
ITE TRIP GENERATION REPORT, 7th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Residential Condominium/Townhouse (LUC 230)	Ln (T) = 0.80 Ln (X) + 0.26	Ln (T) = 0.82 Ln (X) + 0.32	Ln (T) = 0.85 Ln (X) + 2.55
T = Trips, X = Units			
Elementary School (LUC 520)	Ln (T) = 1.11 Ln (X) – 1.73	Ln (T) = 1.08 Ln (X) – 1.9	T = 1.29 (X)
T = Trips, X = Students			
Adult Community (LUC 251)	Ln (T) = 0.86 Ln (X) - 0.63	Ln (T) = 0.72 Ln (X) + 0.58	Ln (T) = 0.85 Ln (X) + 2.38
T = Trips, X = Units			
Single Family Detached Housing (LUC 210)	T = 0.70 (X) + 9.43	Ln (T) = 0.90 Ln (X) + 0.53	Ln (T) = 0.92 Ln (X) + 2.71
T = Trips, X = Units			

PART V AFFIDAVIT A2

AFFIDAVIT FOR PUBLIC HEARING
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, * James P. Harvey as Vice-President of Hawks Haven Developers, LLC, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Hawk's Haven Developers, L.L.C., a Delaware Limited Liability Company registered in Florida
*Name of Entity (corporation, partnership, LLP, LC, etc)

Signature

James P. Harvey
(Type or printed name)

Vice President
(title of signatory)

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 22, June 2004 (date) by James P. Harvey (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Nancy E Gaines
Signature of person taking oath or affirmation

Nancy E. Gaines
My Commission DD229827
Expires July 19, 2007
Name typed, printed or stamped

Title or rank

Serial number, if any

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then the they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

DCI2004-00054

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PERMIT COUNTER

EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. See attached **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name and Address	Percentage of Stock
Landmar Group, LLC 2202 North West Shore Blvd. Ste 125 Tampa, FL 33607 Managing Member A Delaware Limited Liability Company registered in Florida	100%

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	
DCI2004-00054	

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PERMIT COUNTER

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: James P. Harvey (Applicant)
Hawk's Haven Developers, L.L.C. Company
a Delaware Limited Liability registered in Florida
James P. Harvey Vice-President
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 22 day of June 2004
by James P. Harvey who is personally known to me or who has produced
_____ as identification. .

Nancy E Gaines
Signature of Notary Public
Nancy E. Gaines
My Commission DD229827
Expires July 19, 2007
Printed Name of Notary Public

(SEAL)

Page 2 of 2

EXHIBIT PH-2.C.1.

PROPERTY OWNERS LIST

Hawk's Haven Developers, L.L.C. 2202 North West Shore Blvd., Suite 125 Tampa, FL 33607 Contact: James P. Harvey Tel: 813/207-0138 Ext 210 Fax: 813/207-0139 E-Mail: jpharvey@landmargroup.com	25-43-26-00-00121.0000 26-43-26-00-00011.0000 26-43-26-00-00011.0010 Portion of 27-43-26-00-00003.0010 Portion of 27-43-26-00-00003.0020 34-43-26-00-00001.0010 Portion of 34-43-26-00-00001.0020 36-43-26-00-00001.0000 35-43-26-00-00001.0010 35-43-26-00-00001.0000 35-43-26-00-00002.0000
Levitt and Sons at Hawk's Haven, L.L.C. 777 Glades Road, Suite 410 Boca Raton, FL 33434 Contact: Jeffrey Hoyos Tel: 561/482-5100 Fax: 561/488-9188	Portion of 27-43-26-00-00003.0010 Portion of 27-43-26-00-00003.0020 27-43-26-00-00016.0000 Portion of 34-43-26-00-00001.0020
The School District of Lee County 3800 Canal Street Fort Myers, FL 33916 Contact: Bill Moore Tel: 479-4205 Fax: 334-8637	Portion of 27-43-26-00-00003.0010 Portion of 27-43-26-00-00003.0020

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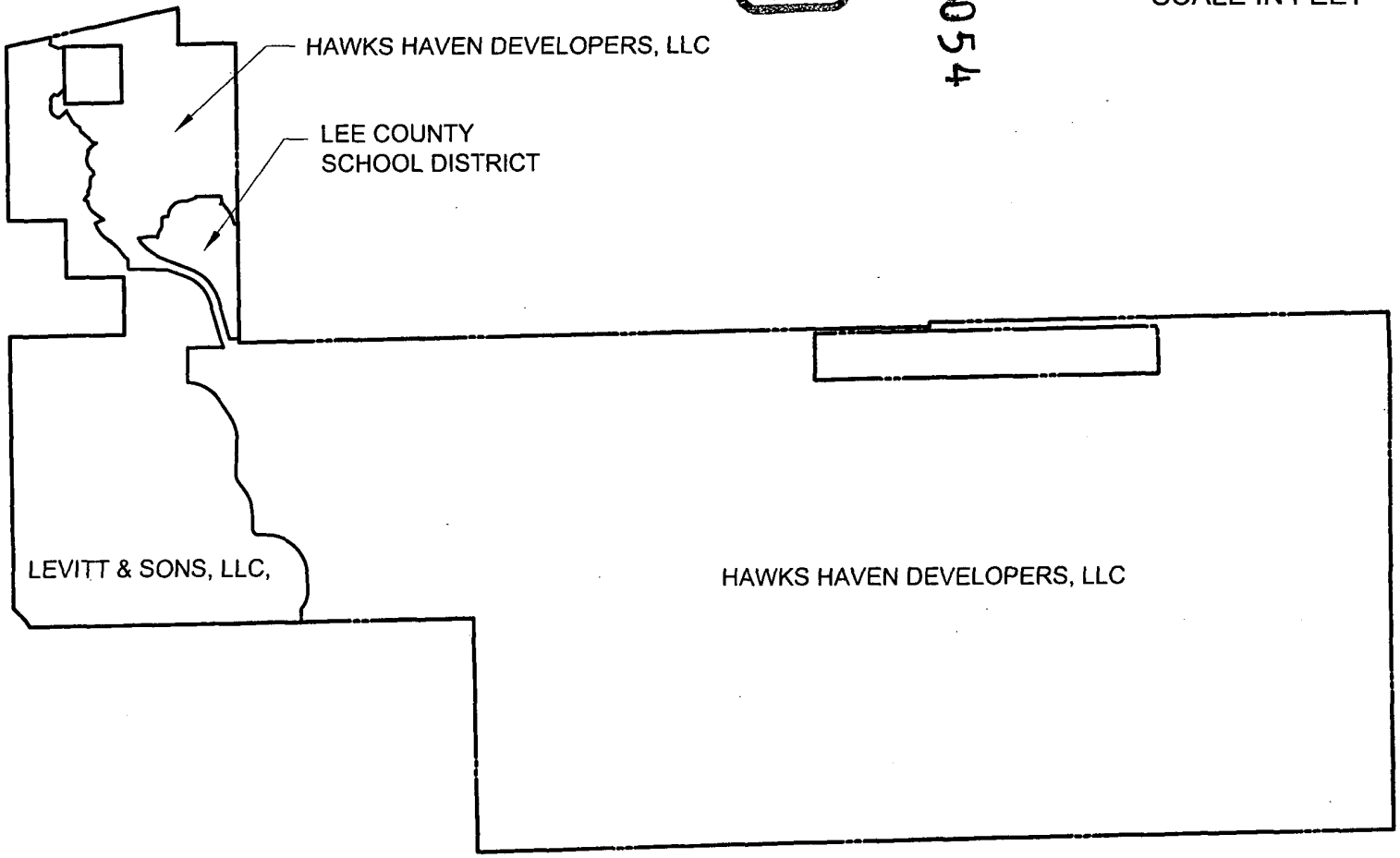
DCI2004-00054

Strap #:	Owner(s):
25-43-26-00-00121.0000	Hawk's Haven Developers, L.L.C.
26-43-26-00-00011.0000	Hawk's Haven Developer, L.L.C.
26-43-26-00-00011.0010	Hawk's Haven Developers, L.L.C.
27-43-26-00-00003.0010	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C. The School District of Lee County
27-43-26-00-00003.0020	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C. The School District of Lee County
27-43-26-00-00016.0000	Levitt and Sons at Hawk's Haven, L.L.C.
34-43-26-00-00001.0010	Hawk's Haven Developers, L.L.C
34-43-26-00-00001.0020	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C.
36-43-26-00-00001.0000	Hawk's Haven Developers, L.L.C.
35-43-26-00-00001.0010	Hawk's Haven Developers, L.L.C.
35-43-26-00-00001.0000	Hawk's Haven Developers, L.L.C.
35-43-26-00-00002.0000	Hawk"s Haven Developers, L.L.C.



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PERMIT COUNTER

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FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 27,34,35 AND 38
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND IS SUBJECT TO CHANGE TO ADDRESS ZONING ISSUES, ENVIRONMENTAL CONCERNS, REGULATORY COMMENTS, ENGINEERING DESIGN, FIELD VERIFICATION AND ANY OTHER POTENTIAL PLANNING ISSUE
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LOCATION	J:\21988\DWG\EXHIBITS\
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PLOT BY	TOM HOLMLUND
DESIGN BY	GREGG LATHROP
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

HAWK'S HAVEN CDD

HAWK'S HAVEN
CURRENT
OWNERSHIP MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1 OF 1

EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

CASE NO. _____

STRAP NO. See attached

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each. *

Name and Address	Percentage of Stock
Jeanne S. Dozier, 2055 Central Ave., Ft. Myers, FL 33901	n/a
Elinor C. Scricca, 2055 Central Ave., Ft. Myers, FL 33901	n/a
Robert D. Chilmonik, 2055 Central Ave., Ft. Myers, FL 33901	n/a
Jane E. Kuckel, Ph.D., 2055 Central Ave., Ft. Myers, FL 33901	n/a
Steven K. Teuber, 2055 Central Ave., Ft. Myers, FL 33901	n/a
James W. Browder, Ed.D., 2055 Central Ave., Ft. Myers, FL 33901	n/a

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Stock

Date of Contract:_____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	
DCI2004-00054	

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JUL 26 2004
PERMIT COUNTER

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: James W. Browder

James W. Browder, Ed.D. (~~Applicant~~) Owner

The School District of Lee County *

(Printed or typed name of ~~applicant~~) Owner

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 23 day of July 20 04

by James W. Browder, Ed.D., on behalf of The School District of Lee County, who is

personally known to me or who has produced n/a as identification.

Ruth H. Moon

Signature of Notary Public

Ruth H. Moon

Ruth H. Moon (SEAL)
MY COMMISSION # CC962591 EXPIRES
October 8, 2004
BONDED THRU TROY FAIN INSURANCE, INC.

*** The School District of Lee County joins in this application on the condition that the developer will mitigate the need for new student stations caused by the new housing units added through this application by provision of a school site or payment of appropriate school impact fees.**

Strap #:	Owner(s):
25-43-26-00-00121.0000	Hawk's Haven Developers, L.L.C.
26-43-26-00-00011.0000	Hawk's Haven Developer, L.L.C.
26-43-26-00-00011.0010	Hawk's Haven Developers, L.L.C.
27-43-26-00-00003.0010	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C. The School District of Lee County
27-43-26-00-00003.0020	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C. The School District of Lee County
27-43-26-00-00016.0000	Levitt and Sons at Hawk's Haven, L.L.C.
34-43-26-00-00001.0010	Hawk's Haven Developers, L.L.C
34-43-26-00-00001.0020	Hawk's Haven Developers, L.L.C. Levitt and Sons at Hawk's Haven, L.L.C.
36-43-26-00-00001.0000	Hawk's Haven Developers, L.L.C.
35-43-26-00-00001.0010	Hawk's Haven Developers, L.L.C.
35-43-26-00-00001.0000	Hawk's Haven Developers, L.L.C.
35-43-26-00-00002.0000	Hawk"s Haven Developers, L.L.C.

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DCI2004-00054

00250A-00041

DCI2004-00054

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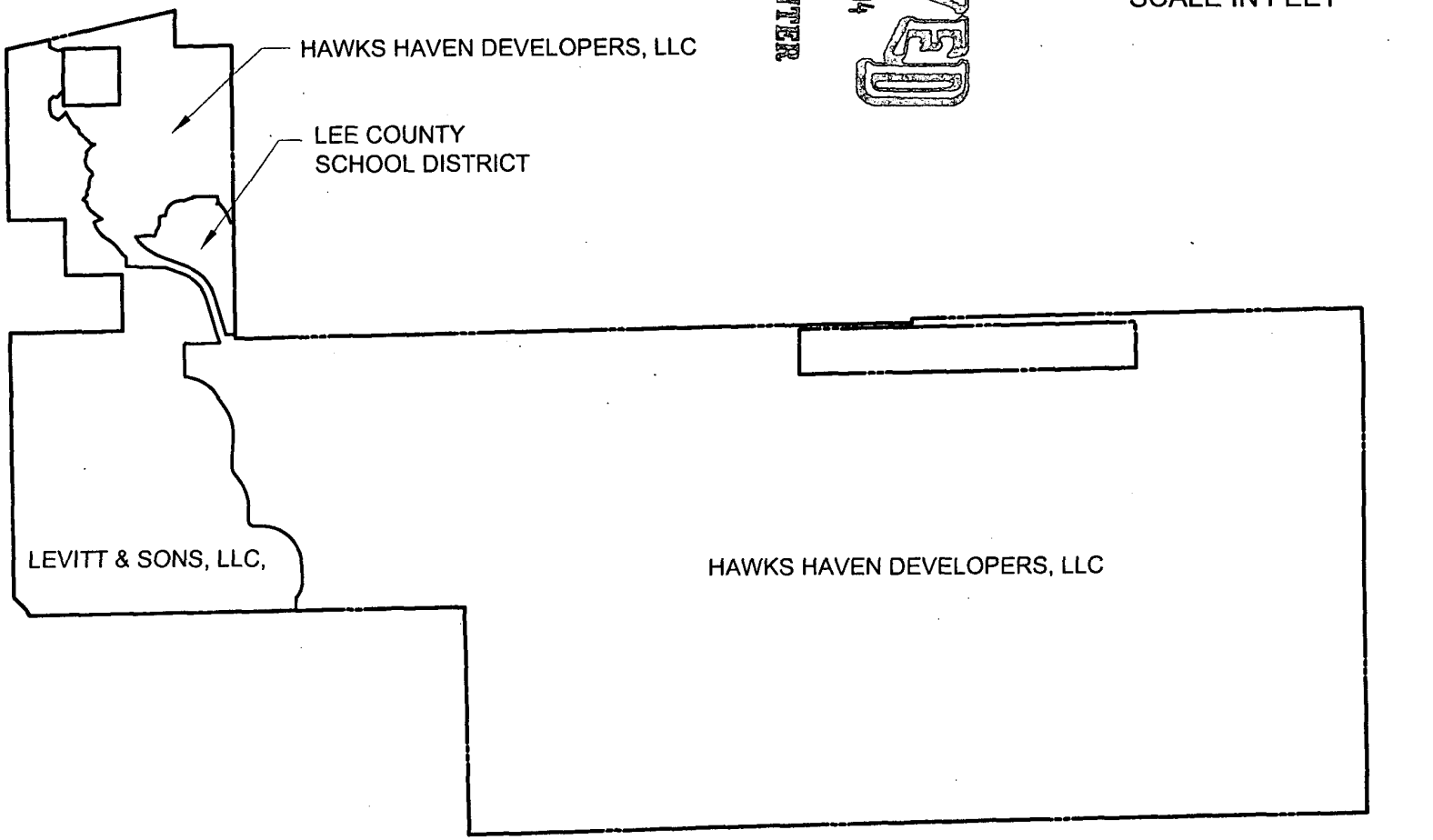

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LAND PLANNING - LANDSCAPE DESIGN
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2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND IS SUBJECT TO CHANGE TO ADDRESS ZONING ISSUES, ENVIRONMENTAL CONCERNS, REGULATORY COMMENTS, ENGINEERING DESIGN, FIELD VERIFICATION AND ANY OTHER POTENTIAL PLANNING ISSUE
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LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\EXHIBITS\
PLOT DATE	MON. 6-28-2004 - 2:02 PM
PLOT BY	TOM HOLMLUND
DESIGN BY	GREGG LATHROP
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

HAWK'S HAVEN CDD

HAWK'S HAVEN
CURRENT
OWNERSHIP MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1 OF 1

EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. See attached **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name and Address	Percentage of Stock
Levitt and Sons, LLC	100%
7777 Glades Rd., Suite 410	
Boca Raton, FL 33434	
Managing Member	
A Florida Limited Liability Company	

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

DCI2004-00054

RECEIVED
JUL 26 2004
PERMIT COUNTER

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: _____
(~~Applicant~~) Owner
Levitt and Sons at Hawk's Haven, L.L.C., a Florida Limited Liability Company

Jeffery Hoyos, SVP
(Printed or typed name of ~~applicant~~) Owner

STATE OF FLORIDA
COUNTY OF ~~LEE~~ Palm Beach

The foregoing instrument was acknowledged before me this 18 day of June 2004

by Jeffery Hoyos who is personally known to me or who has produced _____ as identification. .

Roxanne Scarlata
Signature of Notary Public

(SEAL)

Roxanne Scarlata
Printed Name of Notary Public

OFFICIAL NOTARY SEAL
ROXANNE SCARLATA
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD105258
MY COMMISSION EXP. APR. 17,2006

Jun 17 2004 2:15PM HP LASERJET 3200 p.2

Strap #:	Owner(s):
25-43-26-00-00121.0000	Hawk's Haven Developers, L.L.C.
26-43-26-00-00011.0000	Hawk's Haven Developer, L.L.C.
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35-43-26-00-00002.0000	Hawk"s Haven Developers, L.L.C.

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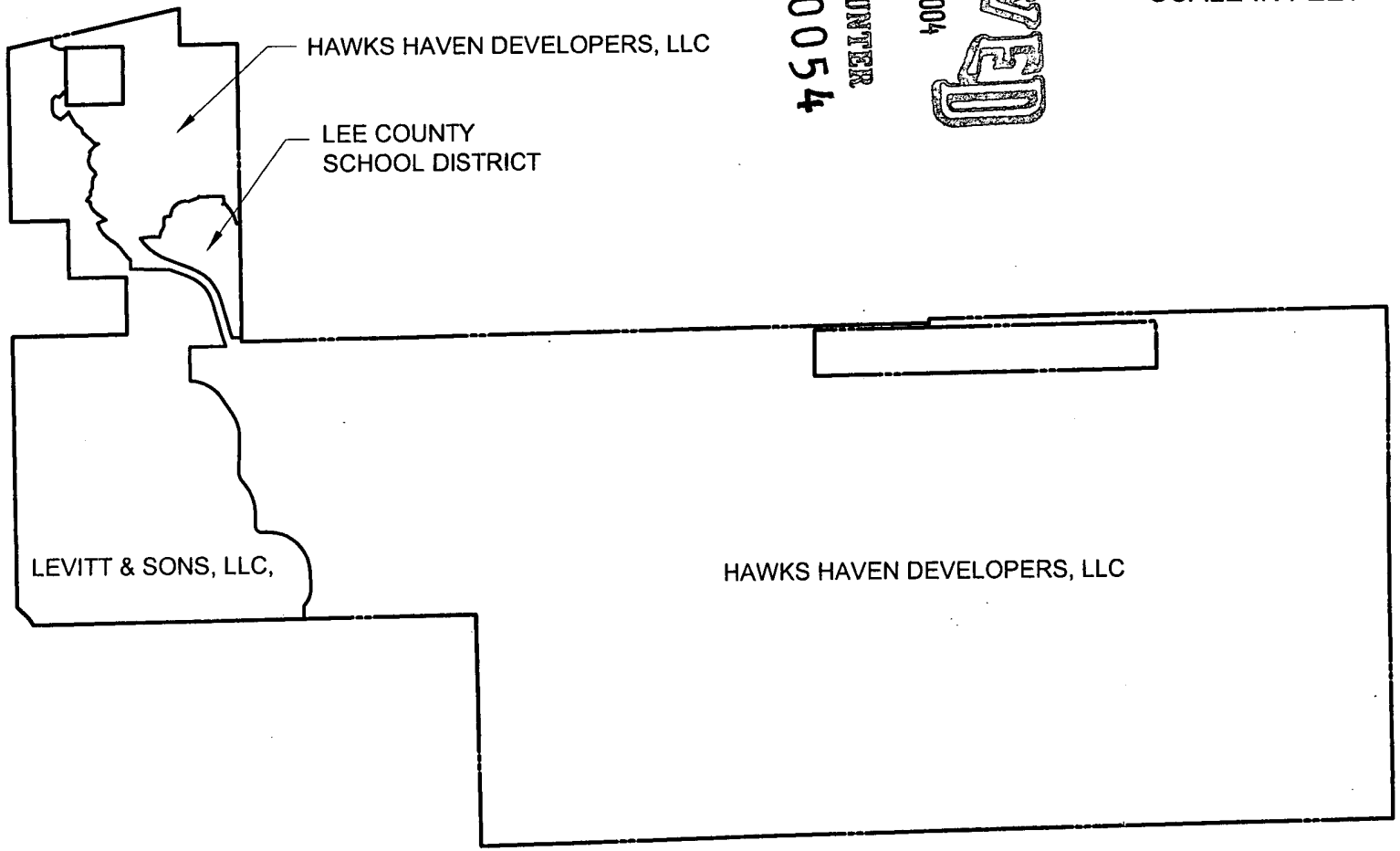
JUL 26 2004
PERMIT COUNTER

DCI2004-00054



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DCI2004-00054

NORTH

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PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND IS SUBJECT TO CHANGE TO ADDRESS ZONING ISSUES, ENVIRONMENTAL CONCERNS, REGULATORY COMMENTS, ENGINEERING DESIGN, FIELD VERIFICATION AND ANY OTHER POTENTIAL PLANNING ISSUE
* NOT FOR CONSTRUCTION *

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FILE NAME	21988-SCHOOL.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\EXHIBITS\
PLOT DATE	MON. 6-28-2004 - 2:02 PM
PLOT BY	TOM HOLMLUND
DESIGN BY	GREGG LATHROP
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

HAWK'S HAVEN CDD

HAWK'S HAVEN
CURRENT
OWNERSHIP MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1 OF 1

EXHIBIT "A"

Strap:	Site Address:
25-43-26-00-00121.0000	17750, Alva, Florida 33920
26-43-26-00-00011.0000	2970 Hickey Creek Rd, Alva, Florida 33920
26-43-26-00-00011.0010	Reserved, Florida
27-43-26-00-00003.0010	Access Undetermined, Fort Myers, FL 33905
27-43-26-00-00003.0020	Access Undetermined, Fort Myers, FL 33905
27-43-26-00-00016.0000	Access Undetermined, Fort Myers, FL 33905 (property being added)
34-43-26-00-00001.0010	Access Undetermined, Alva, FL 33920
34-43-26-00-00001.0020	Reserved, Florida
36-43-26-00-00001.0000	Access Undetermined, Alva, FL 33920
35-43-26-00-00001.0010	Reserved, Florida
35-43-26-00-00001.0000	Access Undetermined, Alva FL 33920
35-43-26-00-00002.0000	Access Undetermined, Alva, FL 33920 (property being added)

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PERMIT COUNTER

DCI2004-00054

EXHIBIT PH-3.I

AFFIDAVIT

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OCT 26 2004
PERMIT COUNTER

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

BEFORE ME this day appeared JAMES P. HARVEY, who, being first duly sworn, proposes and says:

1. He is the Vice-President of Hawk's Haven Developers, L.L.C., the applicant for rezoning in Case DCI2004-00054.

2. A portion of the subject property is currently being used, and historically has been used, for cattle grazing. A sketch showing the areas in question is attached as Exhibit "A".

FURTHER, AFFIANT SAYETH NAUGHT.

DONE AND EXECUTED THIS 7 DAY OF SEPTEMBER, 2004.

James P. Harvey

The foregoing instrument was acknowledged before me this 7th day of SEPTEMBER, 2004 by JAMES P. HARVEY, who is personally known to me [✓], or has produced _____ as identification [___], and did/did not take an oath.

My Commission Expires:

Notary Public

DEBORAH M. O'HERN

Printed Name

Deborah M O'Hern
My Commission DD046976
Expires August 01, 2005

DCI2004-00054

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FLORIDA CERTIFICATES OF AUTHORIZATION
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PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

HAWK'S HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
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PLOT BY	JASON BOWIE
DESIGN BY	GREGG LATHROP
XREF1	BASEPLAN - 21988A-OPT1.DWG
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

HAWK'S HAVEN CDD

AG USE EXHIBIT

PROJECT FILE NO.	SHEET NUMBER
21988	A

DCI2004-00054

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: May 31, 2005

TO: File - DCI2004-00054

FROM: Luisa Villa
Secretary, Internal Services

RE: Notice of Public Hearing - **June 15, 2005 HEX**

I, Luisa Villa, Secretary, Internal Services, Development Services Division, do hereby certify that I have mailed notices to the adjacent property owners on the above referenced date, in the attached style, pursuant to the list marked and attached hereto and made a part of this certification.

MEMORANDUM

From The

Department Of

Community Development

Development Services Division

Date: September 6, 2005

To: DCI2004-00054

From: Luisa Villa

RE: Notice of Public Hearing - September 19, 2005
Lee County Board of County Commissioners Meeting

I, Luisa Villa, Internal Services Secretary, Development Services Division, do hereby certify that I have mailed **notices to the participants** in regard to the above referenced meeting, in the attached style, pursuant to the list marked and attached hereto and made a part of the certification.

NOTICE TO PARTICIPANT

CASE NUMBER: DCI2004-00054

NAME: RIVER HALL(F.K.A HAWKS HAVEN)

REQUEST: Rezone +/- 1,978.44 acres from Residential Planned Development (RPD) and Agricultural (AG-2) to Residential Planned Development/Commercial Planned Development (RPD/CPD) to add 181 acres, 401 dwelling units, an elementary school site, and a town center consisting of a maximum of 45, 000 square feet of commercial uses to the Hawks Haven RPD, Resolution #Z-99-056. The request is for a total of 1,999 dwelling units (single- and multi-family) with a golf course, a public school, and a maximum of 15,000 square feet of offices and 30,000 square feet of retail. Maximum building heights are 45 feet/3 stories for residential uses, 35 feet/2 stories for commercial uses, and 60 feet/3 stories for recreational uses. No development blasting is requested.

LOCATION: south side of Palm Beach Blvd (SR 80), about ½ mile east of Buckingham Rd., just west of Linwood Avenue in the Fort Myers Shores area, at 17750 Alva, FL 33920, 2970 Hickey Creek Rd, Alva, FL 33920, 3 properties at Ft. Myers, FL 33905(access undetermined), and 4 properties at Alva, FL 33920 (Access Undetermined), in S25, 26, 27, 34, 35, 36-T43S-26E, Lee County, FL. (District #5)

PROPERTY OWNER'S REPRESENTATIVE: MR MATTHEW D UHLE
239-334-2722

Notice is hereby given that the Lee County Board of Commissioners will hold a public hearing at 9:30 am Monday, September 19, 2005, to review the written recommendation made by the Hearing Examiner and make a final decision in the above-referenced case. This hearing will be held in the Commissioners' Meeting Room, 2120 Main on St., Ft. Myers FL.

The law states that, as a participant, you have the right to appear and address the Board on this case. However, the law strictly limits all testimony before the Board to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Hearing Examiner's hearing and not otherwise disclosed in the record. Statements will be limited to five (5) minutes or as the Board may otherwise allow.

Additional copies of the Hearing Examiner's recommendation may be obtained or the file reviewed at the Zoning Division, 1500 Monroe St., Ft. Myers, FL. Call 479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Jessica M Smith at 479-8585.

DEPARTMENT OF COMMUNITY
DEVELOPMENT
Zoning Division

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DCI2004-00054

NAME OF CASE River Hall (fka Hawk's Haven RPD)

Mr. Matt D. Uhle
Knott Consoer Ebelini Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, FL 33901

Robert Anderson
PO Box 1778
Lehigh Acres, FL 33970

Linda Carter
704 Homer Avenue North
Lehigh Acres, FL 33970

Charles DiFelice
702 Willow Drive
Lehigh Acres, FL 33936

Cheryl Kook
17540 Oak Creek Road
Alva, FL 33920

Eric Liebl
1414 SE 22nd Street
Cape Coral, Fl 33990

John Miller
1006 Alaska Ave
Lehigh Acres, FL 33970

Charles Morris
17630 Oak Creek Road
Alva, FL 33920

William Rounsifer
PO Box 50354
Fort Myers, FL 33994

Terry Weiss
17540 Oak Creek
Alva, FL 33920

Hawk's Haven Developers
2202 North West Shore Bouelvard
Suite 125
Tampa, FL 33607

Levitt and Sons at Hawk's Haven
Attn: Mr. Jeffrey Hoyos
777 Glades Road, Suite 410
Boca Raton, FL 33434

School District of Lee County
Attn: Mr. Bill Moore
3800 Canal Street
Fort Myers, FL 33916

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NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

CASE NUMBER: DCI2004-00054

CASE NAME: RIVER HALL(F.K.A HAWKS HAVEN)

REQUEST: Rezone +/- 1,978.44 acres from Residential Planned Development (RPD) and Agricultural (AG-2) to Residential Planned Development/Commercial Planned Development (RPD/CPD) to add 148 acres, 401 dwelling units, an elementary school site, and a town center consisting of a maximum of 45, 000 square feet of commercial uses to the Hawks Haven RPD, Resolution #Z-99-056. The request is for a total of 1,999 dwelling units (single- and multi-family) with a golf course, a public school, and a maximum of 15,000 square feet of offices and 30,000 square feet of retail. Maximum building heights are 45 feet/3 stories for residential uses, 35 feet/2 stories for commercial uses, and 60 feet/3 stories for recreational uses. No development blasting is requested.

LOCATION: The subject property is located on the south side of Palm Beach Blvd. (SR 80), about ½ mile east of Buckingham Rd., just west of Linwood Ave. in the Fort Myers Shores are, in S25, 26, 27, 34, 35, 36-T43S-R26E, Lee County, FL.

SIZE OF PROPERTY: 1,978.44± Acres

STAFF REPORT: Direct inquiries to Tony Palermo, Senior Planner, at (239) 479-8325, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNER'S REPRESENTATIVE: MR MATTHEW D UHLE
KNOTT CONSOER
239-334-2722

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 10:00 AM on 06/15/2005 on the above case. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe St., Ft. Myers, FL 33901.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the Board of County Commissioners.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner, by law, you will not be allowed to appear before the Board of County Commissioners at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Luisa V Villa at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

25-43-26-00-00119.0030
KOOK SCOTT G +
17540 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0040
KOOK SCOTT G +
17540 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0050
DRAKE JOHN P + TIFFANY F
17950 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0070
MORRIS CHARLES + SHERYL W
17630 OAK CREEK ROAD
ALVA, FL 33920

25-43-26-00-00119.0090
WILES PAUL H + DEBORAH
17600 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0100
BARR JOHN
17650 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0130
SCHMIDT ERWIN E + JOAN C
17900 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0140
MICHAELKIEWICZ STEPHEN P
17930 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0150
CARSON LONNIE R + TERRY L
17520 OAK CR RD
ALVA, FL 33920

25-43-26-00-00119.0160
SUBBERT SCOTT M + ROBIN M
17750 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0190
SIMMONS JERRY G TR
17141 FRANK RD
ALVA, FL 33920

25-43-26-00-00119.0200
SUBBERT DANIEL W + JENNIFER K
17690 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0210
HAMILTON DOUGLAS E
6151 INDUSTRY AVE
FORT MYERS, FL 33905

25-43-26-00-00119.0240
HAMILTON DOUGLAS + KIMBERLY
17780 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0250
HAMILTON DOUGLAS E + KIMBERLY
17780 0AK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0000
HAWKS HAVEN GOLF COURSE
10161 CENTURION PKWY N STE 190
JACKSONVILLE, FL 32256

25-43-26-00-00122.0020
ALI AHMED REBECCA T
17140 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.002A
MCCLINTICK MARK E
17180 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.002B
SCARPELLI JAMES
2141 BISCAYNE DR
ELK GROVE VILLAGE, IL 60007

25-43-26-00-00122.0040
WALLER ALICIA C
17270 OAK CREEK RD
ALVA, FL 33920

All data is current at time of printing and subject to change without notice.

25-43-26-00-00122.0050
KOHL L L + MAUD H
17310 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0060
MANGAN ALAN J
17240 OAK CREEK DR
FT MYERS, FL 33920

25-43-26-00-00122.0080
RUTTMAN MILDRED
17200 OAK CREEK ROAD
ALVA, FL 33920

25-43-26-00-00122.0150
CARSON LONNIE R + THERESA L
17520 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0170
BUSH DAVID + CHRISTIE A
17470 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0180
BERRYMAN HOWARD + PAMELA
17460 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0240
WALLIN DAVID T + KIMBERLY M
17450 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0300
T & R ROOFING INC
14032 PALM BEACH BLVD
FT MYERS, FL 33905

25-43-26-00-00122.0310
MYOSKY LEONARD J + AGNES C
17340 OAK CREEK RD
ALVA, FL 33920

26-43-26-00-00001.0000
AMTEL FARM INC
ATT: RUNG
2500 EDWARDS DR
FT MYERS, FL 33901

26-43-26-00-00010.0000
GERACI D D TR
17341 FRANK RD
ALVA, FL 33920

26-43-26-00-00012.0010
CARTER DORIS L TR +
10235 COUNTY RD 56
WOODLAND, AL 36280

27-43-26-00-00001.0020
SAGER LILLY S
1280 BLUFFS CIR
DUNEDIN, FL 34698

27-43-26-00-00001.0060
ROBERTS RICHARD A + KAREN M
2211 LINWOOD AV
ALVA, FL 33920

27-43-26-00-00001.006E
RITCHEY RONALD M
6750 DANIELS RD
NAPLES, FL 34109

27-43-26-00-00001.0080
AMTEL FARM INC
ATT: RUNG
2500 EDWARDS DR
FORT MYERS, FL 33901

27-43-26-00-00002.0000
MILLS GEORGE B JR +
5440 BUCKINGHAM ROAD
FORT MYERS, FL 33905

27-43-26-00-00003.0000
R + D CATTLE COMPANY LLC
4618 W SYLVAN RAMBLE ST
TAMPA, FL 33609

27-43-26-00-00003.0030
LEE COUNTY DIST SCHOOL BOARD
2055 CENTRAL AVE
FORT MYERS, FL 33901

27-43-26-00-00004.0000
HOFMEISTER SALYARDS L/E
C/O SCOTT HOFFMEISTER
108 BARBARA ST
LOUISVILLE, CO 80027

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27-43-26-00-00006.0000
TERRELL WILLIAM M
2081 LINWOOD AVE
ALVA, FL 33920

27-43-26-00-00007.0000
WALKER ROBERT E
15930 OLD OLGA RD
ALVA, FL 33920

27-43-26-00-00007.0010
DENOVA PROSPERO
15460 PALM BEACH BLVD
ALVA, FL 33920

27-43-26-00-00008.0000
BROWN JACQUELINE E
15590 KARANAN DR
ALVA, FL 33920

27-43-26-00-00011.0000
CARTER TALLEY + MARTHA CO-TR
10235 COUNTY RD 56
WOODLAND, AL 36280

27-43-26-00-00011.0020
ALLEN JAMES C JR + CYNTHIA C
2371 LINWOOD AV
ALVA, FL 33920

27-43-26-00-00011.0030
HITCHCOCK MARK T
2501 LINWOOD AV
ALVA, FL 33920

27-43-26-00-00011.0040
CARTER KEITH A + SHEILA R
C/O JACOB CARTER
5125 BARON ST
LEHIGH ACRES, FL 33971

27-43-26-00-00011.0060
ALLEN JAMES C JR + CYNTHIA
2371 LINWOOD AV
ALVA, FL 33920

27-43-26-00-00011.0070
ROBERTS DEREK G +
3955 MARVAEZ ST
FORT MYERS, FL 33901

27-43-26-00-00018.0000
RN TRIUMPH INVESTMENTS GRP
2835 SW 82ND AVE
MIAMI, FL 33155

27-43-26-00-00019.0000
ROUNSIFER WILLIAM CHARLES SR +
PO BOX 50354
FORT MYERS, FL 33994

27-43-26-00-00020.0000
LIEBL ERIC +
3204 SE 1ST AVE
CAPE CORAL, FL 33904

27-43-26-00-00021.0040
ZIELINSKI PETER J + TEENA MARY
15980 OLD OLGA RD
ALVA, FL 33920

28-43-26-00-00007.0010
JOHN J DAVIS FORT MYERS LLC
2612 HIBISCUS PL
FORT LAUDERDALE, FL 33301

28-43-26-00-00007.0020
CONLEY MARY L TR
2385 S OLGA DR
FORT MYERS, FL 33905

28-43-26-00-00012.001A
JAMES FRIEDA K
14991 DRAWDY RD
FORT MYERS, FL 33905

28-43-26-00-00012.0020
CHANEY DOROTHY
14941 DRAWDY RD
FT MYERS, FL 33905

28-43-26-00-00012.0040
SPURLOCK JAMES M + KAREN S
14891 DRAWDY RD
FT MYERS, FL 33905

28-43-26-00-00013.0000
BUCKINGHAM DEVELOPMENT LLC
2695 HACKNEY RD
WESTON, FL 33331

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28-43-26-00-00014.0000
BUCKINGHAM DEVELOPMENT LLC
2695 HACKNEY RD
WESTON, FL 33331

28-43-26-12-00000.0010
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0020
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0030
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0040
DONALDSON CARRIE +
2402 NATURE POINTE LOOP
FORT MYERS, FL 33905

28-43-26-12-00000.0050
BEDRA CHRISTINE
2100 NURSERY RD D20
CLEARWATER, FL 33764

28-43-26-12-00000.0060
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.0070
PAYNE BARBARA
4873 POST POINTE DRIVE
SARASOTA, FL 34233

28-43-26-12-00000.0080
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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CAPE CORAL, FL 33990

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211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.0190
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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28-43-26-12-00000.0200
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.0290
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0300
HOLIDAY BUILDERS INC
2293 W WAU GALLIE BLVD
MELBOURNE, FL 32935

28-43-26-12-00000.0370
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0380
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HOLIDAY BUILDERS INC
2293 W WAU GALLIE BLVD
MELBOURNE, FL 32935

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2293 W WAU GALLIE BLVD
MELBOURNE, FL 32935

28-43-26-12-00000.0420
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HOLIDAY BUILDERS INC
2293 W WAU GALLIE BLVD
MELBOURNE, FL 32935

28-43-26-12-00000.0450
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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28-43-26-12-00000.0460
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0470
HAWKS PRESERVE LLC
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FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
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FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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FORT MYERS, FL 33912

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FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
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FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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FORT MYERS, FL 33912

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FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HOLIDAY BUILDERS INC
2293 W WAU GALLIE BLVD
MELBOURNE, FL 32935

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HOLIDAY BUILDERS INC
2293 W WAU GALLIE BLVD
MELBOURNE, FL 32935

28-43-26-12-00000.1300
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211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

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HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1360
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1370
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1380
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1390
JIMENEZ OSCAR + CARMEN
2500 HAWKS PRESERVE DR
FORT MYERS, FL 33905

28-43-26-12-00000.1400
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1410
DOOGARSINGH DAREN A
917 SE 14TH TER
CAPE CORAL, FL 33990

28-43-26-12-00000.1420
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1430
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1440
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1450
HOLIDAY BUILDERS INC
2293 W WALL GALLIE BLVD
MELBOURNE, FL 32935

28-43-26-12-00000.1460
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1700
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1710
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1720
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1730
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1740
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1750
NATELLA KEVIN
2440 HAWKS PRESERVE DR
FORT MYERS, FL 33905

28-43-26-12-00000.1760
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1770
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1780
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1790
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1800
GAMERO AIDA
2423 NATURE POINTE LOOP
FT MYERS, FL 33905

28-43-26-12-00000.1810
ASSAM BRUCE L
12731 MEADOW PINE LN
FORT MYERS, FL 33913

28-43-26-12-00000.1820
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1830
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1840
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY U 1-3
CAPE CORAL, FL 33990

28-43-26-12-00000.1850
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1860
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-0000A.00CE
HAWKS PRESERVE LLC
HAWKS PRESERVE HOMEOWNER ASSN
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-0000C.00CE
HAWKS PRESERVE LLC
HAWKS PRESERVE HOMEOWNER ASSN
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-0000D.00CE
HAWKS PRESERVE LLC
HAWKS PRESERVE HOMEOWNER ASSN
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-0000R.00CE
HAWKS PRESERVE LLC
HAWKS PRESERVE HOMEOWNER ASSN
11220-27 METERO PKWY
FORT MYERS, FL 33912

33-43-26-00-00002.0000
TAYLOR WOODROW COMMUNITIES AT
8430 ENTERPRISE CIR STE 100
BRADENTON, FL 34202

33-43-26-00-00002.0010
BUCKINGHAM DEVELOPMENT LLC
2695 HACKNEY RD
WESTON, FL 33331

33-43-26-00-00004.0000
LEE COUNTY HOMES ASSOCIATES I
1401 UNIVERSITY DR STE 200
CORAL SPRINGS, FL 33071

34-43-26-00-00001.0000
TAYLOR WOODROW COMMUNITIES AT
8430 ENTERPRISE CIR STE 100
BRADENTON, FL 34202

34-43-26-00-00001.0030
HAWKS HAVEN DEVELOPERS LLC
10161 CENTURION PKWY N STE 190
JACKSONVILLE, FL 32256

01-44-26-01-00001.0010
BUISSON JOSEPH A + MARIE
8210 SW 5TH ST
NORTH LAUDERDALE, FL 33068

01-44-26-01-00001.0020
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-01-00001.0030
NEWMAN CAROLYN
7318 BENT CREEK DR
TEMPERANCE, MI 48182

01-44-26-01-00002.0010
GRANGAARD H A JR + BONNIE
2585 N 131ST ST
BROOKFIELD, WI 53005

01-44-26-01-00002.0020
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-01-00002.0030
QUANG LUULY
4925 SKATES CIR
FORT MYERS, FL 33905

01-44-26-01-00002.0040
KLUEMPER J D + JOAN H
6000 LAKELAND DR
EVANSVILLE, IN 47711

01-44-26-01-00002.0050
DALBERRY KAREN
4733 N PINE ISLAND RD
SUNRISE, FL 33351

01-44-26-01-00002.0060
GEORGE BARRY S
3889 APPLE VALLEY DR
HOWARD, OH 43028

01-44-26-01-00003.0010
KIRKPATRICK WILLIAM J JR
PO BOX 9371
GLENWOOD, FL 32722

01-44-26-01-00003.0020
ADAMSON DERRICK + KATHLEEN
3340 NW 177TH TER
OPA LOCKA, FL 33056

01-44-26-01-00003.0030
ADAMSON DERRICK + KATHLEEN
3340 NW 177TH TER
CAROL CITY, FL 33056

01-44-26-01-00003.0040
RUDENIS STEPHEN SR
14560 PASSAGE WAY
SEMINOLE, FL 33776

01-44-26-01-00003.0050
HAMAKER ALEXANDRA V
2111 WELCH ST B320
HOUSTON, TX 77019

01-44-26-01-00003.0060
ANDERSON WM T + MARGARET L
10037 LOCUST ST
GLENN DALE, MD 20769

01-44-26-01-00004.0010
DELACRUZ ENTERPRISES INC
322 GUNNERY RD S
LEHIGH ACRES, FL 33971

01-44-26-01-00004.0020
NAVEA CYNTHIA V
16421 SW 64TH TERR
MIAMI, FL 33193

01-44-26-01-00004.0030
MOSKOWITZ BARBARA
19333 W COUNTRY CLUB DR #305
AVENTURA, FL 33180

01-44-26-01-00004.0040
TRAVIS WILLIAM RUSSELL
PO BOX 130042
TAMPA, FL 33681

01-44-26-01-00004.0050
GRIECO KAREN
829 SW 47TH TER APT 202
CAPE CORAL, FL 33914

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01-44-26-01-00004.0060
DELACRUZ ENTERPRISES INC
322 GUNNERY RD S
LEHIGH ACRES, FL 33971

01-44-26-01-00005.0010
KONICEK MICHAEL G
18130 PHEASANT WALK DR
TAMPA, FL 33647

01-44-26-01-00006.0010
STAPLETON MARTHA A
7009 NOBLE CT
CINCINNATI, OH 45239

01-44-26-01-00006.0020
PINES MORTGAGE SERVICES INC
6845 PEMBROKE RD
PEMBROKE PINES, FL 33023

01-44-26-01-00006.0030
YSLAS LETICIA
3009 75TH ST W
LEHIGH ACRES, FL 33971

01-44-26-01-00006.0040
DELATORRE NORMA
3007 75TH ST W
LEHIGH ACRES, FL 33971

01-44-26-01-00006.0050
CHRISTOFOR A
65 CEDAR ST
NORWALK, CT 06854

01-44-26-01-00006.0060
MULHERN MILDRED M
342 N HAUCKSVILLE RD
HAMPSTEAD, MD 21074

01-44-26-01-00006.0070
OLYMPIC LAND TITLE CORP
14089 WILD MAJESTIC ST
ORLANDO, FL 32828

~~01-44-26-01-00009.0010~~
~~FIRST HOME BUILDERS OF FLORIDA~~
~~2503 DEL PRADO BLVD STE 300~~
~~CAPE CORAL, FL 33904~~

01-44-26-01-00009.0020
SAMUELS J B + THELMA
1679 S LAKE AVE APT 2
CLEARWATER, FL 34616

01-44-26-01-00009.0030
KUSALBA MICHAEL + FLORENCE
401 FRANKLIN AVE
SOUTH PLAINFIELD, NJ 07080

01-44-26-01-00009.0050
ZEBEDEE ENTERPRISES INC
2210 EMBASSY RD
NORTH PORT, FL 34286

~~01-44-26-01-00009.0060~~
~~FIRST HOME BUILDERS OF FLORIDA~~
~~2503 DEL PRADO BLVD STE 300~~
~~CAPE CORAL, FL 33904~~

01-44-26-01-00009.0070
FABBRINI GLADYS CAROL
12 COMET CT
PALM COAST, FL 32137

01-44-26-01-00009.0080
J + B PROPERTY GROUP INC
3351 N 40TH ST
HOLLYWOOD, FL 33021

01-44-26-05-00040.0010
EAGLE CONSTRUCTION + DEV INC
8777 BANYON COVE CIR
FORT MYERS, FL 33919

01-44-26-05-00041.0010
HOERR JUANITA M
3848 LAUREL VALLEY BLVD
ZEPHYRHILLS, FL 33542

01-44-26-05-00041.0020
QUANG LUULY
4925 SKATES CIR
FORT MYERS, FL 33905

01-44-26-05-00041.0030
MYSELS LEO V + ANNE
215 W NAOMI DR #5701
NAPLES, FL 34104

01-44-26-05-00041.0040
MACMILLAN ROBERT
44 BEDFORD ST
WALTHAM, MA 02453

01-44-26-05-00041.0050
MCILVAIN W R JR + BONNIE K
26564 CARPENTER ROAD
MILTON, DE 19968

01-44-26-05-00042.0010
BROWN ROY + REGINA H/W
5080 O'BANNON RD
FORT MYERS, FL 33905

01-44-26-05-00042.0020
BROWN ROY + REGINA H/W
5080 O'BANNON RD
FORT MYERS, FL 33905

01-44-26-05-00042.0030
BROWN ROY + REGINA H/W
5080 O'BANNON RD
FORT MYERS, FL 33905

01-44-26-05-00042.0040
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-05-00043.0010
MORRIS-PIARD JACQUELINE B
683 MONINGMIST LN
LEHIGH ACRES, FL 33936

01-44-26-05-00043.0020
COUNCELL B KEITH
11521 SHAWNEE RD
FORT MYERS, FL 33913

01-44-26-05-00043.0030
DANDRADE DENISE
432 E 116TH ST #4B
NEW YORK CITY, NY 10029

01-44-26-05-00043.0040
BLEY ELMER R + ANN
31080 MCKINNEY DR
FRANKLIN, MI 48025

01-44-26-05-00043.0050
HELLER ROBERTA TR
42-35 BELL BLVD 108
BAYSIDE, NY 11361

01-44-26-05-00043.0060
EAGLE CONSTRUCTION + DEV CORP
8777 BANYAN COVE CIR
FORT MYERS, FL 33919

01-44-26-05-00043.0070
BANKS GERALD S + KELLY A
20 LANCASTER FARM RD
SALEM, NH 03079

01-44-26-05-00043.0080
VANCAMP RONALD A
2801 TIMMINS
WYOMING, MI 49519

01-44-26-05-00044.0010
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-05-00044.0020
HELLER ROBERTA TR
42-35 BELL BLVD 108
BAYSIDE, NY 11361

01-44-26-05-00044.0030
ZAPATA WILLIAM + ROSA
10126 SW 144TH PL
MIAMI, FL 33186

01-44-26-05-00044.0040
JORDAN FINANCIAL LLP
3 NE LAGOON ISLAND CT
STUART, FL 34996

01-44-26-05-00045.0010
PAN REALTY INC
8192 COLLEGE PKWY STE 18
FORT MYERS, FL 33919

01-44-26-05-00045.0020
BAILEY MERTILINE +
3504 SKIPPER RD
SEBRING, FL 33875

01-44-26-05-00045.0030
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-05-00045.0040
BROWN CRAIG W TR
15281 TWELVE MILE RD
ROSEVILLE, MI 48066

01-44-26-05-00046.0010
DIONNE LEO V + LOIS E
3335 W WATER ST
PORT HURON, MI 48060

01-44-26-05-00046.0020
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-05-00046.0030
CLARK TREVOR S
13281 SW 8TH ST
DAVIE, FL 33325

01-44-26-05-00046.0040
AUSTIN JEFFREY C + DIANE
368 TIRRELL HILL RD
GOFFSTOWN, NH 03045

01-44-26-05-00047.0010
PECHANGCO GERRY M +
15358 SW 40TH TER
MIAMI, FL 33185

01-44-26-05-00048.0010
SALAMEH EMAD 1/2 INT
2249 CLEVELAND AV
FORT MYERS, FL 33901

01-44-26-05-00048.0020
INTERTRADE OF SW FLORIDA LLC
1217 CAPE CORAL PKWY E PMB#237
CAPE CORAL, FL 33904

01-44-26-05-00048.0030
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-05-00048.0040
SAVEY THEO J EST
2477 S BROADWAY
WELLSBURG, NY 14894

01-44-26-05-00048.0050
HOLLENKAMP MARY DEE +
6086 SANCTUARY GARDEN BLVD
PORT ORANGE, FL 32124

01-44-26-05-00048.0060
FRANZOSA ROBERT + M LOUISE
71 MOUNTAIN ASH DR
KINGSTON, MA 02364

01-44-26-05-00048.0070
FRANZOSA ROBERT + M LOUISE
71 MOUNTAIN ASH DR
KINGSTON, MA 02364

01-44-26-05-00048.0080
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-05-00048.0090
MORROW JAMES D + ANNA
2108 PRESIDIO AVE
MODESTO, CA 95355

01-44-26-05-00048.0100
MORROW J D + ANNA
CAROL MORROW BIZEMORE
2824 PASO ROBLES DR
MODESTO, CA 95350

01-44-26-05-00051.0010
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-05-00051.0020
MACHADO HEINAN JR +
PO BOX 495
MAYAGUEZ, PR 00681

01-44-26-05-00051.0030
WHITE CLIFFORD
P O BOX 54
11417 SUNNYSIDE
MOUNT BELVIEU, TX 77580

01-44-26-05-00051.0040
VANWAGNER ROBERT
6040 LACOTA AVE
FORT MYERS, FL 33905

01-44-26-05-00051.0050
PIERCE MICHAEL
98 W CONCORD ST #3
BOSTON, MA 02118

01-44-26-05-00051.0060
SARA HOMES INC
615 W CAPE CORAL PKWY STE 204
CAPE CORAL, FL 33914

01-44-26-05-00051.0070
LARC INC
2570 HANSON ST
FT MYERS, FL 33901

01-44-26-05-00051.0080
PREMIER PROPERTY OF CAPE CORAL
4235 SE 20TH PL C505
CAPE CORAL, FL 33904

01-44-26-05-00051.0090
PREMIER PROPERTY OF CAPE CORAL
4235 SE 20TH PL C505
CAPE CORAL, FL 33904

01-44-26-05-00051.0100
SWEARINGEN JOHN C
PO BOX 16621
WEST PALM BEACH, FL 33416

01-44-26-05-00054.0010
RYAN JOAN PER REP
2 TIMBER LN
TRAFFORD, PA 15085

01-44-26-05-00054.0020
HARRIS WESTON C + JACQUELINE A
5905 WASHINGTON ST #239
HOLLYWOOD, FL 33023

01-44-26-05-00054.0030
ALLISON DEBORAH
2016 SW 101ST LN
MIRAMAR, FL 33313

01-44-26-05-00054.0040
WALDRON ALBERTA
136 DOUGLAS ST NW
WARREN, OH 44483

01-44-26-05-00054.0050
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-05-00054.0060
RETAJCZYK LAUREL J
13 SPRUCE RUN RD
CLINTON, NJ 08809

01-44-26-05-00054.0070
TRAPP LAURENCE J SR
45 WESTWOOD TERR
SPRINGFIELD, IL 62702

01-44-26-05-00054.0080
KAPUT MARTIN T + MARIE
2017 WINSTON DR
STERLING HTS, MI 48310

01-44-26-05-00054.0090
DUGGAN MARY HELEN
607 W MAYWOOD AVE
PEORIA, IL 61604

01-44-26-05-00054.0100
BARTON DANIEL
2176 W OAKLAND PARK BLVD
FORT LAUDERDALE, FL 33311

01-44-26-05-00054.0110
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-05-00054.0120
MILLIGAN WM CAREY + MARY
1221 BONITA DR
PARK RIDGE, IL 60068

01-44-26-05-00054.0130
COMMOSIOUNG MITZILENA
11231 SW 9TH CT
PEMBROKE PINES, FL 33025

01-44-26-09-00089.0010
NEWMAN HOLDINGS LLC
3850 NORTH 40TH AVE
HOLLYWOOD, FL 33021

01-44-26-09-00089.0020
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-09-00090.0010
PATEL KANTILAL
3304 ISLER CT
GREENSBORO, NC 27407

01-44-26-09-00090.0020
SANTORO A + FILOMENA
1945 W RIVER DR
PENNSAUKEN, NJ 08110

01-44-26-09-00090.0030
MCDONALD DONALD P + ADELE
26 HARTFORD AVE
STATEN ISLAND, NY 10310

01-44-26-09-00090.0040
RAIA ANGELINA
3329 WILLIS DR
BIRMINGHAM, AL 35243

01-44-26-09-00091.0010
NGUYEN DUC
1611 CHARNITA COURT
VIENNA, VA 22182

01-44-26-09-00091.0020
HEKTER LISA CHRISTINE
729 E LAS ANIMAS ST
COLORADO SPRINGS, CO 80903

01-44-26-09-00091.0030
KARNES JOHN
14457 SOUTH 44TH ST
PHOENIX, AZ 85044

01-44-26-09-00091.0040
RK PROPERTIES LLC
11900 BISCAYNE BLVD STE # 503
MIAMI, FL 33181

01-44-26-09-00092.0010
AMOUDI AHMAD +
11508 E WHITTIER BLVD
WHITTLER, CA 90601

01-44-26-09-00092.0020
NGUYEN DUC
1611 CHARNITA CT
VIENNA, VA 22182

01-44-26-09-00092.0030
BABCOCK JEANETTE +
1253 ROSEWIND CIR
CASTLE ROCK, CO 80104

01-44-26-09-00092.0040
COORE TREVOR +
21 HEAVRIN CT
NOTTINGHAM, MD 21236

01-44-26-09-00093.0010
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-09-00094.0010
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-09-00094.0020
RICARDO RAUL E +
104 SE 45TH TER
CAPE CORAL, FL 33904

01-44-26-09-00094.0030
GAYLE MICHAEL O + MIRIAM A
12979 BIGGIN CHURCH RD S
JACKSONVILLE, FL 32224

01-44-26-09-00094.0040
MANGIPUDI KONDALARAO
AVNASH KHANNA
1243 NACHEZ TRACE APT C
MARIATTA, GA 30008

01-44-26-09-00094.0050
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

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01-44-26-09-00094.0060
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-09-00094.0070
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-09-00094.0080
MATTHEWS DENISE A
P O BOX 782
AVONDALE, AZ 41601

01-44-26-09-00094.0090
ROCHA TANIA G
10169 SERENE MEADOW DR N
BOCA RATON, FL 33428

01-44-26-09-00094.0100
SUNRISE COASTAL PROPERTIES INC
P O BOX 231163
OLD VILLAGE STATION
GREAT NECK, NY 11023

01-44-26-09-00094.0110
COLLINS LANCE W
2814 SW 47TH TER
CAPE CORAL, FL 33914

01-44-26-09-00094.0120
SIMONSON LEE + BRENDA
504 MORGAN DR
LEWISTON, NY 14092

01-44-26-09-00094.0130
GOODING TERRENCE NARESH
2750 NW44TH ST APT 505
OAKLAND PARK, FL 33309

01-44-26-09-00094.0140
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-09-00094.0150
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-09-00094.0160
RENSI GARY W + RITA
9748 GROSSE ILE PKWY
GROSSE ILE, MI 48138

01-44-26-09-00097.0010
U S A REAL ESTATE SOLUTIONS
1205 ELIZABETH ST STE F
PUNTA GORDA, FL 33950

01-44-26-09-00097.0020
FATH R J + EVELYN J
1150 DUTCH RIDGE RD
BEAVER, PA 15009

01-44-26-09-00097.0030
SCOTT THELMA R
9650 BOULDER ST
MIRAMAR, FL 33025

01-44-26-09-00097.0040
MERULLO RICHARD ALFRED
4 EDGECLIFF RD
WATERTOWN, MA 02172

01-44-26-09-00097.0050
TAX FREE STRATEGIES LLC
12853 BANYAN CREEK DR
FORT MYERS, FL 33908

01-44-26-09-00097.0060
HOLLEMKAMP MARY D
6086 SANCTUARY GARDEN BLVD
PORT ORANGE, FL 32128

01-44-26-09-00097.0070
GOKHALE SHRIPAD B + SHUBHADA S
5101 WISCONSIN AVE NW STE210
WASHINGTON, DC 20016

01-44-26-09-00097.0080
PARHAM GEORGE R + DORIS B
6435 CABIN CREEK RD
HURLOCK, MD 21643

01-44-26-09-00097.0090
VALANTASIS NANCY
1425 NEWFOUND HARBOR DR
MERRITT ISLAND, FL 32952

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01-44-26-09-00097.0100
RIVERO MANUEL
3170 SW 8TH ST
LOT J905
MIAMI, FL 33135

01-44-26-09-00097.0110
O HARRAH ELAINE J/T
411 GREENPORT DR
WEST CARROLLTON, OH 45449

01-44-26-09-00097.0120
YOULES MILDRED D
120 EMILY DR
BRUNSWICK, GA 31520

01-44-26-09-00097.0130
ZAMBETIS SHIRLEY ANN
5340 LINGER PL
YOUNGSTOWN, OH 44514

01-44-26-09-00097.0140
BROWN DIRT INVESTMENTS LLC
JAMES A MONTEROSSO
11815 WARBLER CT
NAPLES, FL 34119

02-44-26-01-00001.0010
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00001.0020
ROUSE GARY P + MARILYN P
7155 46TH AVENUE CIR E
BRADENTON, FL 34203

02-44-26-01-00001.0030
RAMOS ABEL Y + MARIA E
601 SARA AVE S
LEHIGH ACRES, FL 33971

02-44-26-01-00001.0050
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00001.0060
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00001.0070
SUNCOAST INVESTMENTS INC
PO BOX 990007
NAPLES, FL 34116

02-44-26-01-00003.0030
BLAZIER ROLLA 1/2 INT +
7620 LAUREL VALLEY RD
FORT MYERS, FL 33912

02-44-26-01-00003.0040
SMITH WAYNE T + JOAN C
19 MCKINLEY AV
LEHIGH ACRES, FL 33936

02-44-26-01-00004.0010
ERNANDES CARLOS + ELENA
401 WOODSIDE AVE
VERMILION, OH 44089

02-44-26-01-00004.0020
JOLIVETTE ARTHUR + THELMA TR
92 LONGWOOD CT
MARRERO, LA 70072

02-44-26-01-00004.0030
JOLIVETTE ARTHUR + THELMA TR
92 LONGWOOD CT
MARRERO, LA 70072

02-44-26-01-00004.0040
GROVES NEVA JOAN
121 STONEHOUSE DR
LYNCHBURG, VA 24502

02-44-26-01-00005.0010
ROSENQUIST OLIVER C
PO BOX 82
ASHFORD, CT 06278

02-44-26-01-00005.0020
CAPPS CHARLES L + SUSAN
12115 COBBLESTONE DR
FISHER, IN 46038

02-44-26-01-00006.0010
JULIANO MAUEL S JR + FE M
16 KAITLYN CT
ALISO VIEJO, CA 92656

02-44-26-01-00006.0020
TOSCANO SANTO + JACQUELINE
4 FEATHERLY CT
NEW CITY, NY 10956

02-44-26-01-00006.0030
TOSCANO SANTO + JACQUELINE
4 FEATHERLY CT
NEW CITY, NY 10956

02-44-26-01-00006.0040
TOSCANO SANTO + JACQUELINE
4 FEATHERLY CT
NEW CITY, NY 10956

02-44-26-01-00006.0050
TOSCANO SANTO + JACQUELINE
4 FEATHERLY CT
NEW CITY, NY 10956

02-44-26-01-00006.0060
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00006.0070
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00006.0080
MORRISON RONALD W
3208 GALIOT RD
VENICE, FL 34293

02-44-26-01-00006.0090
TAYLOR F + HILDA
789 SPRINGBROOK LN
EVANS, GA 30809

02-44-26-01-00006.0100
SHIMAMOTO AYISHA
1-8-30 TENMABASHI OAP TWR 1ST
MBE-121 KITA-KU
OSAKA-SHI OSAKA 530-6001,
JAPAN

02-44-26-01-00006.0110
RAMOS ANGEL E + MARELYS
3584 W FLORENTINE DR
CITRUS SPRINGS, FL 34433

02-44-26-01-00006.0120
CAMACHO WILLIAM H
2871 GOLDEN GATE BLVD E
NAPLES, FL 34120

02-44-26-01-00006.0130
TUTTLE JAMES A
28 HAPPY LN
FAIRVIEW, WV 26570

02-44-26-01-00006.0140
HIGBEE SYLVIA
4 FIDDLEWOOD CT
HOMOSASSA, FL 34446

02-44-26-01-00009.0010
YUELLS DAVID H
37 BALLSTON AVE
PAWTUCKET, RI 02861

02-44-26-01-00009.0020
KOTSOUR KARINA
1680 NE 191 ST #312-2
MIAMI, FL 33179

02-44-26-01-00009.0030
ROSE GRANT
5201 WILMINGTON CT
CAPE CORAL, FL 33904

02-44-26-01-00009.0040
IRVIN WM FRANKLIN + VIORA
735 S COURT ST
SULLIVAN, IN 47882

02-44-26-01-00009.0050
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00009.0060
MARKO MARIA
4845 18TH AVE SE
NAPLES, FL 34117

02-44-26-01-00009.0070
CULLISON B L
P O BOX 282
JACKSONVILLE, OH 45740

02-44-26-01-00009.0080
RAYBORN SAM
8145 GULL LN
FORT MYERS, FL 33912

02-44-26-01-00009.0090
REES JILL
6874 HATTERAS LN
LAKE WORTH, FL 33467

02-44-26-01-00009.0100
JEFFERIS M B + CHRISTEL
PO BOX 26454
COLORADO SPRINGS, CO 80936

02-44-26-01-00009.0110
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-01-00009.0120
SPITZ MARINA
1908 DEERCREST LN
NORTHBROOK, IL 60062

02-44-26-01-00009.0130
O BRIEN W M + ALICE
314 WASHINGTON AVE
CEDARHURST, NY 11516

02-44-26-01-00009.0140
FULLERTON D MARCIA
143 TOM EDWARDS DR
WHITBY, ON L1R 2S2
CANADA

02-44-26-01-00009.0150
ROSENBERG PAUL + DONITA CO TR
31516 AVENUE G
BIG PINE KEY, FL 33043

02-44-26-01-00009.0160
ROSENBERG PAUL + DONITA CO TR
31516 AVENUE G
BIG PINE KEY, FL 33043

02-44-26-05-00040.0010
ELLIS DOROTHY
7501 SUSAN AVE N
LEHIGH ACRES, FL 33971

02-44-26-05-00041.0010
ROBINSON J E + CATHERINE V
PO BOX 3464
PIKEVILLE, KY 41502

02-44-26-05-00041.0020
PARIAG GOODWIN J + SUSAN A
81 NW 189TH ST
MIAMI, FL 33169

02-44-26-05-00041.0030
PARIAG GOODWIN J + SUSAN A
81 NW 189TH ST
MIAMI, FL 33169

02-44-26-05-00041.0040
HARRIOTT BYRON
3363 SPANISH MOSS TR
LAUDERHILL, FL 33319

02-44-26-05-00042.0010
MYERS MARSHALL M + BETTY F
P O BOX 1710
EUREKA, MT 59917

02-44-26-05-00042.0020
LANE MYRTLE M
KAREN LANE EXEC
126 VARSITY CIR
ALTAMONTE SPRINGS, FL 32714

02-44-26-05-00042.0030
RODRIGUEZ CHARLS +
126 PINE LN
LEHIGH ACRES, FL 33971

02-44-26-05-00042.0040
NOTESTINE PHILIP S
22 YORKE RD
MOUNTAIN LAKES, NJ 07046

02-44-26-05-00043.0010
NICKEL GEORGE B +
1103 OBSERVATORY DR
ORLANDO, FL 32818

02-44-26-05-00043.0020
GOLD IN NAPLES INC
580 11TH ST NORTH
NAPLES, FL 34102

02-44-26-05-00043.0030
GOLD IN NAPLES INC
580 11TH ST NORTH
NAPLES, FL 34102

02-44-26-05-00043.0040
ANOZARD TIALLY
2647 ACAPULCO DR
MIRAMAR, FL 33023

02-44-26-05-00044.0010
FLEURY ELEANOR
2628 MONTGOMERY AVE NW
WARREN, OH 44485

02-44-26-05-00044.0020
FLEURY ELEANOR
2628 MONTGOMERY AVE NW
WARREN, OH 44485

02-44-26-05-00045.0010
HARVEY ENID M
5735 PEMBROKE RD
HOLLYWOOD, FL 33023

02-44-26-05-00045.0020
ALI KAHLIL J
115 SOUTHEAST 24TH ST
CAPE CORAL, FL 33990

02-44-26-05-00046.0010
WITTMAN SHIRLEY M
C/O MRS LEE J LOVENTHAL III
6973 RIDGE MANOR AV
SAN DIEGO, CA 92120

02-44-26-05-00046.0020
VILLALOBOS JAMES + MARY
8216 GOLD MINE CT
FREDERICKSBURG, VA 22407

02-44-26-05-00046.0030
STARK HAROLD B + MILDRED N
7909 SUGAR CREEK RD
LIMA, OH 45801

02-44-26-05-00046.0040
PIERCE MICHAEL +
98 W CONCORD ST #3
BOSTON, MA 02118

02-44-26-05-00046.0050
SCHULTZ LAWRENCE H + WANDA G
3680 POCHERT RD
PORT HOPE, MI 48468

02-44-26-05-00046.0060
STREETY ASTELLA
19155 ILENE ST
DETROIT, MI 48221

02-44-26-05-00046.0070
MOERS ALLEN E
1320 HARRIET ST
EVANSVILLE, IN 47710

02-44-26-05-00046.0080
KEOHANE M
16650 MCGREGOR BLVD #103
FT MYERS, FL 33908

02-44-26-05-00046.0090
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-05-00046.0100
ALAM EDITH
76 UPPER MAIN ST APT 6
SHARON, CT 06069

02-44-26-05-00046.0110
COOK GARY B
P O BOX 432
LIVERMORE FALLS, ME 04254

02-44-26-05-00046.0120
RIVER EDGE PLANTATION CO INC
203 LEROY AVE
LEHIGH ACRES, FL 33972

02-44-26-05-00046.0130
RODRIGUEZ BENNY A +
296 COVERT ST
BROOKLYN, NY 11237

02-44-26-05-00046.0140
HERNANDEZ NILZA R
724 ROUND TABLE DR
LAS VEGAS, NV 89110

02-44-26-05-00046.0150
HALLER FREDERICK R + SALLY N
102 TALBOT AVE
CAMBRIDGE, MD 21613

02-44-26-05-00046.0160
SORENSEN LASSE F + MARYJANE B
17107 N US HWY 51
DESOTO, IL 62924

02-44-26-05-00046.0170
SORENSEN LASSE F + MARYJANE B
17107 N US HWY 51
DESOTO, IL 62924

02-44-26-05-00046.0180
REVOIR JAMES A
305 W 5TH ST
CORBIN, KY 40701

02-44-26-05-00046.0190
JONES DENNIS D SR
2616 TRAVERSE AVE
NORTH PORT, FL 34286

02-44-26-05-00046.0200
CAPITOL DEVELOPMENT INC
1819 MAIN ST STE 1100
SARASOTA, FL 34236

02-44-26-05-00049.0010
LACHIANA JOSEPH
7101 HANKS LN
MARION, IL 62959

02-44-26-05-00049.0020
TUMM DALE E + OLGA
2326 LONGLEAF LN
AUGUSTA, GA 30906

02-44-26-05-00049.0030
LOWENHAUPT MARGARET
C/O LEWIS M TURBYFILL
311 9TH ST
BLACK MOUNTAIN, NC 28711

02-44-26-05-00049.0040
LOWENHAUPT MARGARET
C/O LEWIS M TURBYFILL
311 9TH ST
BLACK MOUNTAIN, NC 28711

02-44-26-05-00049.0050
TUMM D + OLGA
2326 LONGLEAF LN
AUGUSTA, GA 30906

02-44-26-05-00049.0060
TUMM D + OLGA
2326 LONGLEAF LN
AUGUSTA, GA 30906

02-44-26-05-00049.0070
U S A REAL ESTATE SOLUTIONS
1205 ELIZABETH ST STE F
PUNTA GORDA, FL 33950

02-44-26-05-00049.0080
PUENTES RONALD
4601 NW 207TH DR
MIAMI, FL 33055

02-44-26-05-00049.0090
ADRIAANSEN LESLIE I + PHYLLIS
7084 TUCKAHOE RD
WILLIAMSON, NY 14589

02-44-26-05-00049.0100
CALAFATIS NICHOLAS
165 CHICHESTER RD
EDMONTNON
LONDON N99DF,
UNITED KINGDOM

02-44-26-05-00049.0110
KONCHAN EILEEN C
6015 LUELDA AVE
PARMA, OH 44129

02-44-26-05-00049.0120
MARCINKOWSKI PIOTR
3302 74TH ST W
LEHIGH ACRES, FL 33971

02-44-26-05-00049.0130
PINTER R C
JOYCE GEHRKE
13154 PARKWAY RD
POUND, WI 54161

02-44-26-05-00049.0140
SCHMITT SGM CARL JR + RUTH
14400 W CLEVELAND AVE
NEW BERLIN, WI 53151

02-44-26-05-00049.0150
SCHMITT SGM CARL JR + RUTH
14400 W CLEVELAND AVE
NEW BERLIN, WI 53151

02-44-26-05-00049.0160
TUMM D + OLGA
2326 LONGLEAF LN
AUGUSTA, GA 30906

02-44-26-05-00049.0170
SHAMOUELIAN RAHMATOLLAH
ZECA MANAGEMENT
840 E OAKLAND PARK BLVD STE 1
FORT LAUDERDALE, FL 33334

02-44-26-05-00049.0180
FIGUEROA VICTOR A
PO BOX 11084
SAN JUAN, PR 00922

02-44-26-05-00049.0190
MCCARTHY GEORGE W JR
111 WORTH ST #7A
NEW YORK, NY 10013

02-44-26-05-00049.0200
SWEENEY PATRICK J JR
RAY V HAZER III
41 RIFLE CT
WINFIELD, MO 63389

02-44-26-09-00080.0010
REDBERG LUELLA K EST
JANICE GUERRINI
PO BOX 154
SPRING VALLEY, IL 61362

02-44-26-09-00080.0020
HARVEY ENID M
5735 PEMBROKE RD
HOLLYWOOD, FL 33023

02-44-26-09-00081.0010
LIGHT MICHAEL
2624 SW 37TH TER
CAPE CORAL, FL 33914

02-44-26-09-00081.0020
MILLER WILLIAM J
3425 SW 2ND AVE
CAPE CORAL, FL 33914

02-44-26-09-00082.0010
PETERSON ERIK
3830 7TH ST SOUTH
ARLINGTON, VA 22204

02-44-26-09-00083.0010
JEHLEN RICHARD ARTHUR
3430 YUKON DR
PORT CHARLOTTE, FL 33948

02-44-26-09-00083.0020
JASMATT INC
PO BOX 2014
LEHIGH ACRES, FL 33936

02-44-26-09-00083.0030
OCARROLL JOHN + BARBARA
117 BUSSELL RD
STATESVILLE, NC 28677

02-44-26-09-00083.0040
BURDAN H HENRY + CLARA S
C/O DANIEL WEIDNER POA
583 VADER HILL RD
COUDERSPORT, PA 16915

02-44-26-09-00083.0050
GERAD CHARLES
9022 TRIPHAMMER RD
LAKE WORTH, FL 33463

02-44-26-09-00083.0060
GERAD CHARLES
6022 TRIPHAMMER RD
LAKE WORTH, FL 33463

02-44-26-09-00083.0070
BOURGOIN VICTOR +
222 FLORENCE AVE
ROCHESTER, NY 14616

02-44-26-09-00083.0080
KUSHNER DAVID + MARIE
1235 NW 19TH TERR
DELRAY BEACH, FL 33445

02-44-26-09-00083.0090
FARRELL JAMES T + SHIRLEY A
1518 NW 29TH PL
CAPE CORAL, FL 33993

All data is current at time of printing and subject to change without notice.

02-44-26-09-00083.0100
FARRELL JAMES T + SHIRLEY A
1518 NW 29TH PL
CAPE CORAL, FL 33993

02-44-26-09-00083.0110
SARDINA JODIANN
70 OAK LANE
STATEN ISLAND, NY 10312

02-44-26-09-00083.0120
SARDINA DOMINICK
70 OAK LANE
STATEN ISLAND, NY 10312

02-44-26-09-00084.0010
LAMPE JUDITH M + CLEMENS J J/+
2343 ST JOSEPH
ARNOLD, MO 63010

02-44-26-09-00084.0020
BUDINICH MARIO + BARBARA E
1008 MARYLAND AVE
CROYDON, PA 19021

02-44-26-09-00084.0030
BUDINICH MARIO + BARBARA E
1008 MARYLAND AVE
CROYDON, PA 19021

02-44-26-09-00084.0040
CHESTER RAY A
2540 COUNTY ROAD 57
DOUBLE SPRINGS, AL 35553

02-44-26-09-00084.0050
HO STEVE +
4120 W BEACH BLVD
GULFPORT, MS 39501

02-44-26-09-00084.0060
FOWLER DONALD L +
220 S OHIO ST
STATE LINE, IN 47982

02-44-26-09-00084.0070
JASMATT INC
PO BOX 2014
LEHIGH ACRES, FL 33970

02-44-26-09-00084.0080
GORDON KENNETH + CECILE
929 NW 161ST AVE
PEMBROKE PINES, FL 33028

02-44-26-09-00084.0090
GLAAB PAUL EDWARD TR +
275 BIG VALLEY SPUR
GEORGETOWN, TX 78628

02-44-26-09-00084.0100
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-09-00084.0110
HARKINS JAMES T
40 MARPLE AVE
CLIFTON HEIGHTS, PA 19018

02-44-26-09-00084.0120
WILSON RICHARD + LINDA
153 STUART AVE
LEOMINSTER, MA 01453

02-44-26-09-00084.0130
GREER GOLDIE D
1620 MAYFLOWER CT #A-521
WINTER PARK, FL 32792

02-44-26-09-00084.0140
CRUZ HUGO A + NANCY
1287 NW 123 TER
PEMBROKE PINES, FL 33026

02-44-26-09-00084.0150
WALES KAREN U
P O BOX 3089
POINT PLEASANT, NJ 08742

02-44-26-09-00084.0170
DIAZ BEATRIZ
113 AVENUE G
KEY WEST, FL 33040

02-44-26-09-00084.0180
TAYLOR CLYDE B + MARGARET J
C/O MARGARET FLAURNOY
916 PLEASANT AV
DECORAH, IA 52101

All data is current at time of printing and subject to change without notice.

02-44-26-09-00084.0190
TAYLOR C B + MARGARET
C/O MARGARET FLAURNOY
2202 TWIN SPRINGS RD
DECORAH, IA 52101

02-44-26-09-00084.0200
MOKSNES MARK + PAMELA
9381 KIOWA TRL
CHANHASSEN, MN 55317

02-44-26-09-00087.0010
VANDERBILT DEVELOPMENT GRP LLC
PAMCO INC
5683 STRAND CT
NAPLES, FL 34110

02-44-26-09-00087.0020
OBERUCH HELEN EST
1321 SQUIRREL RD
WALL, NJ 07719

02-44-26-09-00087.0030
VALENTIN D + ANGELICA
HANCE M & HAYDEE
PO BOX 662
MERCEDITA, PR 00715-

02-44-26-09-00087.0040
JENKINS GLEN A + JUNE
820 SUNSET DR
SULLIVAN, IL 61951

02-44-26-09-00087.0050
FERNANDEZ MAYRA E +
2210 SW 67TH LN
MIRAMAR, FL 33023

02-44-26-09-00087.0060
CLARKE KENNETH
3600 S STATE RD 3
MIRAMAR, FL 33023

02-44-26-09-00087.0070
ROWLAND LEO + JANE
5822 SAINT ANGELA DR
CHARLESTON, SC 29418

02-44-26-09-00087.0080
RADISH DANIEL A + KYLE M
2008 FARMINGTON TURN
WESTLAKE, OH 44145

02-44-26-09-00087.0090
SWORDS GEORGE L + MARCIA J
4117 N TOWNHOUSE RD
HANNA CITY, IL 61536

02-44-26-09-00087.0100
SWORDS GEORGE L + MARCIA J
4117 N TOWNHOUSE RD
HANNA CITY, IL 61536

02-44-26-09-00087.0110
NIBECK STUART TR+
2210 ALDER DR
ANCHORAGE, AK 99508

02-44-26-09-00087.0120
THIRTLE MARCY
11640 RUDEN RD
NORTH FORT MYERS, FL 33917

02-44-26-09-00087.0130
MENDEZ OSVALDO A
382 W 36TH TER
HIALEAH, FL 33012

02-44-26-09-00087.0140
CARD GEORGE + MARILYN
3915 GLADING DR
SAN DIEGO, CA 92154

02-44-26-09-00087.0150
TIGHE J S + ANN
PO BOX 31086
OMAHA, NE 68131

02-44-26-09-00087.0160
KIGER EDWARD ETAL
NANCY CUTKA
4037 E SAILING CT
PHOENIX, AZ 85044

02-44-26-09-00090.0010
GIANNOMOROS KOSTAS + PANAYIOTA
181 SW 75TH TERR
MARGATE, FL 33068

02-44-26-09-00090.0020
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-09-00090.0030
B N V INVESTMENTS INC
PO BOX 5271
HIALEAH, FL 33014

02-44-26-09-00090.0040
HAUGHTON VALERIE
3107 75TH ST W
LEHIGH ACRES, FL 33971

02-44-26-09-00090.0050
SITTENFELD ERNEST +
4933 TAMIAMI TRAIL
NAPLES, FL 34103

02-44-26-09-00090.0060
HOWARD JOSEPH G + LINDA J
623 SW 53RD TER
CAPE CORAL, FL 33914

02-44-26-09-00090.0070
HEITKAMP MARK CARL
7922 RIO GRANDE DR
CLEVES, OH 45002

02-44-26-09-00090.0080
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-09-00090.0090
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-09-00090.0100
MAYFIELD G K + MARIE
PO BOX 304
OKOLONA, MS 38860

02-44-26-09-00090.0110
MAYFIELD G K + MARIE
PO BOX 304
OKOLONA, MS 38860

02-44-26-09-00090.0120
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-09-00090.0130
MORRIS WILLIAM
15661 FREMONT RD
GRASS VALLEY, CA 95949

02-44-26-09-00090.0140
CLARK JOHN P + MARY B
PO BOX 112
VICTORIA, IL 61485

03-44-26-04-00016.0120
PLEDGER CINDY +
5401 TICE ST
FORT MYERS, FL 33905

03-44-26-04-00016.0130
FREEMAN ALTHEA
4500 NW 39TH ST
LAUDERDALE LAKES, FL 33319

03-44-26-04-00016.0140
ASHLEY CHRISTOPHER + LINDA
3706 HYDE PARK DR
FORT MYERS, FL 33905

03-44-26-04-00016.0150
PLEDGER CINDY +
5401 TICE ST
FORT MYERS, FL 33905

03-44-26-04-00016.0160
STONER W L + DARLENE J
6309 CHESHAM AVE NE
NORTH CANTON, OH 44721

03-44-26-04-00019.0010
WATSON VALERIE A
3055 RIVERWOOD HTS DR
PORT HURON, MI 48060

03-44-26-04-00019.0020
ATLESKI VOJO + SUSAN R
4248 ALLEGHENY DR
STERLING HEIGHTS, MI 48314

03-44-26-04-00019.0210
KATSIKAS GEORGE + KATHERINE
405 REDWOOD ST
HARRISBURG, PA 17109

All data is current at time of printing and subject to change without notice.

03-44-26-04-00019.0220
REED TINA L +
7653 MCMILLIAN RD
KNOVILLE, TN 37914

03-44-26-04-00020.0010
BULLOCK ROBERT J + BARBARA E
6-316 JACOB ST
NEW HAMBURG, ON N3A 1C2
CANADA

03-44-26-04-00020.0020
BULLOCK ROBERT J + BARBARA E
6-316 JACOB ST
NEW HAMBURG, ON N3A 1C2
CANADA

03-44-26-04-00020.0030
BONSAI INVESTMENTS INC
4322 CHIQUITA BLVD S
CAPE CORAL, FL 33914

03-44-26-04-00020.0040
LUULY REALTY INVESTMENT INC
4925 SKATES CIRCLE SE
FORT MYERS, FL 33906

30-43-27-00-00001.0020
LEE COUNTY
P O BOX [illegible]
FORT MYERS, FL 33902

31-43-27-00-00001.0020
LEE COUNTY
P O BOX [illegible]
FORT MYERS, FL 33902

31-43-27-00-00001.0030
EAST COUNTY WATER CONTROL DIST
601 EAST COUNTY LN
LEHIGH ACRES, FL 33936

06-44-27-16-00300.0010
BOBBY RICHARD J + JUDITH A
7207 BILLIE LN
LOUISVILLE, KY 40219

06-44-27-16-00300.0020
STALLARD ROBERT A + LOIS J
5111 GREENSBURG RD
APOLLO, PA 15613

06-44-27-16-00301.0070
STINGONE ANTHONY DOMINIC
31801 SW 195 AVE
HOMESTEAD, FL 33030

06-44-27-16-00301.0080
GRADY PENNIE JILL
314 BROOKWAY WEST DR
LEWISVILLE, NC 27023

Levitt and Sons at Hawk's Haven
ATTN: Jeffrey Hoyos
777 Glades Road, Suite 410
Boca Raton, FL 33434

The School District of Lee County
ATTN: Bill Moore
3800 Canal Street
Fort Myers, FL 33916

Hawk's Haven Deloper, LLC
2202 North West Shore Boulevard
Suite 125
Tampa, FL 33607

Mr. Matt Uhle
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Suite 301
Fort Myers, FL 33901

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Dawn Lehnert, Asst County Attorney
DS Reviewer - Bob Rentz
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Tony Palermo

DATE: 05/23/2005

PROJECT NAME: RIVER HALL(F.K.A HAWKS HAVEN)

CASE #: DCI2004-00054

INFORMATION SUMMARY:

_X_ To update your file
Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 05/27/2005

Additional Comments:

June 15 HEX, New MCP and paperwork. CPD/RPD

cc: DCI planner/working file
DCI Zone File

Distributed by: Luisa V Villa

Date: 05/24/2005

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS-AT-LAW

RECEIVED
MAY 23 2005
PERMIT COUNTER

George H. Knott *+
George L. Consoer, Jr.**
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MRoeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

MEMORANDUM

TO: Tony Palermo

FROM: Mike Roeder

DATE: May 23, 2005

RE: Hawk's Haven / DCI2004-00054

Tony, attached please find the revised documents and plans for the above referenced case. We are in the process of preparing the property development regulations, and will submit them as soon as they have been completed. If you have any questions or request additional information, please do not hesitate to contact us. Thank you.

MER/ams
Attachments

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
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Ray Judah
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Tammy Hall
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John E. Albion
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Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

May 16, 2005

Mr. Matt Uhle, Esq.
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Suite 301
Fort Myers, FL 33901

Re: Agenda Schedule for River Hall formally known as Hawks Haven RPD
Case No. DCI2004-00054

Dear Mr. Uhle:

Your zoning request has been scheduled before the Hearing Examiner on June 15, 2005, at 10:00 a.m. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Be advised all exhibits presented to Hearing Examiner will be retained for the records. The Hearing Examiner encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy.

Your zoning sign will be ready for pickup any time after May 18, 2005, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than May 31, 2005, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Luisa V. Villa
Administrative Assistant

cc: Hawk's Haven Developer's , L.L.C.
Levitt and Sons at Hawk's Haven, L.L.C.
The School District of Lee County
Mr. Tony Palermo, Senior Planner
Zoning File

U:\200505\DCI20040.005\4\APPLICANT LETTER.WPD

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS-AT-LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

muhle@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

MEMORANDUM

TO: Tony Palermo

FROM: Matthew D. Uhle

DATE: May 2, 2005

RE: Hawk's Haven / DCI2004-00054

Attached please find 2 sets of updated mailing labels per your request. If you have any questions or request additional information, please do not hesitate to contact me.

MDU/ams

RECEIVED
MAY 03 2005
PERMIT COUNTER

DCI 2004 00054

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst County Attorney
DS Reviewer - Bob Rentz
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Tony Palermo

DATE: 04/15/2005

PROJECT NAME: HAWKS HAVEN RPD

CASE #: DCI2004-00054

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 04/25/2005

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jodi M Payne

Date: 04/15/2005

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
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Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

Writer's Direct Dial Number: (239) 479-8325

April 15, 2005

MR MATTHEW D. UHLE
KNOTT CONSOER
1625 HENDRY ST
FT. MYERS, FL 33901

Re: HAWKS HAVEN RPD
DCI2004-00054 - PDA Application (PD Amendment)

Dear MR MATTHEW D. UHLE :

The Zoning Division has reviewed the information provided and supplemented for the rezoning request referenced above. The application is now sufficient and the formal request has been drafted from your application as follows:

> Amend Resolution #Z-99-056 & ADD2004-00067, Hawk's Haven Residential Planned Development (RPD) to permit an additional 148 acres and 400 dwelling units. As amended the request is for 1,999 dwelling units (single- and multi-family) with a golf course on +/- 1,946.03 acres of land. Maximum height is 45 feet/3 stories stories for residential and 60 feet/3 stories for other recreational buildings. No development blasting is requested.
>
> NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

Please review this language carefully, and notify me in writing by April 29, 2005 whether or not this wording is satisfactory. Staff's substantive comments, along with the staff report, are being prepared. This request has been tentatively scheduled for public hearing before the Lee County Hearing Examiner on June 15, 2005. However, please note that this is a tentative date that is subject to change and that Lee County will be held harmless for any potential delay in effectuating compliance with the tentative hearing date.

You may schedule or waive a formal pre-hearing conference to discuss substantive issues. Contact me if you have any questions or if you would like to meet informally prior to the public hearings.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Tony Palermo
Senior Planner

copy w/o attachments
- Joan Henry, Assistant County Attorney
- DS Reviewer - Bob Rentz
- Pamela Houck, Division Director
- Paul O'Connor, Planning
- Kim Trebatoski, Environmental Sciences
- Roland Ottolini, Natural Resources
- Andy Getch, LCDOT
- Tina Silcox, Lee County School District
- Jamie Princing, DCD Admin
- DCI Zoning File
- DCI Working File

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst County Attorney
DS Reviewer - Bob Rentz
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Tony Palermo

DATE: 03/31/2005

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: HAWKS HAVEN RPD

CASE #: DCI2004-00054

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 04/14/2005

Additional Comments:

Sufficiency

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Luisa V Villa

Date: 04/01/2005

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS-AT-LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MUhle@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

RECEIVED
MAR 31 2005
BY

March 31, 2005

Mr. Tony Palermo
Lee County Division of Zoning
P.O. Box 398
Fort Myers, FL 33902

Re: Hawks Haven/Response to March 15, 2005 Sufficiency Letter - DCI2004-00054

Dear Tony:

Please consider the following our responses to your latest sufficiency letter:

Legal Requirements Sufficiency Checklist

6a): The requested 4 copies of the legal description on 8.5 x 11 pages are included in the package.

Planned Development Checklist

21)1: See above for the response regarding the legal description.

21)2: This was provided previously. Another copy of the minutes is included in the package.

21)3: The proposed RPD amendment only adds 400 units to the project. A school site was already conveyed to the School Board. The project will also pay impact fees.

County Attorney 1: A revised exhibit to the agricultural affidavit is included in the resubmittal package.

County Attorney 2: The DRI threshold will not be exceeded for two reasons. First of all, the threshold is now 3,000 units. Second, the project is a mixed use development, and the 80 percent threshold no longer exists in the statute, so it was not a DRI even under the old 2,000 unit standard.

Miscellaneous Items

2): This item does not require a response.

Sincerely,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.

Matt Uhle

Matthew D. Uhle

MDU/zw

cc: Jim Harvey
Grady Miars
Greg Morris
Tom Holmlund

DCI2004-00054

RECEIVED
MAR 3 1 2005

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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District One

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District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

Writer's Direct Dial Number: (239) 479-8325

April 11, 2005

MR MATTHEW D. UHLE
KNOTT CONSOER
1625 HENDRY ST
FT. MYERS, FL 33901

Re: HAWKS HAVEN RPD
DCI2004-00054 - PDA Application (PD Amendment)

Dear MR MATTHEW D. UHLE :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Tony Palermo
Senior Planner

The AG comment from the County Attorney's Office is the sole sufficiency issue remaining.

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Jamie Princing, DCD Admin
~~Joan Henry~~, Assistant County Attorney (DAWN Lehnert)
Bob Rentz, Development Review
DCI Zoning File
DCI Working File

Lee County Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

The Ag affidavit and exhibit remain insufficient. The affidavit states that "a portion of the property is currently being used, and has historically been used, for cattle grazing". The "map" or Ag exhibit provided depicts the entire parcel being rezoned. There is no identification of the area or portion that is currently being used for cattle grazing (the use of the property is also not stated on the exhibit as required by the LDC). Please h revise the affidavit exhibit so that is supports the statement made in the affidavit.

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS-AT-LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

AStowe@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

MEMORANDUM

TO: Luis Machado

FROM: Alison Stowe

DATE: March 15, 2005

RE: Hawks' Haven Comp Plan Amendment / CPA2004-00010

Luis, attached please find 4 copies of the legal description on 8.5 x 11, as you requested, for the above referenced case. If you have any questions or request additional information, please do not hesitate to contact me.

/ams
Enclosures

RECEIVED
4:10 Am
MAR 16 2005
PERMIT COUNTER

DCI 2004-00054

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst County Attorney
DS Reviewer - Bob Rentz
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Tony Palermo

DATE: 02/25/2005

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: HAWKS HAVEN RPD

CASE #: DCI2004-00054

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 03/11/2005

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Luisa V Villa

Date: 02/28/2005

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS-AT-LAW

George H. Knott *+
George L. Consoer, Jr.**
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MUhle@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

RECEIVED
FEB 25 2005
PERMIT COUNTER

February 23, 2005

Mr. Tony Palermo
Lee County Division of Zoning
P.O. Box 398
Fort Myers, FL 33902

DCI 2004-00054

Re: Hawks Haven RPD
DCI2004-00054

Dear Tony:

Please consider this our response to your November 12, 2004 sufficiency letter:

1. 6a): The additional acreage is being included in the revised application. As a result, we are providing the following documents: a revised MCP; a revised survey; an additional species survey addressing the added property; and revised pages of the application form. We have also added two deviations, which have been identified on the MCP and justified.

2. County Attorney item 1: The incorrect note on the MCP has been revised.

3. County Attorney item 2: F.S. 380.06 was amended about two years ago to eliminate the acreage threshold for commercial uses, so the analysis in the sufficiency letter is incorrect. In addition, the DRI threshold for Lee County has been increased to 3,000 units. As a result, no changes to the MCP are necessary.

4. County Attorney item 3: The Town Center uses were analyzed in the last sufficiency response.

5. Miscellaneous item: No response is required to this item.

Sincerely,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.

Matt Uhle

Matthew D. Uhle

MDU/zw

Enclosures

cc: Jim Harvey
Grady Miars
Carl Barraco
Ted Treesh
Greg Morris
Ken Passarella

DCI 2004-00054

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FEB 25 2005
PERMIT COUNTER

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

Writer's Direct Dial Number: 239-479-8325

November 12, 2004

MR MATTHEW D. UHLE
KNOTT CONSOER
1625 HENDRY ST
FT. MYERS, FL 33901

Re: HAWKS HAVEN RPD
DCI2004-00054 - PDA Application (PD Amendment)

Dear MR MATTHEW D. UHLE :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Tony Palermo
Senior Planner

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Dawn Lehnert, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Jamie Princing, DCD Admin
Susan Hollingsworth, Development Review
DCI Zoning File
DCI Working File

Legal Requirements Sufficiency Checklist

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

As per second sufficiency response letter dated Oct 26, 2004 - The applicant stated that is in the process of acquiring additional property that will be included in the application ASAP. If so, please provided Staff with a revised legal, survey, application and all applicable exhibits.

8) Contact. The Planner may be contacted regarding any questions on this Checklist.

Please contact Luis G. Machado, Planning Technician / Zoning at (239) 479-8485 or e-mail: lmachado@leegov.com

Lee County Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

TONY PALERMO #239-479-8325

21) Miscellaneous Items.

County Attorney Comments.

1. The MCP incorrectly identifies the property as AG-2 lands. Most of the project is already zoned RPD, only 148 acres is currently AG-2.

2. The MCP identifies a new Town Center component. The schedule of uses appears to contemplate a number of potential retail commercial uses (potentially limited to 20,000sf in accord with a note). The addition of this commercial component raises the question of tripping the DRI threshold. The potential allocation of acreage between office/commercial uses is not clear. Consequently, assuming all 24 acres are developed as commercial retail (and without allocating a portion of the open space/roads/water management areas contemplated by the project to support the commercial) the two uses add up to 159.95% of the DRI mixed use threshold. This being the case, the developer has a choice: (1) reduce the intensity of the development below the DRI threshold, or, (2) file an ADA.

3. The TIS filed in July does not address the Town Center uses added by the most recent submittal.

2) Miscellaneous Items.

As part of a regional stormwater improvement, provisions for conveying stormwater from the East Lee County Water Control District through this project toward the Caloosahatchee is under consideration and review. The South Florida Water Management District will be the authoritative agency in this matter, but may be reflected in conditions for this zoning. Contact Brad Vance @ 479-8132.

ZONING DIVISION
LEE COUNTY

PLANNED DEVELOPMENT SUFFICIENCY REVIEW

TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst County Attorney
DS Reviewer - Susan Hollingsworth
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Tony Palermo

DATE: 10/26/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: HAWKS HAVEN RPD

CASE #: DCI2004-00054

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 11/09/2004

Additional Comments:

2nd sufficiency

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 10/27/2004

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS-AT-LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MUhle@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

October 26, 2004

RECEIVED
OCT 26 2004
mkw.
PERMIT COUNTER

Mr. Tony Palermo
Lee County Division of Zoning
P.O. Box 398
Fort Myers, FL 33902

Re: Hawks Haven RPD Amendment; DCI2004-00054

Dear Tony:

Our responses to your August 11 sufficiency letter are as follows:

ENVIRONMENTAL SCIENCES CHECKLIST

2) A protected species survey encompassing the entire project is attached.

3) See 2) above.

5) The open space calculations have been adjusted in accordance with your direction. The project, even excluding the single-family lots, exceeds the LDC requirements for general and indigenous open space.

9) The MCP has been revised to show the Type D buffer along S.R. 80.

12) While the project will certainly be phased, its size and complexity preclude the possibility of showing specific phase lines on the plan. The applicant understands that a condition will be imposed which ties the surrender of portions of the existing agricultural exemption to approvals for individual development orders.

LEGAL REQUIREMENTS CHECKLIST

1a1) James P. Harvey signed the form affidavit on behalf of the applicant, not Matthew D. Uhle. The LDC does not require that agents provide written authorizations.

RECEIVED
OCT 26 2004
PERMIT COUNTER

7) The summary of the informational meeting is attached.

TIS CHECKLIST

Attached please find a revised TIS which responds to all of the comments in the sufficiency letter.

COUNTY ATTORNEY COMMENTS

1. The financial disclosure forms correctly identify parent companies as being the 100 percent owners of the entities which own Hawks Haven. The LDC does not require the disclosure of the individual stockholders of the parent companies.

2. A revised agricultural affidavit is attached.

3. It is not necessary for the applicant to actually create the easement into the Hofmeister property as part of this rezoning. The other parcel to the north of Hawks Haven already has legal access to Hickey Creek Road and does not, therefore, require access through Hawks Haven. The Hofmeister access point has been shown on the MCP.

4. The MCP has been revised to show all easements and rights-of-way.

ZONING COMMENTS

1. The wording of the advertisement is accurate.

2. The applicant conveyed property within Hawks Haven to the School Board before it was in its best interests to do so in order to accommodate the School Board's desire to open an elementary school in the Buckingham area by the 2005-2006 school year. The impacts of this project on the School District will be mitigated through the payment of impact fees.

3. The MCP has been revised in accordance with your request.

4. The listed items have been removed from the MCP.

5. The FLUM categories have been added to the MCP.

6. The information that was previously included on a separate exhibit has been added to the MCP. The width of the canal is also included.

DCI2004-00054

RECEIVED
OCT 26 2004
PERMIT COUNTER

7. The acreage of the two parcels in question is shown on the MCP.

8. The access agreement is attached.

9. The current approved density of the project is .88 units per acre. If the amendment is approved as requested, the new density will be slightly less than 1.03 units per acre.

10. All of these items were discussed during our September 2 meeting. In brief:

    a. Hawks Haven was the first large golf course community approved in the eastern part of the county. The principal issue during the public hearings in 1999 involved the staff's desire to include a second access through Lehigh Acres and the community's opposition to any access on Hickey Creek Road. The Hearing Examiner and the Board of County Commissioners addressed the second access point by requiring a study when the project hit a specified number of units. Density, as such, was not an issue during the hearings, and the applicant agreed with all of the numerous conditions involving the golf course. Finally, a condition was added which essentially created a rebuttable presumption that the landlocked parcels within the project must be provided with minimal legal access.

    b. The project has an ERP and a permit from the ACOE. Preservation areas have been delineated and subjected to conservation easements. The proposed amendment will not alter these areas in any way.

    c. Schools were not an issue during the hearing. As noted above, the applicant already conveyed a parcel before it was in its best interests to do so in order to accommodate the School District.

    d. The applicant applied for and received an administrative amendment to the 1999 resolution in 2004. The new MCP essentially fills in gaps in the latest approval and provides more flexibility with regard to lot sizes. The street layout and proposed uses have not changed.

    e. Nothing in the proposed amendment will make the project incompatible with existing or approved developments in the area. Building heights, buffers, and street layouts are not changing. The increase in density from .88 to 1.03 units per acre will not change the overall character of Hawks Haven.

    f. Efforts to purchase the parcels which abut or are encapsulated by the project are not complete as of this date.

DCI2004-00054

RECEIVED
OCT 26 2004
PERMIT COUNTER

g. The character of the two parcels that are being added to the project is shown quite dramatically in the species survey. The 140 acre parcel is a cleared agricultural field; the predominant vegetation on the 8 acre tract is wax myrtle. These parcels do not contain structures or wetlands.

h. There are two potential emergency accesses. These replaced an easement that ran largely through wetlands. They will run through the Taylor Woodrow project to the west.

i. The school site will be used for an elementary school.

j. Hawks Haven is an approved project; Portico is not. As noted above, the minimal changes contemplated by the amendment will not cause Hawks Haven to be incompatible with the neighborhood.

11. The 1999 resolution limits the COP to clubhouses. The applicant is not requesting any revisions to the condition.

12. The note is still applicable, although the maximum number of units permitted in the Rural FLUM category will increase as a result of the addition of the 148 acres to the project. No other changes are being requested to the condition.

13. No blasting is being requested. The lake depth is correct.

14. The 1999 resolution contained conditions addressing model units and display centers. No revisions are necessary to these conditions.

15. No such changes are being requested.

16. The locations of the deviations have been shown on the revised MCP.

17. Deviation #2, which is merely a restatement of the 1999 approval, has been added to the MCP.

18. Nothing in the amendment is specifically addressed in the Caloosahatchee Shores plan. The ELC meeting summary is attached.

19. Fill from Hawks Haven will not be used off-site.

RECEIVED
OCT 26 2004
PERMIT COUNTER

20. The portion of the golf course that is located on the new 140 acre parcel abuts a canal and then a predominantly undeveloped section of Lehigh Acres.

21. This has been addressed previously.

22. The public safety use is a fire station. Its potential location has been shown in the Town Center on the revised MCP.

23. Place of worship has been added to the schedule of uses for the Town Center.

24. The sales use is addressed in the previously-approved deviation. No changes are requested to this deviation.

Please note the following additional items :

1. A Town Center area has been shown on the MCP. A Schedule of Uses and a series of property development regulations are included in the package.

2. The applicant is in the process of acquiring additional property. This will be included in the application as soon as possible.

Sincerely,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.

Matt Uhle

Matthew D. Uhle

MDU/zw

Enclosures

DCI2004-00054

File

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 239-479-8325

August 11, 2004

MR MATTHEW D. UHLE
KNOTT CONSOER
1625 HENDRY ST
FT. MYERS, FL 33901

Re: HAWKS HAVEN RPD
DCI2004-00054 - PDA Application (PD Amendment)

Dear MR MATTHEW D. UHLE :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Tony Palermo
Senior Planner

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Joan Henry, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Susan Hollingsworth, Development Review
DCI Zoning File
DCI Working File

Environmental Sciences Planned Development Sufficiency Checklist

2) Protected Species Survey. A Protected Species Survey as required by LDC Section 10-473 must be provided for large projects (as defined in LDC Chapter 10) and Major Planned Developments . [34-373(b)(2)]

The protected species survey for the original 1,798.53 acres was conducted more than 5 years ago, and has expired. Please submit a current protected species survey for this area.

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order. [10-474]

Pending submittal of current protected species survey.

5) Open Space. The percentage of open space must be clearly stated on the Master Concept Plan unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet. [34-373(a)(6)f.; 34-373(a)(8)iii.]

Please revise the MCP to either limit lot coverage to 45% within R-1 parcels, or revise the open space calculations to require 40% open space for the entire project and adjust the indigenous preservation calculations accordingly.

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

Please revise MCP to delineate a Type D buffer along SR 80 except for along the preserve area.

12) Miscellaneous Items.

The application indicates the project will not be phased. However, the requested list of uses includes agricultural uses in undeveloped phases. Please clarify how phasing will occur.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Kim Trebatoski, Principal Environmental Planner
#239-479-8183
trebatkm@leegov.com

Legal Requirements Sufficiency Checklist

1a1) If the owner(s) has authorized an agent to prepare and sign the application and to represent him in all matters pertaining to the application, the agent must provide a document establishing his authority which has been signed by the owner and notarized by a notary public. [34-202(b)(1)b.]

The Owner/Applicant had listed Mr. Matthew D. Uhle, Esq. from Knott, Consoer, Ebelini, Hart & Sweet, P.A. as the agent that will act on his behalf regarding the processing of the application. However, no Notarized Affidavit of Authorization Form from the owner's part (as required by the LDC Section [34-202(b)(1)(c)] was included in the application package giving the Agent legal authority to do so. Please, provide for County's record.

6) All applications requiring a public hearing must include the following: [34-202(a)]

See below.

7) Miscellaneous Items.

RE: Public Informational Meetings with Local Planning Community Panels:

The applicant must provide a summary of the public informational meeting with the Fort Myers Shores Planning Community Panel as required by Section [(34-373(a)(10)].

Note: "Sufficiency or non-applicability of Legal Requirements subject to change upon review of subsequent resubmittals."

8) Contact. The Planner may be contacted regarding any questions on this Checklist.

Please contact Luis G. Machado, Planning Technician / Zoning at (239) 479-8485 or e-mail: lmachado@leegov.com

T.I.S. Checklist

4) Background Traffic. The TIS must contain 100th highest hour traffic for the current year and for the year following the year in which the project is expected to be completed.

S.R.80 east of Buckingham Rd.: Based on the 2003 Traffic Count Report data from 1995 to 2003, the compound growth rate would be 3.83%. Applying this rate to the Concurrency Report peak hour, peak season, peak direction volume of 951, then adding the project traffic, would yield a volume of 2,065, which is level of service "F".

7) Level of Service Analysis. The TIS for projects generating more than 100 net new trips during the A.M. or P.M. peak hour of the adjacent street must contain an analysis of the Level of Service for all links within the area of influence.

See previous comment.

8) Arterial Analysis. The TIS for projects generating more than 300 trips during the A.M. or P.M. peak hour of the adjacent street must contain an analysis of the arterial road accessed or impacted in the area of influence of the project following the methods established in the most current edition of the HIGHWAY CAPACITY MANUAL for an urban or suburban road.

See previous comment.

11) Contact. The reviewer may be contacted with any questions relative to this TIS Sufficiency Checklist.

Contact Bob Rentz @ 479-8587 OR rentzrg@leegov.com

1) Sufficiency Comments.

1.Based on the information provided on Table 2A, the annual growth rate for the roadway segment of SR 80, east of Buckingham Rd, shall be 3.8%, not 3.5% as used in the TIS.

2. The Table 2A indicates there will be 1210 trips of PM peak hour directional traffic volumes (background traffic and P.C Station #5 shows east bound being peak direction) in Year 2010 on SR 80, east of Buckingham Rd. However, there are only 750 trips on the east bound through movement in the intersection analysis. The intersection analysis needs to be reanalysed.

2) The LCDOT reviewer may be contacted regarding any questions on the LCDOT Checklist.

Lili Wu 479-8580 ext. 5395

Lee County Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

TONY PALERMO #239-479-8325

21) Miscellaneous Items.

COUNTY ATTORNEY COMMENTS

1. The financial disclosures need to provide the individual interest holders for Landmar Group LLC and Levitt and Sons LLC.

2. The ag exhibit is insufficient. The applicant needs to submit an affidavit signed by the property owners describing the nature and intensity of the bona fide agricultural uses and include a sketch depicting these areas in accordance with 34-202.

3. The applicant needs to provide access for property not included in this rezone (e.g., an easement). The access points must also be shown on the MCP.

4. All easements and rights-of-way shown on the boundary survey must be depicted and labeled on the MCP.

ZONING COMMENTS

1. Please verify this wording is appropriate:

Amend Resolution #Z-99-056 & ADD2004-00067, Hawk's Haven Residential Planned Development (RPD), to permit an additional 148 acres and 400 dwelling units. As amended the request is for 1,999 dwelling units (single- and multi-family) with a golf course on +/- 1,946.03 acres of land. Maximum height is 45 feet/3 stories stories for residential and 60 feet/3 stories for other recreational buildings. No development blasting is requested.

2. SCHOOL BOARD COMMENTS ATTACHED. Please respond to any substantive matters raised by the school board.

3. Please place on the MCP the number of lanes, width, and classification for SR 80.

4. Please remove the following items from the MCP.

- Development Standards Table (however please keep the columns Parcel and Land Use (RMF-1 Multifamily etc.) - Development standards (setbacks, etc) will be in the resolution not on the MCP.

- The notes with the Development Standards * ** and ***. We can include these in the resolution not on the MCP.

5. Your adjacent land use and zoning map is excellent. However, it does not include future land use. Please add this element, either to the land use and zoning map or the MCP.

6. Please put the appropriate short notations on the MCP accurately describing the surrouding developments and conditions surrounding the development (within 500 feet). Also please include the approximate width of

the canal to the east. This needs to include propery accross from SR 80.

7. Please provide the approximate acreage of both the "private property" and the "Private property not part of the project" on the MCP.

8. Please provide the access agreement referenced in ADD2004-00067.

9. Please provide an analysis on density (density before the rezoning amendment, density after).

10. Please include a to-the-point narrative which addresses the following items:

- A brief history of the Hawk's Haven project, approvals, amendments, and issues (1-2 paragraphs on each issue would be appropriate) relating to schools, the environment (wetlands), traffic, and neighborhood compatibility (rural) issues (including densities).

- Compatibility and comparison with surrounding PDs and residential developments (Portico, Buckingham 320, Verandah, Hawk's Preserve, etc.)

- The Hofmeister property in the middle of your development (efforts to purchase it, impact of the development on this property). Same thing for the "private property not part of the project." What is the story behind this property, and why isn't it a part of the application?

- A narrative about the "new" property to be added. What percentage is wetlands? What kind of vegetation is on the property? Any structures? Any Ag uses? What are the neighboring properties like? How will it impact neighboring properties? What will the new parcel be utilized for and how will it fit into Hawks Haven?

- An explanation of how the future emergency access will work, who else will use it, where it ultimately goes.

- What kind of school is anticipated on the school site?

- Portico (DCI2004-00031) has submitted a rezoning request for the properties south and west of Hawk's Haven. You may want to address this potential residential development, and its potential impact on the overall community (including the future emergency access)

11. Consumption on Premises - please suggest conditions, hours, locations, square footage, etc.

12. Please see the DENSITY Policy 5.1.11 note in Z-99-056. Is this still applicable? Or are you seeking a change in this condition? Same question regarding condition #5 Lee Plan consistency issues.

13. Verify no blasting is requested and lakes are 20 feet deep or less, 12 feet

or less, etc.

14. How many total model units? Please put specific locations on the MCP.

15. Do you seek any changes in the conditions on golf driving ranges, real estate sales, open storage as found of Z-99-056?

16. Please show a large symbol showing the locations of deviation 1 and 2 on the MCP. (D1, D2).

17. Do you want the LDC Sec. 34-934 Note 23 deviation on real estate sales offices as found in Z-99-056? If so, you will need to add a Deviation #3 to the MCP and deviation narrative.

18. Please address consistency with the Caloosahatchee Shores Community Plan. Did you meet with the planning community? Or East Lee County? Did they have comments? If so, please provide. If not, please arrange to have the appropriate community meetings, and provide minutes of those meetings.

19. Portico's representatives said they are contemplating taking fill from Portico to Hawk's Haven for construction. Is this also your understanding? Please address, and verify that fill from Hawk's Haven is being used at Hawk's Haven only.

20. The new property's golf course appears to be adjacemt to a single-family neighborhood. Please propose buffering as appropriate on your MCP (or state "no buffer" required). Buffering may become a substantive issue for SF neighborhoods next to a new golf course.

21. See note above regarding AG uses (County Attorney's request)

22. What is the Public Safety Station in the schedule of uses? Where is it located on the MCP?

23. Do you desire customary residential uses such as : ASSISTED LIVING FACILITY (LOCATION # OF BEDS), COMMUNITY RESIDENTIAL HOMES, DAY CARE ADULT OR CHILD (LOCATION, SIZE, # OF PERSONS), ESSENTIAL SERVICES, ESSENTIAL SERVICE FACILITIES GROUP I, HOME OCCUPATION, HOME CARE FACILITY, PLACE OF WORSHIP (LOCATION, SIZE), TEMPORARY USES?

If so please add to your schedule of uses.

24. Please verify/elaborate on your needs for temporary sales, design and construction facilities. Where, how large, for how long?

Brad Vance's Comment:

As part of a regional stormwater improvement, provisions for conveying

stormwater from the East Lee County Water Control District through this project toward the Caloosahatchee is under consideration and review. The South Florida Water Management District will be the authoritative agency in this matter, but may be reflected in conditions for this zoning. Contact Brad Vance @ 479-8132.

2) Miscellaneous Items.

As part of a regional stormwater improvement, provisions for conveying stormwater from the East Lee County Water Control District through this project toward the Caloosahatchee is under consideration and review. The South Florida Water Management District will be the authoritative agency in this matter, but may be reflected in conditions for this zoning. Contact Brad Vance @ 479-8132.

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (239) 334-1102 • TTD/TTY (239) 335-1512

LEE COUNTY
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VICE CHAIRMAN • DISTRICT 5

ROBERT D. CHILMONIK
DISTRICT 1

JANE E. KUCKEL, PH.D.
DISTRICT 3

STEVEN K. TEUBER
DISTRICT 4

JAMES W. BROWDER, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

July 30, 2004

Mr. Tony Palermo
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

Re: Hawks Haven RPD, DCI Substantive Review, Case #DCI2004-00054

Dear Mr. Palermo:

Thank you for the opportunity to review Hawks Haven RPD for substantive comments with regard to educational impacts. This proposed development is in the East Choice Zone of the District, off State Road 80 between Linwood Avenue and South Olga Drive in the Fort Myers Shores Planning Area. This letter is in response to your request dated July 26, 2004.

Part I, Item D ("Density"), in Supplement D to the Planned Development Application states that this project will have a total of 1,999 dwelling units; however, it does not indicate how many units are single family and how many are multifamily. Therefore, the School District of Lee County is assuming that all of the units are single family. Based on the proposed maximum total of 1,999 single family residential dwelling units, the Lee County School District is estimating that the proposal could generate up to 704 additional school-aged children. This uses a generation rate of 0.352 students per unit generated in the East Choice Zone of Lee County for single family uses. This would create the need for approximately 32 new classrooms in the system, as well as additional staff and core facilities. Using the new small classroom legislative guidelines, additional classrooms may be generated.

Based on the impact of this project to the school system, the School District of Lee County is requesting donation of land suitable for a school site, either within the project itself or within the same Choice Zone. Also, please note that the School District of Lee County owns property within this project, and joined in this application only on the condition that the developer will mitigate the need for new student stations caused by the new housing units added through this application by provision of a school site or payment of appropriate school impact fees. The Lee County Board of County Commissioners adopted a School Impact Fee Ordinance on November 27, 2001, effective at this time. As such, the Hawks Haven RPD developers will be expected to pay the impact fee at the appropriate time if a school site is not donated. The joining of the application by the School District of Lee County does not relieve the developer of the obligation to mitigate the need for new student stations.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239) 479-4205.

Sincerely,

Kathy Babcock

Kathy Babcock, Long Range Planner
Department of Construction and Planning

Cc: William G. Moore, Jr.
Executive Director, School Support

ZONING DIVISION

LEE COUNTY

PLANNED DEVELOPMENT SUFFICIENCY REVIEW

TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Susan Hollingsworth
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Tony Palermo

DATE: 07/26/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: HAWKS HAVEN RPD

CASE #: DCI2004-00054

INFORMATION SUMMARY:

NEW SUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 08/09/2004

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness
No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jodi M Payne

Date: 07/28/2004

LEE COUNTY
SOUTHWEST FLORIDA

Case # DCI2004-00054

Jurisdiction : Lee County

Agent/Applicant : KNOTT CONSOER

Owner SCHULMAN WILLIAM, TRUSTEE
CALVERTON LINKS, POB 306
CALVERTON, NY 11933

Description of Request APPLICATION FOR An amendment to Hawks Haven RPD

Following is a list of submittal requirements which were missing from your application received on 7/26/2004

Thank you

We appreciate your submitting all required documents for the above referenced Planned Development application.

This document is for informational purposes only and is not intended to be construed as a finding of sufficiency or completeness of the application or documentation submitted.

LEE COUNTY
SOUTHWEST FLORIDA

Case # DCI2004-00054

Jurisdiction : Lee County

Agent/Applicant : KNOTT CONSOER

Owner SCHULMAN WILLIAM, TRUSTEE
CALVERTON LINKS, POB 306
CALVERTON, NY 11933

Description of Request APPLICATION FOR An amendment to Hawks Haven RPD

Following is a list of submittal requirements which were missing from your application received on 7/26/2004

Thank you

We appreciate your submitting all required documents for the above referenced Planned Development application.

This document is for informational purposes only and is not intended to be construed as a finding of sufficiency or completeness of the application or documentation submitted.

LEE COUNTY
SOUTHWEST FLORIDA

Department of Community Development
Zoning Division
P.O. Box 398
Ft. Myers, FL 33902-0398

June 17, 2004

This fax is for Matt Uhle

Fax #334-1446

From: Pam Houck, Zoning Director

The fee for the amendment to the ~~Rural~~ RESIDENTIAL Planned Development for Hawk's Haven will be $10,920.00 which is $5,000.00 base fee plus $5,920.00 ($40.00 per acre for 148 acres).

OK. P. Houck

Please call Pam Hendry at (239) 479-8348 if there is a problem with this fax.

This fax contains 1 page in all.

RECEIVED
JUL 26 2004
PERMIT COUNTER

DCI2004-00054

LEE COUNTY
SOUTHWEST FLORIDA

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Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: (239) 335-2236
Facsimile (239) 335-2606

August 15, 2005

Matthew Uhle, Esq.
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Suite 301
Fort Myers, FL 33901

Re: River Hall f/k/a Hawk's Haven
Case No.: DCI2004-000054
Resolution: Z-05-051

Dear Matt:

Enclosed is the current draft resolution pertaining to a project known as River Hall. It is based on the Hearing Examiner's recommendation with the understanding that changes may be made by the Commissioners at the final hearing. Please review this draft and let Dawn Lehnert know if any changes are necessary to accurately reflect the Hearing Examiner's recommendation. County staff will also review the draft resolution.

We have found that the legal description provided with the application often does not accurately represent the property that is the subject of the rezoning request. Therefore, to prevent errors in the resolution, kindly review the attached legal description to confirm that all of the property intended to be rezoned is described accurately. Please advise me in writing as to the results of this review at your earliest convenience – especially if the legal description does not completely and correctly describe the property.

We prefer to make necessary changes before the final hearing. Please contact me if you have any questions.

Kind regards,

Donna Marie Collins
Assistant County Attorney

DMC/amp
Enclosure
cc: w/ enclosure
Dawn Perry-Lehnert, Assistant County Attorney
Pam Houck, Director, Zoning Division
Tony Palermo, Planner, Zoning
Kim Trebatoski, Environmental Sciences Division

RECEIVED
AUG 16 2005
COMMUNITY DEVELOPMENT

LEE COUNTY
SOUTHWEST FLORIDA

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County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

August 31, 2005

479-8585

MR MATTHEW D. UHLE
KNOTT CONSOER
1625 HENDRY ST
FT. MYERS, FL 33901

RE: **Agenda Schedule for RIVER HALL(F.K.A HAWKS HAVEN)**
Case No. DCI2004-00054

Dear MR MATTHEW D. UHLE :

Your zoning request has been scheduled before the Board of County Commissioners to take final action after reviewing the Hearing Examiner's recommendation.

DATE & TIME:	Monday, September 19, 2005. Meeting commences at 9:30 a.m.
LOCATION:	Commissioners' Meeting Room 2120 Main Street Ft. Myers, Florida

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Jessica M Smith
Administrative Assistant

cc: HAWK'S HAVEN DEVELOPERS, LLC
Tony Palermo, Senior Planner
Zoning File

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Dawn Lehnert, Asst County Attorney
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Luis Machado, Zoning

FROM: Tony Palermo

DATE: 01/06/2006

PROJECT NAME: RIVER HALL(F.K.A HAWKS HAVEN)

CASE #: DCI2004-00054

INFORMATION SUMMARY:

To update your file

_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 01/16/2006

Additional Comments:

Please review the attached plan to determine if it accurately reflects the approval by the BoCC on September 19, 2005 in accordance with LDC 34-377(b)(6)

cc: DCI planner/working fileDCI Zone File

Distributed by: Jessica M Smith

Date: 01/09/2006

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS-AT-LAW

George H. Knott *+
George L. Consoer, Jr.**
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MUhle@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado
David A. Burt

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

MEMORANDUM

RECEIVED
JAN 06 2006
COMMUNITY DEVELOPMENT

TO: Tony Palermo

FROM: Matt Uhle

DATE: January 6, 2006

RE: RIVER HALL fka HAWK'S HAVEN
CASE NO: DCI2004-00054

Enclosed please find 13 copies of revised Master Concept Plan and legal description/sketch.

MDU/zw

Enclosures

cc: Dawn Perry-Lehnert, Esq. (w/encl)

DCI2004-00054 Copy to: Pam Chip Matt Zoning case file

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Board of County Commissioners

From: Scott M. Gilbertson, P.E., Director

Date: October 5, 2005

Subject: **SUNSHINE BOULEVARD EXTENSION IN RELATION TO HAWKS HAVEN/RIVER HALL DEVELOPMENT**

Based on the discussion from the September 27,2005 Board of County Commissioners meeting, the County Attorney's Office,on behalf of the Board, asked DOT to answer the following questions:

Will Hawks Haven aka River Hall be providing a connection through the development between Lehigh Acres and SR 80 for a Sunshine Boulevard Extension? If so, where will the connection be? If not, why?

The Hawks Haven Residential Planned Development (RPD), recently renamed River Hall Residential Planned Development/Commercial Planned Development (RPD/CPD), originally received zoning approval October 18, 1999 for a project including 1598 dwelling units (#Z-99-056). A modification of the original zoning was just recently approved that expanded the total units to 1,999 dwelling units with a public school site and a 45,000 square foot commercial center adjacent to SR 80. This modification was approved by the Board on September 19, 2005 (DCI2004-00054, #Z-05-051).

An extension of Sunshine Boulevard north to SR 80 is not part of the Lee County MPO's 2020 Plan that has been in place since 1998 (prior to River Hall's initial approval), and it is not part of Lee County's Official Trafficways Map. Therefore, the Sunshine Boulevard Extension was not made an issue in the River Hall rezonings, and right-of-way has not been reserved through the approved River Hall project.

There was a requirement for a connection from River Hall to 75th Street West in Lehigh Acres included in the most recent rezoning approval. However, the condition was more about providing a second access for the almost-2000 units in River Hall rather than a through connection from Lehigh Acres to SR 80. The zoning condition does not state whether such a connection is to be public or private, and the River Hall representatives have made clear in discussions and local development order submittals that they intend to develop the internal spine road to private road standards, with gates at each end.

An extension of Sunshine Boulevard north to SR 80 has been included in the preliminary 2030 Needs Assessment network approved September 23rd by the Lee County MPO. It remains to be seen whether the connection will be included in the MPO's 2030 Financially Feasible Plan, but

inclusion in the plan would give the County a basis for making it an issue in any future development approvals related to River Hall. The River Hall project did have an interest in expanding its project by another 1,000 units, and had submitted a plan amendment request in last year's cycle that was ultimately withdrawn. Another plan amendment request may be resubmitted in this year's cycle, and there is the possibility the project could even come through the DRI process, providing an opportunity to work with the developer to secure the necessary right-of-way for a Sunshine Boulevard Extension through the River Hall project.

Since the Sunshine Boulevard Extension has not been part of the County's long range plans to date, a specific alignment has not yet been determined. The general alignment reflected on the MPO's preliminary 2030 Needs Assessment network, running through River Hall, is shown on the attached aerial. As can be seen, a straight northern extension of Sunshine Boulevard would run adjacent to the Hickey Creek Mitigation Park (shown in red), and would separate the Park from the conservation area reserved by River Hall (shown with hatching). It is possible such an extension could be bridged to minimize the effect of separating the Mitigation Park from River Hall's conservation area. Angling an extension to the west to avoid the environmentally sensitive areas would get into the already-approved portions of River Hall, and may raise questions about where the road connects to SR 80.

Clearly, alignment questions abound, and will not be resolved until a more detailed evaluation is done. Should the Sunshine Boulevard Extension become part of the Lee County MPO's new 2030 Plan, Lee County DOT staff will pursue all feasible options, including working with the River Hall developer in any future development approvals he seeks.

Please let me know if you have any questions.

SMG/DML/mlb

cc: Don Stilwell, County Manager
Jim Lavender, County Public Works Director
Mary Gibbs, County Community Development Director
John Yarbrough, County Parks & Recreation Director
David Owen, County Attorney
Tim Jones, Chief Assistant County Attorney
Dawn Perry-Lehnert, Assistant County Attorney
Paul O'Connor, County Planning Director
Roland Ottolini, County Natural Resources Director
Anthony Palermo, Senior Planner
Andy Getch, Senior Engineer

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: (239) 335-2236
Facsimile 239-335-2606

December 13, 2005

Matthew Uhle, Esq.
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Suite 301
Fort Myers, FL 33901

Carl Barraco, P.E.
Barraco and Associates
2271 McGregor Boulevard
Fort Myers, FL 33901

RECEIVED
DEC 14 2005
COMMUNITY DEVELOPMENT

SECOND REQUEST
Re: River Hall f/k/a Hawk's Haven
Case No.: DCI2004-00054
Resolution: Z-05-051

Gentlemen:

Please accept this as the second written request for the following documents related to the River Hall f/k/a Hawk's Haven rezoning approval granted by the Board of County Commissioners on September 19, 2005.

1. A legal description and sketch of the RPD portion of this RPD/CPD development.
2. A revised Master Concept Plan in accordance with the Board's action. A redlined copy is attached for your reference.

No further development order approvals, including plat approvals, will be issued until the resolution is signed by the Chairwoman. As you know, the resolution may not be forwarded without the above referenced documents.

If our office does not receive the requested documents by December 23, 2005, we will make the necessary changes to the Master Concept Plan by hand and forward the documents to the Chairwoman for execution.

Should you have any questions concerning the above, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,

Dawn E. Perry-Lehnert
Assistant County Attorney

DPL/tlb
Enclosure
cc: Pam Houck, Zoning Division Director, Development Services
Tony Palermo, Planner, Development Services
Billie Jacoby, Administrative Assistant, DCD Administration

S:\LU\Zoning-2005\05-051 Hawks Haven RPD-River Hall\Agent Letter 3.wpd

RECEIVED
NOV 23 2005
PERMIT COUNTER

Add Type D buffer per Reso Z-05-051 cond. 25 b

NOTES:

1. CURRENT SITE ZONING AND LAND USE CLASSIFICATION:
   AG-2 / SUBURBAN
   AG-2 / RURAL
   RPD / SUBURBAN
   RPD / RURAL
2. PROJECT DEVELOPER:
   LANDMAR GROUP, LLC
   2202 NORTH WEST SHORE BOULEVARD
   SUITE 125
   TAMPA, FLORIDA 33607
   (813) 207-0138
   ATTN: GRADY MIARS
3. PROJECT DESCRIPTION:
   1999 RESIDENTIAL UNITS
   36 HOLES OF GOLF WITH DRIVING RANGE
   GOLF COURSE CLUB HOUSE
   GOLF COURSE CART BARN
   GOLF COURSE MAINTENANCE FACILITY
   GENERAL RECREATION AREA
   OPEN STORAGE AREA FOR RESIDENTS
4. MASS TRANSIT: LEE TRANS DOES NOT SERVE THIS AREA. NO MASS TRANSIT SERVICE IS ANTICIPATED FOR THIS PROJECT.
5. SIDEWALKS AND BIKE PATHS: THE SPINE ROAD WILL GENERALLY BE PARALLELED BY A FIVE (5) FOOT WIDE SIDEWALK / BIKE PATH.
6. LOTS CONNECTING DIRECTLY TO THE MAIN ("SPINE") ROAD WILL NOT HAVE DIRECT BACK-OUT ONTO THE ROADWAY. DRIVEWAY TURN-AROUNDS WILL BE PROVIDED.
7. THE TOWN CENTER ALLOWS FOR UP TO 15,000 S.F. OF OFFICE USE AND UP TO 30,000 S.F. OF RETAIL USE.
8. NO SIGNAGE WILL BE ALLOWED WITHIN THE PROPERTY ALONG S.R. 80 THAT WOULD REFERENCE THE TOWN CENTER.
9. ALL LAKES MAY UTILIZE BULKHEAD FOR UP TO 25% OF THE LAKE BANK.

Add Type B buffer per Reso Z-05-051 cond. 25 a.

OPEN SPACE CALCULATIONS:

ENTIRE PROJECT

TOTAL DEVELOPMENT	1,978.44 ACRES
OPEN SPACE PROVIDED	1,175.00 ACRES
INDIGENOUS OPEN SPACE PROVIDED	465.04 ACRES

RPD

TOTAL RPD DEVELOPMENT	1,951.39 ACRES
OPEN SPACE REQUIRED (40%)	780.56 ACRES
OPEN SPACE PROVIDED LAKES = 293.75 AC (25% OF 1,175.00 AC.) INDIGENOUS OPEN SPACE = 457.99 AC RECREATIONAL OPEN SPACE / GOLF COURSE = 408.94 AC OTHER OPEN SPACE 7.27 AC	1,167.95 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 780.56) INDIGENOUS OPEN SPACE PROVIDED	390.28 ACRES 457.99 ACRES

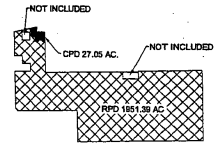
CPD

TOTAL RPD DEVELOPMENT	27.05 ACRES
OPEN SPACE REQUIRED (20%)	5.41 ACRES
OPEN SPACE PROVIDED INDIGENOUS OPEN SPACE = 7.05 AC	7.05 ACRES
INDIGENOUS SPACE REQUIRED (50% OF 5.41) INDIGENOUS OPEN SPACE PROVIDED	2.71 ACRES 7.05 ACRES

NOTES:

1. OPEN SPACE AND INDIGENOUS AREAS TO BE PROVIDED FOR THE ENTIRE DEVELOPMENT WITHIN THE COMMON INDIGENOUS AND OPEN SPACE AREAS IN GENERAL ACCORDANCE WITH THOSE DEPICTED ON THE MASTER CONCEPT PLAN. INDIVIDUAL DEVELOPMENT PARCELS WILL ~~NOT BE HELD~~ RESPONSIBLE FOR SEPARATE OPEN SPACE ~~AND INDIGENOUS REQUIREMENTS.~~
2. GOLF COURSE AMENITIES AREA WILL BE LOCATED IN GOLF CLUB AREA LAND USE POD. (CLUB HOUSE, CART BARN, MAINTENANCE FACILITIES) THE 10 ACRES ALLOCATED FOR THESE USES IS NOT INCLUDED IN THE OPEN SPACE FOR THE GOLF COURSE / DRIVING RANGE AREA.

in accordance with Reso Z-05-051 condition 3.f.



PROPOSED ZONING KEY MAP

DEVELOPMENT STANDARDS

PARCEL	LAND USE
RMF-1	MULTIFAMILY
RMF-1	TWO-FAMILY ATTACHED
RMF-1	ZERO LOT LINE
RMF-1	TOWNHOUSE
RMF-1	SINGLE FAMILY
R-1	SINGLE FAMILY

LEGEND

1 DEVIATION NUMBER

INDIGENOUS OPEN SPACE

LAND USE TABULATIONS

CATEGORY	± ACRES
MULTI-FAMILY	26.12
SINGLE FAMILY	532.05
ROAD RIGHT-OF-WAY	171.18
INDIGENOUS OPEN SPACE	465.04
LAKES (OS)	293.75
RECREATIONAL OPEN SPACE/ GOLF COURSE	408.94
OTHER DEVELOPMENT	
TOWN CENTER	24.00
SCHOOL	20.00
AMENITY SITE(S)	21.25
SALES & INFORMATION CENTER	3.00
GOLF CLUB AREA	10.00
GOLF COURSE MAINTENANCE	3.11
TOTAL PROJECT ACREAGE	1978.44

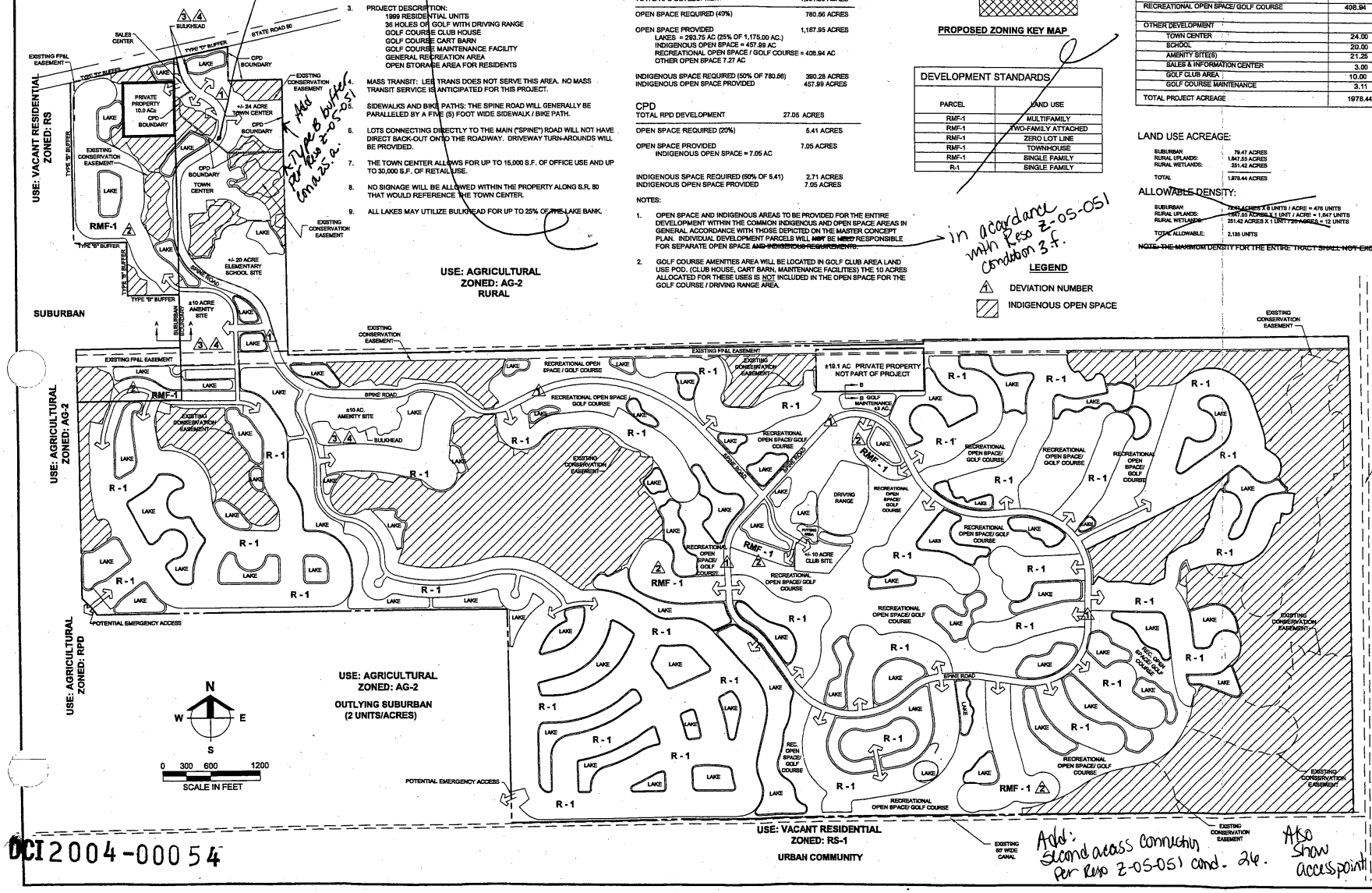
LAND USE ACREAGE:

SUBURBAN	79.47 ACRES
RURAL UPLANDS:	1,847.55 ACRES
RURAL WETLANDS:	251.42 ACRES
TOTAL	1,978.44 ACRES

ALLOWABLE DENSITY:

SUBURBAN	79.47 ACRES X 6 UNITS / ACRE = 476 UNITS
RURAL UPLANDS:	1,847.55 ACRES X 1 UNIT / ACRE = 1,847 UNITS
RURAL WETLANDS:	251.42 ACRES X 1 UNIT / 20 ACRES = 12 UNITS
TOTAL ALLOWABLE:	2,135 UNITS

~~NOTE: THE MAXIMUM DENSITY FOR THE ENTIRE TRACT SHALL NOT EXCEED 1,999 UNITS~~



Add: Second access connection per Reso Z-05-051 cond. 26.

Also show access point

DCI2004-00054

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6336

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 28 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

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PLOT BY	JENNIFER PARKER
DESIGN BY	
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

5-17-05	ADD CPD BOUNDARY

EXHIBIT C
PAGE 1 OF 2

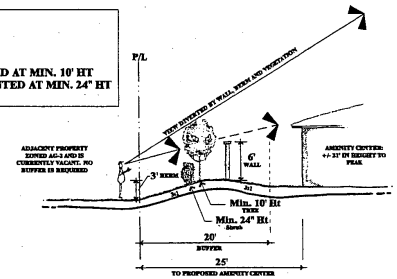
PLAN STATUS

APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

MASTER CONCEPT PLAN

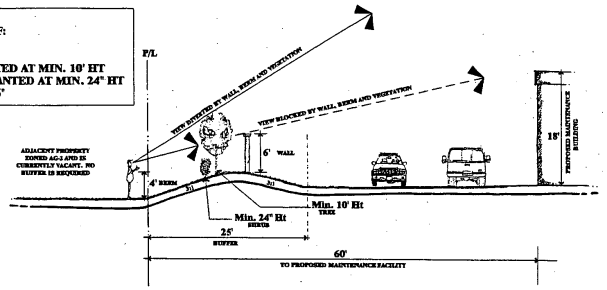
PROJECT / FILE NO.	SHEET NUMBER
21988	1 OF 2

PROPOSED
25' BUFFER CONSISTING OF:
3' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT AND MAINTAINED AT 36"



PROPOSED BUFFER FOR AMENITY CENTER (SECTION A-A)
NTS

PROPOSED
25' BUFFER CONSISTING OF:
4' BERM +/-
6' WALL
7 TREES PER 100 L.F. PLANTED AT MIN. 10' HT
30 SHRUBS PER 100 L.F. PLANTED AT MIN. 24" HT AND MAINTAINED AT 36'



PROPOSED BUFFER FOR GOLF COURSE MAINTENANCE FACILITY (SECTION B-B)
NTS

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MAY 23 2005
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DCI2004-00054

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
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2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
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ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607
PHONE (813) 207-0138
FAX (813) 784-6398

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
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PLOT DATE	FRI, 5-20-2005 - 2:57 PM
PLOT BY	JENNIFER PARKER
DESIGN BY	AUTHOR
XREF1	1
XREF2	2
XREF3	3
XREF4	4
XREF5	5
XREF6	6

PLAN REVISIONS

EXHIBIT C
PAGE 2 OF 2

PLAN STATUS

APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

TYPICAL SECTIONS

PROJECT / FILE NO.	SHEET NUMBER
21988	2 OF 2

VARIANCE REPORT

4/27/2004

Subject Parcels : 12 Affected Parcels : 504 Buffer Distance : 500 ft

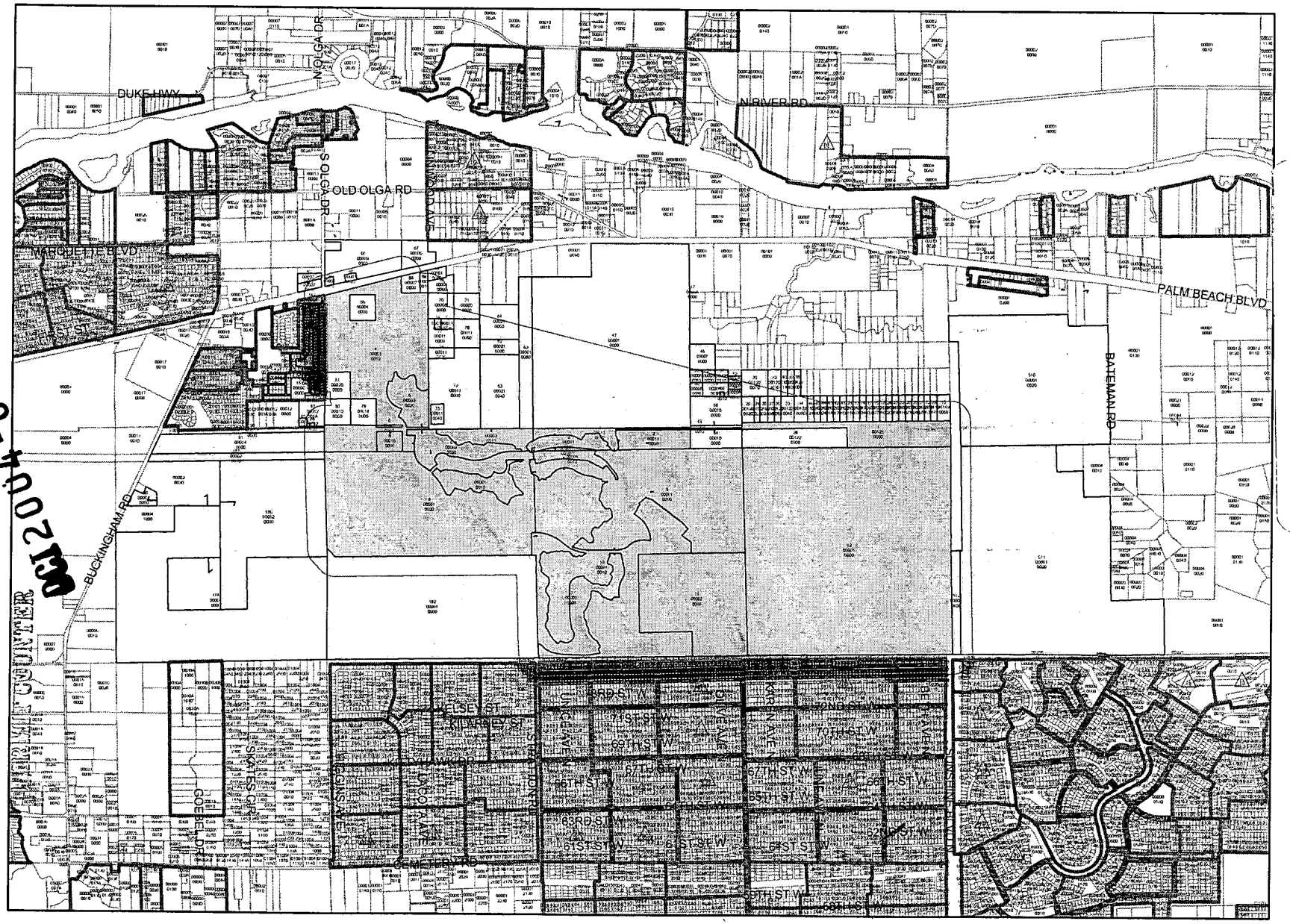


EXHIBIT PH-3.G.2

RECEIVED
JUL 26 2004
PALM BEACH COUNTY

PCI 2004-00054

N
W E
S

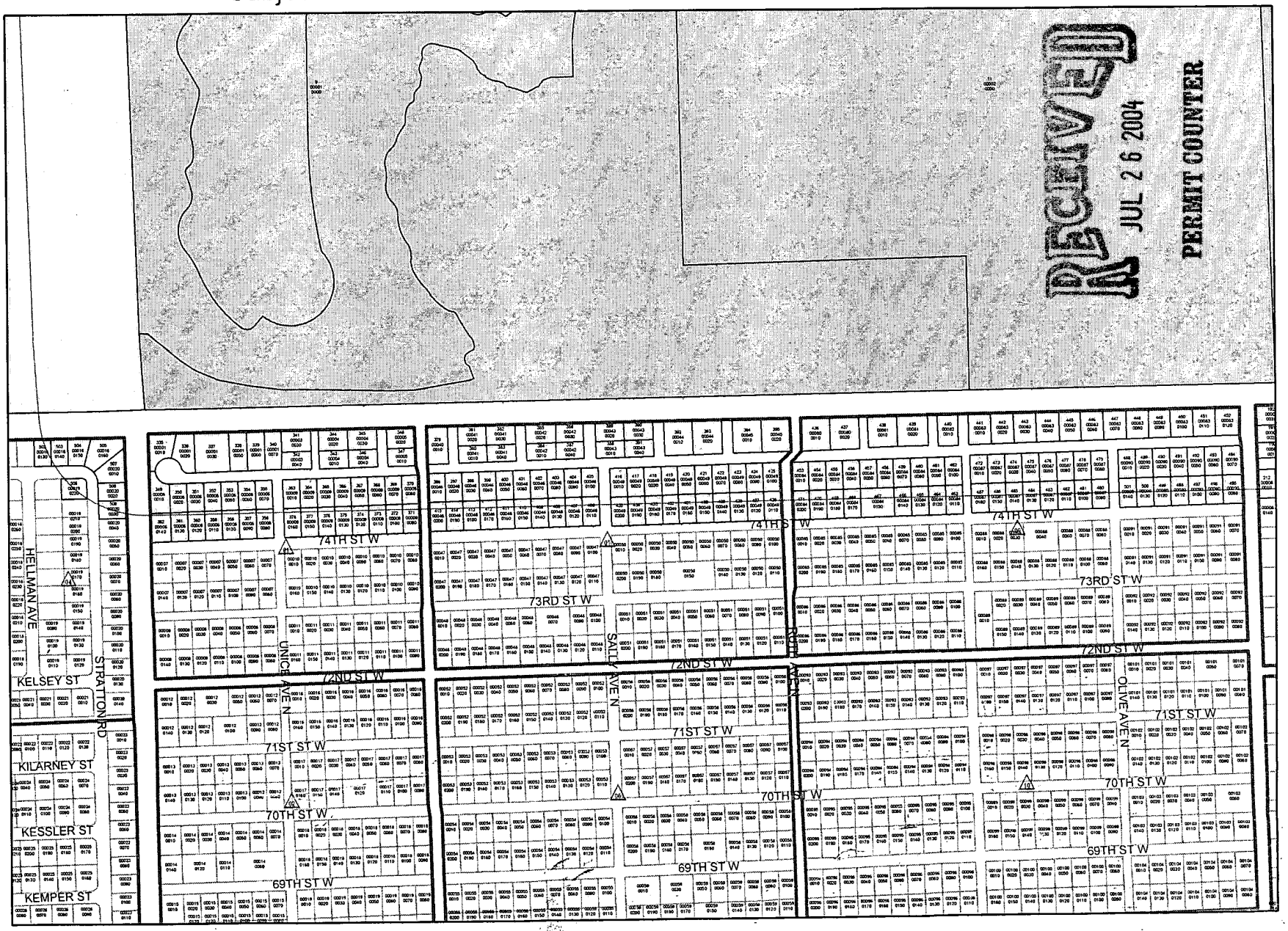
25-43-26-00-00121.0000 et al.

3,900 1,950 0 3,900 Feet

VARIANCE REPORT

4/27/2004

Subject Parcels : 12 Affected Parcels : 504 Buffer Distance : 500 ft



RECEIVED
JUL 26 2004
PERMIT COUNTER

DCI2004-00054

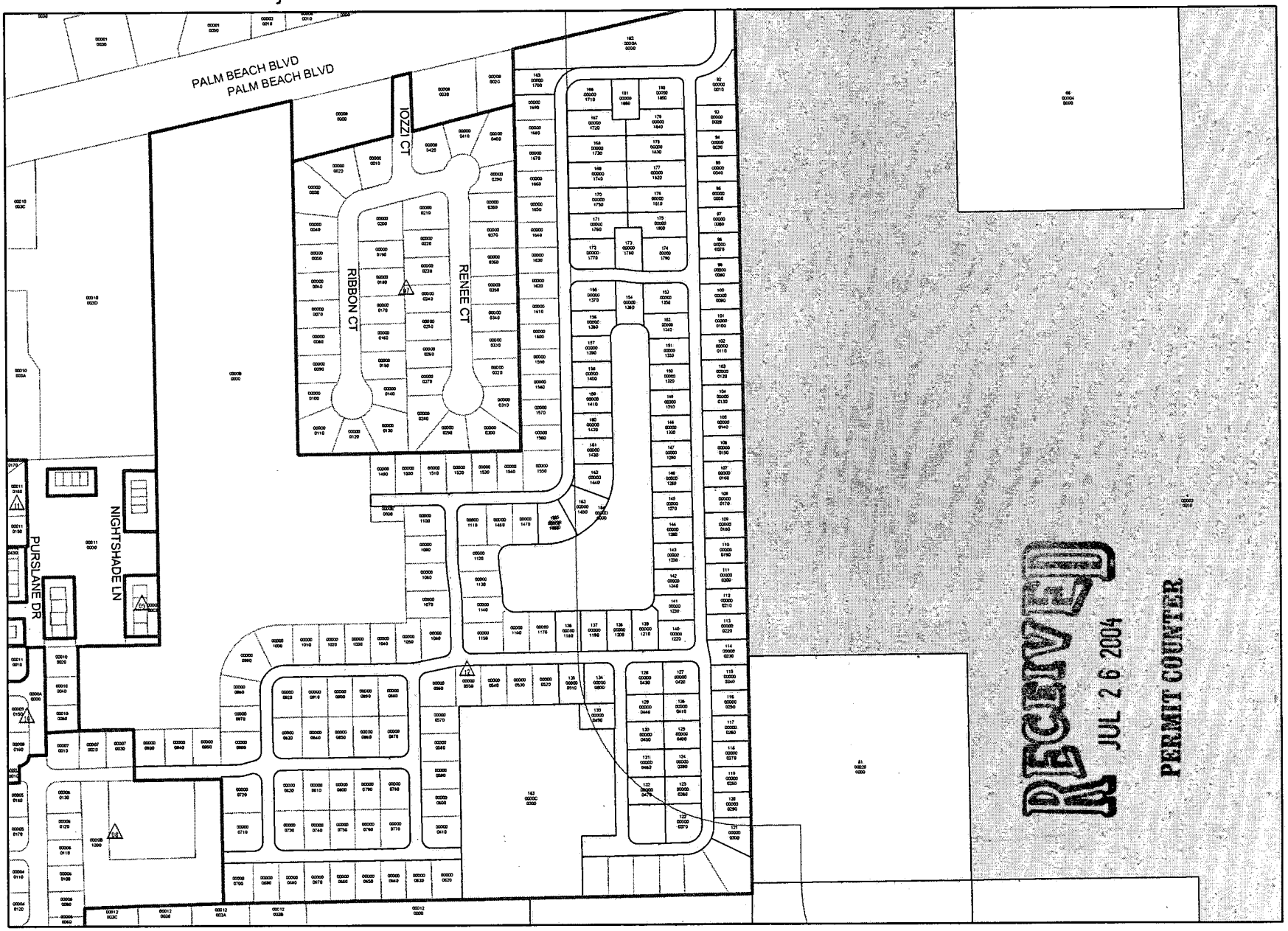
25-43-26-00-00121.0000 et al.

720 360 0 720 Feet

VARIANCE REPORT

4/27/2004

Subject Parcels : 12 Affected Parcels : 504 Buffer Distance : 500 ft



RECEIVED
JUL 26 2004
PERMIT COUNTER

DCI2004-00054

N W E S

25-43-26-00-00121.0000 et al.

480 240 0 480 Feet

Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org

RECEIVED JUL 26 2004

PERMIT COUNTER

VARIANCE REPORT

Date of Report: April 27, 2004

Buffer Distance: 500 ft

Parcels Affected: 504

Subject Parcel: 25-43-26-00-00121.0000, 26-43-26-00-00011.0000, 26-43-26-00-00011.0010, 27-43-26-00-00003.0010, 27-43-26-00-00003.0020, 27-43-26-00-00016.0000, 34-43-26-00-00001.0010, 34-43-26-00-00001.0020, 36-43-26-00-00001.0000, 35-43-26-00-00001.0010, 35-43-26-00-00001.0000, 35-43-26-00-00002.0000

DCI2004-00054

EXHIBIT PH-3.G.1.

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**25-43-26-00-00121.0000** 17750 #1 ALVA FL 33920	S 1/2 OF S 1/2 OF SE 1/4	1
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**26-43-26-00-00011.0000** 2970 HICKEY CREEK RD ALVA FL 33920	S 50 FT OF R R R/W + PT SW 1/4 -SE1/4 + S1/2 -S1/2 -SW 1/4 ALL S OF R R R/W LESS OR 3327 PGS 4816-44 + LESS OR 3965 PG 1821	2
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**26-43-26-00-00011.0010** RESERVED FL	S 50 FT OF R/R R/W + PT OF SW 1/4 OF SE 1/4 + S 1/2 OF S 1/2 OF SW 1/4 ALL S OF R/R R/W AS DESC IN OR 3327 PGS 4816-44 + OR 3965 PG 1821	3
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**27-43-26-00-00003.0010** ACCESS UNDETERMINED ALVA FL 33920	PARL IN SEC 27 AS DESC IN OR 3327 PG 4816 OR3965/1821	4
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**27-43-26-00-00003.0020** ACCESS UNDETERMINED FT MYERS FL 33905	PARL IN SEC 27 AS DESC IN OR 3965 PG 1818	5
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**27-43-26-00-00016.0000** ACCESS UNDETERMINED FORT MYERS FL 33905	SW 1/4 OF SE 1/4 OF SW 1/4 LESS RR R/W + LESS DITCH	6
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**34-43-26-00-00001.0010** ACCESS UNDETERMINED ALVA FL 33920	PARCEL IN N 1/2 SEC 34AS DESC IN OR 3327 PGS 4816-44 AKA GOLF COURSE TRACT 2	7
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**34-43-26-00-00001.0020** RESERVED FL	N 1/2 OF SEC 34 LESS GOLF COURSES AS DESC IN OR 3327 PGS 4816-44 LESS OR 4107 PG 886	8
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**35-43-26-00-00001.0000** ACCESS UNDETERMINED ALVA FL 33920	N 1/2 + SW 1/4 + S 1/2 OF SW 1/4 OF SE 1/4 OF SEC LESS OR 3327 PGS 4816-44	9
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**35-43-26-00-00001.0010** RESERVED FL	PT OF N 1/2 + SW 1/4 + S 1/2 OF SW 1/4 OF SE 1/4 AS DESC IN OR 3327 PGS 4816-44	10
HAWKS HAVEN INVESTMENT INC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**35-43-26-00-00002.0000** ACCESS UNDETERMINED ALVA FL 33920	E 1/2 OF SE 1/4 + NW 1/4 OF SE 1/4 + N 1/2 OF SW 1/4 OF SE 1/4.	11
HAWKS HAVEN INVESTMENT LLC 12800 UNIVERSITY DR STE 275 FORT MYERS FL 33907	**36-43-26-00-00001.0000** ACCESS UNDETERMINED ALVA FL 33920	ALL SEC 36	12

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
KOOK SCOTT G + 17540 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0030** 17540 OAK CREEK RD ALVA FL 33920	E 1/2 OF W 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4 DESC OR 1381 PG 1883	13
KOOK SCOTT G + 17540 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0040** 17570 OAK CREEK RD ALVA FL 33920	W 1/2 OF E 1/2 OF N W 1/4 OF S W 1/4 OF S E 1/4	14
DRAKE JOHN P + TIFFANY F 17950 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0050** 17950 OAK CREEK RD ALVA FL 33920	E 1/2 OF NE 1/4 OF SE 1/4 OF SE 1/4 AKA E 1/2 LOT 24	15
MORRIS CHARLES + SHERYL W 17630 OAK CREEK ROAD ALVA FL 33920	**25-43-26-00-00119.0070** 17630 OAK CREEK RD ALVA FL 33920	W 1/2 OF W 1/2 OF NE 1/4 OF SW 1/4 OF SE 1/4	16
WILES PAUL H + DEBORAH 17600 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0090** 17600 OAK CREEK RD ALVA FL 33920	E 1/2 OF E 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4	17
BARR JOHN 17650 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0100** 17650 OAK CREEK RD ALVA FL 33920	E 1/2 OF W 1/2 OF NE 1/4 OF SW 1/4 OF SE 1/4 AKA LOT 22 OAK CREEK FARMS	18
SCHMIDT ERWIN E + JOAN C 2813 SW 51ST ST CAPE CORAL FL 33914	**25-43-26-00-00119.0130** 17900 OAK CREEK RD ALVA FL 33920	W 1/2 OF W 1/2 OF NE 1/4 OF SE 1/4 OF SE 1/4 AKA W 1/2 OF W 1/2 LT 24 OAK CREEK FARMS	19
MICHAELKIEWICZ STEPHEN P 17930 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0140** 17930 OAK CREEK RD ALVA FL 33920	E1/2 OF W1/2 OF NE1/4 OF SE1/4 OF SE1/4 AKA E1/2 OF W1/2 LT 24 OAK CRK FRMS	20
CARSON LONNIE R + TERRY L 17520 OAK CR RD ALVA FL 33920	**25-43-26-00-00119.0150** 17530 OAK CREEK RD ALVA FL 33920	W 1/2 OF W 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4	21
SUBBERT SCOTT M + ROBIN M 17750 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0160** 17750 OAK CREEK RD ALVA FL 33920	W1/2 0F W1/2 OF NW1/4 OF SE1/4 OF SE1/4 AKA W1/2 OF W1/2 OF LT23 OAK CREEK	22
SIMMONS JERRY G TR 17141 FRANK RD ALVA FL 33920	**25-43-26-00-00119.0190** 17700 OAK CREEK RD ALVA FL 33920	E1/2 OF E1/2 OF NE1/4 OF SW1/4 OF SE1/4 AKA E1/2 OF E1/2 LOT 22 OAK CREEK	23
SUBBERT DANIEL W + JENNIFER K 17690 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0200** 17690 OAK CREEK RD ALVA FL 33920	W1/2 OF E1/2 OF NE1/4 OF SW1/4 OF SE1/4 AKA W1/2 OF E1/2 LOT 22 OAK CREEK FARMS UNREC	24
HAMILTON DOUGLAS E 6151 INDUSTRY AVE FORT MYERS FL 33905	**25-43-26-00-00119.0210** 17780 OAK CREEK RD ALVA FL 33920	E1/2 OF W1/2 OF NW1/4 OF SE1/4 OF SE1/4 AKA E1/2 OF W1/2 OF LOT 23	25
HAMILTON DOUGLAS + KIMBERLY 17780 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0240** 17800 OAK CREEK RD ALVA FL 33920	W 1/2 OF THE E 1/2 OF NW 1/4 OF THE SE 1/4 OF THE SE 1/4	26
HAMILTON DOUGLAS E + KIMBERLY 17780 0AK CREEK RD ALVA FL 33920	**25-43-26-00-00119.0250** 17850 OAK CREEK RD ALVA FL 33920	E 1/2 OF THE E 1/2 OF THE NW 1/4 OF THE SE 1/4 OF THE SE 1/4	27
DEAN ROBERT S JR + KATHRYN S 1273 CALOOSA DR FORT MYERS FL 33901	**25-43-26-00-00122.0000** 2971 HICKEY CREEK RD ALVA FL 33920	SW1/4 LESS RR R/W + LESS PARLS 122.0010 THRU 122.0330	28
ALI AHMED REBECCA T 17140 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0020** 17140 OAK CREEK RD ALVA FL 33920	NW 1/4 OF SW 1/4 OF SW 1/4 LESS N 30 FT RESERVED FOR RD R/W + ALSO LESS E 1/2	29
MCCLINTICK MARK E + NELLA L P O BOX 628 ALVA FL 33920	**25-43-26-00-00122.002A** 17180 OAK CREEK RD ALVA FL 33920	E 1/2 OF NW 1/4 OF SW 1/4 OF SW 1/4 LESS W 138 FT + LESS N 30 FT RESERVED FOR RD R/W	30

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SCARPELLI JAMES + DIANE 2141 BISCAYNE DR ELK GROVE VILLAGE IL 60007	**25-43-26-00-00122.002B** 17160 OAK CREEK RD ALVA FL 33920	W 138 FT OF E 1/2 OF NW 1/4 OF SW 1/4 OF SW 1/4 LESS N 30 FT RESERVED FOR RD R/W	31
YEOMANS JOHN D + RUTHANN M 17221 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0030** 17221 OAK CREEK RD ALVA FL 33920	W 1/2 OF SE 1/4 OF NW 1/4 OF SW 1/4 AKA W 1/2 LOT 10 OAK CREEK FARMS UNREC	32
WALLER ALICIA C 17270 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0040** 17270 OAK CREEK RD ALVA FL 33920	E 1/2 OF N E 1/4 OF S W 1/4 OF S W 1/4	33
KOHL L L + MAUD H 17310 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0050** 17310 OAK CREEK RD ALVA FL 33920	W 1/2 OF N W 1/4 OF S E 1/4 OF S W 1/4	34
MANGAN ALAN J 17240 OAK CREEK DR FT MYERS FL 33920	**25-43-26-00-00122.0060** 17240 OAK CREEK RD ALVA FL 33920	E1/2 OF W1/2 OF NE1/4 OF SW1/4 OF SW1/4 AKA E1/2 OF LT 18 OAK CRK FARMS U/N	35
BEESLEY CAROL L 17151 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0070** 17151 OAK CREEK RD ALVA FL 33920	S W 1/4 OF N W 1/4 OF S W 1/4	36
RUTTMAN MILDRED 17200 OAK CREEK ROAD ALVA FL 33920	**25-43-26-00-00122.0080** 17200 OAK CREEK RD ALVA FL 33920	W 1/2 OF W 1/2 OF N E 1/4 OF S W 1/4 OF S W 1/4	37
MINGIONE VINCENT J+ PAMELA C 17301 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0090** 17301 OAK CREEK RD ALVA FL 33920	W 1/2 OF W 1/2 OF SW 1/4 OF NE 1/4 OF SW 1/4 AKA W 1/2 OF W 1/2 OF LOT 11	38
KENNEDY SEAN A + EVELYN V 17281 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0100** 17281 OAK CREEK RD ALVA FL 33920	E1/2 OF E1/2 OF SE1/4 OF NW1/4OF SW1/4 AKA E 1/2 OF LOT 10	39
ANDERSON CAROLYN J 17251 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0110** 17251 OAK CREEK RD ALVA FL 33920	W 1/2 OF E 1/2 OF SE 1/4 OF NW 1/4 OF SW 1/4	40
CARSON LONNIE R + THERESA L 17520 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0150** 17520 OAK CREEK RD ALVA FL 33920	E 1/2 OF E 1/2 OF NE 1/4 OF SE 1/4 OF SW 1/4	41
BUSH DAVID + CHRISTIE A 17470 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0170** 17470 OAK CREEK RD ALVA FL 33920	W1/2 OF E1/2 OF NE1/4 OF SE1/4 OF SW1/4 AKA E 1/2 LOT 20 OAK CREEK FARMS UNREC	42
BERRYMAN HOWARD + PAMELA 17460 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0180** 17460 OAK CREEK RD ALVA FL 33920	E1/2 OF W1/2 OF NE1/4 OF SE1/4 OF SW1/4 AKA PT LT 20 OAK CREEK FARMS UNREC	43
WALLIN DAVID T + KIMBERLY M 17450 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0240** 17450 OAK CREEK RD ALVA FL 33920	W1/2 OF W1/2 OF NE1/4 OF SE1/4 OF SW1/4 AKA W1/2 OF W1/2 OF LOT 20	44
T & R ROOFING INC 14032 PALM BEACH BLVD FT MYERS FL 33905	**25-43-26-00-00122.0300** 17370 OAK CREEK RD ALVA FL 33920	E1/2 OF E1/2 OF NW 1/4 OF SE 1/4 OF SW 1/4 SEC 25 TWP 43 RGE 26	45
MYOSKY LEONARD J + AGNES C 17340 OAK CREEK RD ALVA FL 33920	**25-43-26-00-00122.0310** 17340 OAK CREEK RD ALVA FL 33920	W1/2 OF E1/2 OF NW 1/4 OF SE 1/4 OF SW 1/4 OF SEC 25 TWP 43 RGE 26	46
AMTEL FARM INC ATT: RUNG 2500 EDWARDS DR FT MYERS FL 33901	**26-43-26-00-00001.0000** 2300 CARTER LN ALVA FL 33920	PARL IN SEC 26 T43 R26 RECORDED IN OR 3123/2869	47
BARR PAUL M + SHIRLEY J 2630 HICKEY CREEK RD FORT MYERS FL 33920	**26-43-26-00-00007.0000** 2630 HICKEY CREEK RD ALVA FL 33920	NW 1/4 OF NE 1/4 OF SE 1/4	48

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DUNCAN SOLON + JILL 2807 HICKEY CREEK RD ALVA FL 33920	**26-43-26-00-00008.0000** OBOR FL	E 1/2 OF NE 1/4 OF SE 1/4 + SW 1/4 OF NE 1/4 OF SE 1/4 LESS PAR 8.1 THRU 8.11	49
GRIFFIN CAROLYN B 2751 RHODE ISL AV FORT MYERS FL 33916	**26-43-26-00-00008.0010** 2890 HICKEY CREEK RD ALVA FL 33920	W 100 FT OF E 535.87 FT OF 107 FT IN SE 1/4 0F NE 1/4 OF SE 1/4	50
MAJEWSKI KEELY HANSEN 2760 HICKEY CREEK RD ALVA FL 33920	**26-43-26-00-00008.0020** 2760 HICKEY CREEK RD ALVA FL 33920	NE 1/4 OF SW 1/4 OF NE 1/4 OF SE 1/4	51
CONNER DENNIS W + FAY A 2720 HICKEY CREEK RD ALVA FL 33920	**26-43-26-00-00008.0030** 2720 HICKEY CREEK RD ALVA FL 33920	S 1/2 OF NE 1/4 OF SE 1/4 OF NE 1/4 OF SE 1/4	52
GROSS MARK A + JOAN L 2780 HICKEY CREEK RD ALVA FL 33920	**26-43-26-00-00008.0050** 2780 HICKEY CREEK RD ALVA FL 33920	PARL IN N E 1/4 OF S E 1/4 SEC 26 TWP 43 RGE 26 DESC IN OR 1417 PG 1816	53
DUNCAN SOLON S + JILL O 2870 HICKEY CREEK RD ALVA FL 33920	**26-43-26-00-00008.0060** OBOR FL	PARL IN N E 1/4 OF S E 1/4 SEC 26 TWP 43 RGE 26 DESC IN OR 1416 PG 2384	54
GRIFFIN CAROLYN B 2751 RHODE ISL AV FORT MYERS FL 33916	**26-43-26-00-00008.0080** 2830 HICKEY CREEK RD ALVA FL 33920	PARL IN S 1/2 OF SW 1/4 OF NE 1/4 OF SE 1/4 DESC IN OR 1687 PG 849	55
GRIFFIN CAROLYN B 2751 RHODE ISL AV FORT MYERS FL 33916	**26-43-26-00-00008.0090** 2850 HICKEY CREEK RD ALVA FL 33920	PARL IN S 1/2 OF SW 1/4 OF NE 1/4 OF SE 1/4 DESC IN OR 1687 PG 842	56
SAMPSON CHESTER R + JULIE L 2700 HICKEY CREEK RD ALVA FL 33920	**26-43-26-00-00008.0110** 2740 HICKEY CREEK RD ALVA FL 33920	PARL IN NE 1/4 OF SE 1/4 DESC IN OR 1761 PG 3956 TRACT 3 HICKEY CREEK EST	57
GERACI D D TR 2023 WEST FIRST ST FORT MYERS FL 33901	**26-43-26-00-00010.0000** 2920 HICKEY CREEK RD ALVA FL 33920	SE 1/4 OF SE 1/4 LESS RR R/W	58
CARTER DORIS L TR + 10235 COUNTY RD 56 WOODLAND AL 36280	**26-43-26-00-00012.0010** 2960 HICKEY CREEK RD ALVA FL 33920	THE ELY 1320 FT OF THE NLY 50 FT OF A STRIP OF LAND FORMERLY RR R/W RUNNING THRU SEC 26 LES 3123/2869	59
SAGER LILLY S 1280 BLUFFS CIR DUNEDIN FL 34698	**27-43-26-00-00001.0020** 15131 PALM BEACH BLVD ALVA FL 33920	PARL IN NW 1/4 OF NW 1/4 N OF SR 80 DESC IN OR 1021 PG 255	60
ROBERTS RICHARD A + KAREN M 2211 LINWOOD AV ALVA FL 33920	**27-43-26-00-00001.0060** 2211 LINWOOD AVE ALVA FL 33920	W1/2 OF NW1/4 OF NE1/4 S SR80 + OR 1971/1196LESS PARC 6A THRU 6E	61
RITCHEY RONALD M 3230 BURMUDA ISLE CIR #1024 NAPLES FL 34109	**27-43-26-00-00001.006E** 15500 PALM BEACH BLVD FORT MYERS FL 33905	W1/2 OF NW1/4 OF NE1/4 SO SR 80 DESC IN OR 2569 PG 3966	62
AMTEL FARM INC ATT: RUNG 2500 EDWARDS DR FORT MYERS FL 33901	**27-43-26-00-00001.0080** ACCESS UNDETERMINED FT MYERS FL 33905	PARL IN EAST 1/2 DESC IN OR 3123 PG 2869	63
MILLS GEORGE B JR + 5440 BUCKINGHAM ROAD FORT MYERS FL 33905	**27-43-26-00-00002.0000** 15031 PALM BEACH BLVD FORT MYERS FL 33905	W 240 FT OF S 210 FT N OF SR 80 & E OF SR 31 IN NW 1/4 OF NW 1/4	64
SCHULMAN WILLIAM TR 18 E 81ST ST NEW YORK NY 10028	**27-43-26-00-00003.0000** ACCESS UNDETERMINED ALVA FL 33920	PARL IN SEC 27 AS DESC IN OR 976 PG 551 + OR 976 PG 549 LESS OR 3327 PGS 4816 -44 OR3965/1821	65
HOFMEISTER SALYARDS L/E C/O SCOTT HOFFMEISTER 108 BARBARA ST LOUISVILLE CO 80027	**27-43-26-00-00004.0000** 15180 PALM BEACH BLVD ALVA FL 33920	NE 1/4 OF SW 1/4 OF NW 1/4	66

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TERRELL WILLIAM M 2081 LINWOOD AVE ALVA FL 33920	**27-43-26-00-00006.0000** 2081 LINWOOD AVE ALVA FL 33920	NE1/4-NE1/4-NW1/4LESRDSE1/ 4-NE1/4-NW1/4-NOFRDN1/2-NW 1/4-NE1/4-N OF RD LES6.001	67
WALKER ROBERT E 15930 OLD OLGA RD ALVA FL 33920	**27-43-26-00-00007.0000** 15400 PALM BEACH BLVD ALVA FL 33920	SE 1/4 OF NE 1/4 OF NW 1/4 S OF ROAD LESS E 200 FT	68
DENOVA PROSPERO 15460 PALM BEACH BLVD ALVA FL 33920	**27-43-26-00-00007.0010** 15460 PALM BEACH BLVD ALVA FL 33920	PARL IN SE 1/4 OF NE 1/4 OF NW 1/4 E ALG NS 1/4 SEC 764.38 FT DES OR 1819/1122	69
BROWN JACQUELINE E 15590 KARANAN DR ALVA FL 33920	**27-43-26-00-00008.0000** 15590 KARANAN DR ALVA FL 33920	NW 1/4 OF SW 1/4 OF NE 1/4	70
SKINNER SHARI 2280 BROWN RD ALVA FL 33920	**27-43-26-00-00009.0000** 2280 BROWN RD ALVA FL 33920	NE 1/4 OF SW 1/4 OF NE 1/4	71
CARTER TALLEY + MARTHA CO-TR 10235 COUNTY RD 56 WOODLAND AL 36280	**27-43-26-00-00011.0000** 2601 LINWOOD AVE ALVA FL 33920	N 2740 FT N OF C/L OF OLD RR R/W IN W 1/2 OF E 1/2 LESS 11.2 THRU 11.6	72
ALLEN JAMES C JR + CYNTHIA C 2371 LINWOOD AV ALVA FL 33920	**27-43-26-00-00011.0020** 2371 LINWOOD AVE ALVA FL 33920	E 330 FT OF N 264 FT IN SW 1/4 OF SW 1/4 OF NE 1/4	73
HITCHCOCK MARK T 2501 LINWOOD AV ALVA FL 33920	**27-43-26-00-00011.0030** 2501 LINWOOD AVE ALVA FL 33920	PARL IN S E 1/4 AS DESC IN OR 1353 PG 2115	74
CARTER KEITH A + SHEILA R C/O JACOB CARTER 5125 BARON ST LEHIGH ACRES FL 33971	**27-43-26-00-00011.0040** ACCESS UNDETERMINED ALVA FL 33920	PARL IN NW1/4 OF SW1/4 OF SE1/4 SEC 27 T43 R26 DESC IN OR 1516 PG 1629	75
CARTER DAVID W + MARCELLA A 2401 LINWOOD AVE ALVA FL 33920	**27-43-26-00-00011.0050** 2401 LINWOOD AVE ALVA FL 33920	SE 1/4 OF THE SW 1/4 OF THE NE 1/4 AS DESC IN OR 2991 PG 2498	76
ALLEN JAMES C JR + CYNTHIA C 2371 LINWOOD AV ALVA FL 33920	**27-43-26-00-00011.0060** LINWOOD AVE ALVA FL 33920	SW 1/4 OF SW 1/4 OF NE 1/4 OF SEC LESS NE 1/4 OF SW 1/4 OF SW 1/4 OF NE 1/4 + LESS E 165 FT OF W 329 FT OF N 264 FT OF SW 1/4 OF SW 1/4 OF NE 1/4	77
ROBERTS DEREK G + 3955 MARVAEZ ST FORT MYERS FL 33901	**27-43-26-00-00011.0070** ACCESS UNDETERMINED FL	FR NW COR OF SW 1/4 OF SW 1 /4 OF NE 1/4 E 164.19 FT TO POB E 165 S 264 W 165 N 264 TO POB	78
ARONOFF JOSEPH EST 69 VERNON ST SEWAREN NJ 07077	**27-43-26-00-00018.0000** ACCESS UNDETERMINED FORT MYERS FL 33905	NE 1/4 OF SW 1/4 OF SW 1/4	79
ROUNSIFER WILLIAM CHARLES SR + PO BOX 50354 FORT MYERS FL 33994	**27-43-26-00-00019.0000** 15050 DRAWDY RD FORT MYERS FL 33905	NW 1/4 OF SW 1/4 OF SW 1/4	80
LIEBL ERIC + 3204 SE 1ST AVE CAPE CORAL FL 33904	**27-43-26-00-00020.0000** ACCESS UNDETERMINED FORT MYERS FL 33905	SW 1/4 OF NW 1/4 OF SW 1/4	81
ZIELINSKI PETER J + 15980 OLD OLGA RD ALVA FL 33920	**27-43-26-00-00021.0000** 15800 PALM BEACH BLVD ALVA FL 33920	THE W3/4 OF E1/2 OF E1/2 OF SEC LYING S OF SR80+N OF C/L SAL RR LES 21.0010 THRU 21.0050	82
ZIELINSKI PETER J + TEENA MARY 15980 OLD OLGA RD ALVA FL 33920	**27-43-26-00-00021.0040** 2581 BROWN RD ALVA FL 33920	W 3/4 OF E 1/2 OF E 1/2 OF SEC LYING S OF SR 80 + N OF C/L SAL RR AS DESC IN OR 3409 PG 2642	83
CONWAY THOMAS III + ELIZABETH 17951 OAK CREEK RD ALVA FL 33920	**27-43-26-00-00021.0050** ACCESS UNDETERMINED ALVA FL 33920	THE W 3/4 OF E 1/2 OF E 1/2 OF SEC LYING S OF SR 80 AS DESC IN OR 3416 PG 3010	84

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JOHN J DAVIS FORT MYERS LLC 2612 HIBISCUS PL FORT LAUDERDALE FL 33301	**28-43-26-00-00007.0010** 2395 S OLGA DR FORT MYERS FL 33905	S 214.7 FT N OF S R 80 IN S E 1/4 OF N E 1/4 OF N E 1/4	85
CONLEY MARY L TR 2385 S OLGA DR FORT MYERS FL 33905	**28-43-26-00-00007.0020** 2385 S OLGA DR FORT MYERS FL 33905	S E 1/4 OF N E 1/4 OF N E 1/4 N OF SR 80 LESS N 150 FT S 214.7 FT + RD E	86
JAMES FRIEDA K 14991 DRAWDY RD FORT MYERS FL 33905	**28-43-26-00-00012.001A** 14991 DRAWDY RD FORT MYERS FL 33905	NE1/4 OF SE1/4 OF SE1/4 LESS 12.2 + 12.4	87
CHANEY DOROTHY 14941 DRAWDY RD FT MYERS FL 33905	**28-43-26-00-00012.0020** 14941 DRAWDY RD FORT MYERS FL 33905	BEG SE COR OF NE 1/4 OF SE 1/4 OF SE 1/4 TH W 390 FT TO POB TH N 90 FT TH E 120	88
SPURLOCK JAMES M + KAREN S 14891 DRAWDY RD FT MYERS FL 33905	**28-43-26-00-00012.0040** 14891 DRAWDY RD FORT MYERS FL 33905	W 208 FT OF S 209 FT IN N E 1/4 OF S E 1/4 OF S E 1/4	89
BUCKINGHAM DEVELOPMENT LLC 2695 HACKNEY RD WESTON FL 33331	**28-43-26-00-00013.0000** 0 SAL R R R/W FORT MYERS FL 33905	STRIP OF LAND FORMER RR R/W THRU SEC 28 LESS W 1580 FT	90
BUCKINGHAM DEVELOPMENT LLC 2695 HACKNEY RD WESTON FL 33331	**28-43-26-00-00014.0000** 2951 BUCKINGHAM RD FORT MYERS FL 33905	THAT PT OF S 1/2 OF S 1/2 OF S 1/2 S OF SAL RWY + E OF PALM BEACH HWY	91
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0010** 2372 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 1	92
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0020** 2382 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 2	93
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0030** 2392 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 3	94
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0040** 2402 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 4	95
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0050** 2412 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 5	96
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0060** 2422 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 6	97
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0070** 2432 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 7	98
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0080** 2442 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 8	99
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0090** 2452 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 9	100
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0100** 2462 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 10	101
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0110** 2472 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 11	102

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HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0120** 2482 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 12	103
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0130** 2492 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 13	104
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0140** 2502 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 14	105
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0150** 2512 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 15	106
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0160** 2522 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 16	107
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0170** 2532 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 17	108
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0180** 2542 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 18	109
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0190** 2552 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 19	110
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0200** 2562 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 20	111
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0210** 2572 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 21	112
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0220** 2582 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 22	113
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0230** 2592 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 23	114
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0240** 2602 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 24	115
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0250** 2612 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 25	116
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0260** 2622 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 26	117
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0270** 2632 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 27	118
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0280** 2642 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 28	119
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0290** 2652 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 29	120
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0300** 2662 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 30	121

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HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0370** 2673 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 37	122
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0380** 2643 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 38	123
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0390** 2633 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 39	124
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0400** 2623 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 40	125
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0410** 2613 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 41	126
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0420** CORNER LOT FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 42	127
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0430** CORNER LOT FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 43	128
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0440** 2753 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 44	129
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0450** 2743 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 45	130
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0460** 2733 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 46	131
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0470** 2723 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 47	132
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0490** 2754 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 49	133
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0500** 15100 HAWKS SHADOW DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 50	134
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.0510** 15080 HAWKS SHADOW DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 51	135
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1180** 15081 HAWKS SHADOW DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 118	136
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1190** 15091 HAWKS SHADOW DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 119	137
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1200** 15101 HAWKS SHADOW DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 120	138
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1210** 15111 HAWKS SHADOW DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 121	139

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HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1220** CORNER LOT FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 122	140
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1230** 2573 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 123	141
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1240** 2563 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 124	142
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1250** 2553 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 125	143
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1260** 2543 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 126	144
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1270** 2533 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 127	145
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1280** 2523 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 128	146
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1290** 2513 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 129	147
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1300** 2503 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 130	148
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1310** 2493 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 131	149
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1320** 2483 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 132	150
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1330** 2473 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 133	151
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1340** 2463 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 134	152
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1350** CORNER LOT FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 135	153
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1360** 14960 HAWKS WATCH PL FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 136	154
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1370** CORNER LOT FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 137	155
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1380** 2490 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 138	156
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1390** 2500 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 139	157
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1400** 2510 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 140	158

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HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1410** 2520 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 141	159
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1420** 2530 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 142	160
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1430** 2540 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 143	161
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1440** 2550 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 144	162
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1450** 2560 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 145	163
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1460** 2570 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 146	164
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1700** 2389 HAWKS PERSERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 170	165
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1710** 2400 HAWKS PRESERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 171	166
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1720** 2410 HAWKS PRESERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 172	167
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1730** 2420 HAWKS PRESERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 173	168
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1740** 2430 HAWKS PRESERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 174	169
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1750** 2440 HAWKS PRESERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 175	170
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1760** 2450 HAWKS PRESERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 176	171
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1770** CORNER LOT FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 177	172
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1780** 14961 HAWKS WATCH PL FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 178	173
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1790** CORNER LOT FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 179	174
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1800** 2423 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 180	175
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1810** 2413 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 181	176

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HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1820** 2403 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 182	177
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1830** 2393 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 183	178
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1840** 2383 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 184	179
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1850** 2373 NATURE POINTE LOOP FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 185	180
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-00000.1860** 2380 HAWKS PRESERVE DR FT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 186	181
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-0000A.0000** COMMON ELEMENT FL	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 TRACT A	182
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-0000C.0000** COMMON ELEMENT FL	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 TRACT C	183
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-0000D.0000** SUBMERGED FL	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 TRACT D	184
HAWKS PRESERVE LLC 11220-27 METERO PKWY FORT MYERS FL 33912	**28-43-26-12-0000R.0000** RIGHT OF WAY FL	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 TRACT R	185
HUNTER JESSIE C 50.25 %ETAL 3181 BUCKINGHAM RD FORT MYERS FL 33905	**33-43-26-00-00002.0000** 3181 BUCKINGHAM RD FORT MYERS FL 33905	NE 1/4 + W 1/2 OF NW1/4 OF SE 1/4 + N 1/2 OF NW 1/4 E OF RD LESS 2.2 & 2.3	186
BUCKINGHAM DEVELOPMENT LLC 2695 HACKNEY RD WESTON FL 33331	**33-43-26-00-00002.0010** 3021 BUCKINGHAM RD FORT MYERS FL 33905	PARL IN N 1/2 E OF RD DESC OR 1401 PG 1137	187
BUCKINGHAM DEVELOPMENT LLC 2695 HACKNEY RD WESTON FL 33331	**33-43-26-00-00004.0000** ACCESS UNDETERMINED FORT MYERS FL 33905	PARL IN S 3/4 OF SEC 33 DESC IN OR 1414 PG 1744 LESS PARL 4.100 + 2.0000 + 2. 0030	188
HUNTER JESSIE ETAL 3181 BUCKINGHAM RD FT MYERS FL 33905	**34-43-26-00-00001.0000** ACCESS UNDETERMINED ALVA FL 33920	S 1/2 SEC 34 + OR 4107 PG 886	189
BUISSON JOSEPH A + MARIE 8210 SW 5TH ST NORTH LAUDERDALE FL 33068	**01-44-26-01-00001.0010** 7501 LAURA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 15 PG 58 LOT 1	190
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**01-44-26-01-00001.0020** 7503 LAURA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.1 PB 15 PG 58 LOT 2	191
NEWMAN CAROLYN 7318 BENT CREEK DR TEMPERANCE MI 48182	**01-44-26-01-00001.0030** 7505 LAURA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.1 PB 15 PG 58 LOT 3	192
GRANGAARD H A JR + BONNIE 2585 N 131ST ST BROOKFIELD WI 53005	**01-44-26-01-00002.0010** 7500 LAURA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.2 PB 15 PG 58 LOT 1	193
HERUBIN F B + SOPHIA 2099 20TH ST WYANDOTTE MI 48192	**01-44-26-01-00002.0020** 7502 LAURA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.2 PB 15 PG 58 LOT 2	194
QUANG LUULY 4925 SKATES CIR FORT MYERS FL 33905	**01-44-26-01-00002.0030** 7504 LAURA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.2 PB 15 PG 58 LOT 3	195

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KLUEMPER J D + JOAN H 6000 LAKELAND DR EVANSVILLE IN 47711	**01-44-26-01-00002.0040** 7505 KAREN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.2 PB 15 PG 58 LOT 4	196
DALBERRY KAREN 4733 N PINE ISLAND RD SUNRISE FL 33351	**01-44-26-01-00002.0050** 7503 KAREN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.2 PB 15 PG 58 LOT 5	197
GEORGE BARRY S 3889 APPLE VALLEY DR HOWARD OH 43028	**01-44-26-01-00002.0060** 7501 KAREN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 2 PB 15 PG 58 LOT 6	198
KIRKPATRICK WILLIAM J JR PO BOX 9371 GLENWOOD FL 32722	**01-44-26-01-00003.0010** 7500 KAREN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.3 PB 15 PG 58 LOT 1	199
ADAMSON DERRICK + KATHLEEN 3340 NW 177TH TER OPA LOCKA FL 33056	**01-44-26-01-00003.0020** 7502 KAREN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.3 PB 15 PG 58 LOT 2	200
ADAMSON DERRICK + KATHLEEN 3340 NW 177TH TER CAROL CITY FL 33056	**01-44-26-01-00003.0030** 7504 KAREN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.3 PB 15 PG 58 LOT 3	201
DYKSTRA JESSIE 2912 E JOAN D ARC AVE PHOENIX AZ 85032	**01-44-26-01-00003.0040** 7505 JOAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.3 PB 15 PG 58 LOT 4	202
HAMAKER ALEXANDER V 2111 WELCH ST B320 HOUSTON TX 77019	**01-44-26-01-00003.0050** 7503 JOAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.3 PB 15 PG 58 LOT 5	203
ANDERSON WM T + MARGARET L 10037 LOCUST ST GLENN DALE MD 20769	**01-44-26-01-00003.0060** 7501 JOAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.3 PB 15 PG 58 LOT 6	204
DELACRUZ ENTERPRISES INC 322 GUNNERY RD S LEHIGH ACRES FL 33971	**01-44-26-01-00004.0010** 7500 JOAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 58 LOT 1	205
NAVEA CYNTHIA V 16421 SW 64TH TERR MIAMI FL 33193	**01-44-26-01-00004.0020** 7502 JOAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 58 LOT 2	206
MOSKOWITZ BARBARA 4000 N OCEAN DR APT 802 RIVIERA BEACH FL 33404	**01-44-26-01-00004.0030** 7504 JOAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 58 LOT 3	207
TRAVIS WILLIAM RUSSELL PO BOX 130042 TAMPA FL 33681	**01-44-26-01-00004.0040** 7505 JUDY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 58 LOT 4	208
NICKELS JAMIE P + SCOTT K P O BOX 26 COBURN VA 24230	**01-44-26-01-00004.0050** 7503 JUDY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 58 LOT 5	209
DELACRUZ ENTERPRISES INC 322 GUNNERY RD S LEHIGH ACRES FL 33971	**01-44-26-01-00004.0060** 7501 JUDY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 58 LOT 6	210
KONICEK IRENE E 9230 INDEPENDENCE BLVD APT 124 CLEVELAND OH 44130	**01-44-26-01-00005.0010** 7504 JUDY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.5 PB 15 PG 58 LOT 1	211
STAPLETON MARTHA A 7009 NOBLE CT CINCINNATI OH 45239	**01-44-26-01-00006.0010** 3013 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 58 LOT 1	212
SANIBEL MARCO INTERNATIONAL 343 ALMERIA AVE CORAL GABLES FL 33134	**01-44-26-01-00006.0020** 3011 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 58 LOT 2	213

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HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**01-44-26-01-00006.0030** 3009 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 58 LOT 3	214
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**01-44-26-01-00006.0040** 3007 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 58 LOT 4	215
CHRISTOFOR A 65 CEDAR ST NORWALK CT 06854	**01-44-26-01-00006.0050** 3005 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 58 LOT 5	216
MULHERN MILDRED M 342 N HAUCKSVILLE RD HAMPSTEAD MD 21074	**01-44-26-01-00006.0060** 3003 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 58 LOT 6	217
DOUGHTY WM A 236 DI MARCO DR PHILADELPHIA PA 19154	**01-44-26-01-00006.0070** 3001 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 58 LOT 7	218
GRANT HORACE + 3240 12TH AVE SE NAPLES FL 34117	**01-44-26-01-00009.0010** 2915 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 58 LOT 1	219
SAMUELS J B + THELMA 1679 S LAKE AVE APT 2 CLEARWATER FL 34616	**01-44-26-01-00009.0020** 2913 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 58 LOT 2	220
KUSALBA MICHAEL + FLORENCE 401 FRANKLIN AVE SOUTH PLAINFIELD NJ 07080	**01-44-26-01-00009.0030** 2911 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 58 LOTS 3 + 4	221
EIGEL JAMES C 1201 EDGECLIFF PL APT 1111 CINCINNATI OH 45206	**01-44-26-01-00009.0050** 2907 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 58 LOT 5	222
LE BEL FERNAND + MARY 224 LAKE VIEW RD ECHO BAY ON P0S 1C0 CANADA	**01-44-26-01-00009.0060** 2905 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 58 LOT 6	223
FABBRINI GLADYS CAROL 12 COMET CT PALM COAST FL 32137	**01-44-26-01-00009.0070** 2903 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 58 LOT 7	224
J + B PROPERTY GROUP 3850 N 40TH AVE HOLLYWOOD FL 33021	**01-44-26-01-00009.0080** 2901 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 9 PB 15 PG 58 LOT 8	225
SCHIAVONE PAULINE A 409 W SMITH ST OXFORD IN 47971	**01-44-26-05-00040.0010** 2818 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.40 PB 15 PG 58 LOT 1	226
HOERR JUANITA M 3848 LAUREL VALLEY BLVD ZEPHYRHILLS FL 33542	**01-44-26-05-00041.0010** 7500 JANE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.41 PB 15 PG 58 LOT 1	227
JOHNSON MARY 42780 PECK WADSWORTH RD WELLINGTON OH 44090	**01-44-26-05-00041.0020** 7502 JANE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.41 PB 15 PG 58 LOT 2	228
MYSELS LEO V + ANNE 215 W NAOMI DR #5701 NAPLES FL 34104	**01-44-26-05-00041.0030** 7504 JANE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.41 PB 15 PG 58 LOT 3	229
MACMILLAN ROBERT 44 BEDFORD ST WALTHAM MA 02453	**01-44-26-05-00041.0040** 7503 JUNE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 41 PB 15 PG 58 LOT 4	230
MCILVAIN W R JR + BONNIE K RR 2 BOX 148B MILTON DE 19968	**01-44-26-05-00041.0050** 7501 JUNE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.41 PB 15 PG 58 LOT 5	231
BROWN ROY + REGINA H/W 5080 O'BANNON RD FORT MYERS FL 33905	**01-44-26-05-00042.0010** 7500 JUNE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.42 PB 15 PG 58 LOT 1	232

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BROWN ROY + REGINA H/W 5080 O'BANNON RD FORT MYERS FL 33905	**01-44-26-05-00042.0020** 7502 JUNE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.42 PB 15 PG 58 LOT 2	233
BROWN ROY + REGINA H/W 5080 O'BANNON RD FORT MYERS FL 33905	**01-44-26-05-00042.0030** 7503 IDA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.42 PB 15 PG 58 LOT 3	234
WALKER D M + ELIZABETH 612 CORNWALLIS AVE LOCUST GROVE VA 22508	**01-44-26-05-00042.0040** 7501 IDA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.42 PB 15 PG 58 LOT 4	235
IZZO VIVIAN P 54 HOME AVE PROVIDENCE RI 02908	**01-44-26-05-00043.0010** 7500 IDA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.43 PB 15 PG 58 LOT 1	236
COUNCELL B KEITH 11521 SHAWNEE RD FORT MYERS FL 33913	**01-44-26-05-00043.0020** 7502 IDA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.43 PB 15 PG 58 LOT 2	237
HELLER ROBERTA TR 42-35 BELL BLVD 108 BAYSIDE NY 11361	**01-44-26-05-00043.0030** 2716 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 1 BLK 43 PB 26 PG 98 LOTS 3	238
BLEY ELMER R + ANN 31080 MCKINNEY DR FRANKLIN MI 48025	**01-44-26-05-00043.0040** 2714 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 1 BLK 43 PB 26 PG 98 LOT 4	239
HELLER ROBERTA TR 42-35 BELL BLVD 108 BAYSIDE NY 11361	**01-44-26-05-00043.0050** 2712 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES SEC 1 BLK 43 PB 26 PG 98 LOT 5	240
POWERS LUCINDA 977 ATHENS RD SHERWOOD MI 49089	**01-44-26-05-00043.0060** 2710 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES SEC 1 BLK 43 PB 26 PG 98 LOT 6	241
BANKS GERALD S + KELLY A 20 LANCASTER FARM RD SALEM NH 03079	**01-44-26-05-00043.0070** 2708 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES SEC 1 BLK 43 PB 26 PG 98 LOT 7	242
VANCAMP RONALD A 2948 BYRON CENTER AV WYOMING MI 49509	**01-44-26-05-00043.0080** 2706 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES SEC 1 BLK 43 PB 26 PG 98 LOT 8	243
FIRST HOME BUILDERS OF FLORIDA 2503 DEL PRADO BLVD STE 300 CAPE CORAL FL 33904	**01-44-26-05-00044.0010** 2704 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 1 BLK 44 PB 26 PG 98 LOT 1	244
HELLER ROBERTA TR 42-35 BELL BLVD 108 BAYSIDE NY 11361	**01-44-26-05-00044.0020** 2702 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 1 BLK 44 PB 26 PG 98 LOT 2	245
ZAPATA WILLIAM + ROSA 10126 SW 144TH PL MIAMI FL 33186	**01-44-26-05-00044.0030** 7503 FLORA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.44 PB 15 PG 58 LOT 3	246
PIPER THOMAS E + ALMA C 12344 BEAVER TRL SE ALBUQUERQUE NM 87123	**01-44-26-05-00044.0040** 7501 FLORA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.44 PB 15 PG 58 LOT 4	247
BROWN F E + LORETTA 11411 N DERRINGER RD MARANA AZ 85653	**01-44-26-05-00045.0010** 7500 FLORA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.45 PB 15 PG 58 LOT 1	248
BAILEY MERTILINE + 3504 SKIPPER RD SEBRING FL 33875	**01-44-26-05-00045.0020** 7502 FLORA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.45 PB 15 PG 58 LOT 2	249
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**01-44-26-05-00045.0030** 7503 ELAINE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.45 PB 15 PG 58 LOT 3	250

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BROWN CRAIG W TR 15281 TWELVE MILE RD ROSEVILLE MI 48066	**01-44-26-05-00045.0040** 7501 ELAINE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.45 PB 15 PG 58 LOT 4	251
DIONNE LEO V + LOIS E 3335 W WATER ST PORT HURON MI 48060	**01-44-26-05-00046.0010** 7500 ELAINE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 58 LOT 1	252
MOORE LEROY W + DONNA L 134 W SYCAMORE ST BLUE GRASS IA 52726	**01-44-26-05-00046.0020** 7502 ELAINE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 58 LOT 2	253
CLARK TREVOR S 13281 SW 8TH ST DAVIE FL 33325	**01-44-26-05-00046.0030** 7503 DORA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 58 LOT 3	254
AUSTIN JEFFREY C + DIANE 368 TIRRELL HILL RD GOFFSTOWN NH 03045	**01-44-26-05-00046.0040** 7501 DORA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 58 LOT 4	255
SEWARD KENNETH R HC 62 BOX 40 RATON NM 87740	**01-44-26-05-00047.0010** 2600 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.47 PB 15 PG 58 LOT 1	256
SALAMEH EMAD 1/2 INT SALAMEH IBRAHAM H+ SUSAN 1/2 2249 CLEVELAND AV FORT MYERS FL 33901	**01-44-26-05-00048.0010** 2819 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 48 PB 15 PG 58 LOT 1	257
BICKEL JOSEPH E SR PO BOX 288 CHANNAHON IL 60410	**01-44-26-05-00048.0020** 2817 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 48 PB 15 PG 58 LOT 2	258
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**01-44-26-05-00048.0030** 2815 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 48 PB 15 PG 58 LOT 3	259
SAVEY RICHARD L + THEO J 2477 S BROADWAY WELLSBURG NY 14894	**01-44-26-05-00048.0040** 2813 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.48 PB 15 PG 58 LOT 4	260
MADDOCK R A + SANDRA L P O BOX 326 MONTICELLO IN 47960	**01-44-26-05-00048.0050** 2811 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.48 PB 15 PG 58 LOT 5	261
PRICE MICHAEL D + 5142 RIDGEDALE DR DALLAS TX 75206	**01-44-26-05-00048.0060** 2809 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.48 PB 15 PG 58 LOT 6	262
PRICE MICHAEL D + 5142 RIDGEDALE DR DALLAS TX 75206	**01-44-26-05-00048.0070** 2807 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.48 PB 15 PG 58 LOT 7	263
GREENE MICHAEL G + GLADYS M 3564 REVERE CT LAKE STATION IN 46405	**01-44-26-05-00048.0080** 2805 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.48 PB 15 PG 58 LOT 8	264
MORROW JAMES D + ANNA 2108 PRESIDIO AVE MODESTO CA 95355	**01-44-26-05-00048.0090** 2803 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.48 PB 15 PG 58 LOT 9	265
MORROW J D + ANNA C/O CAROL MORROW SIZEMORE 2824 PASO ROBLES DR MODESTO CA 95350	**01-44-26-05-00048.0100** 2801 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.48 PB 15 PG 58 LOT 10	266
RAMNATH ISHWAR 5591 CRESTMONT ST APT E CLEARWATER FL 33760	**01-44-26-05-00051.0010** 2719 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 1	267
RAMIREZ CAROLS + HAYDEE 2001 COLINAS ALT MAYAGUEZ MAYAGUEZ PR 00680	**01-44-26-05-00051.0020** 2717 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 2	268

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WHITE CLIFFORD P O BOX 54 11417 SUNNYSIDE MOUNT BELVIEU TX 77580	**01-44-26-05-00051.0030** 2715 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 3	269
VANWAGNER ROBERT 6040 LACOTA AVE FORT MYERS FL 33905	**01-44-26-05-00051.0040** 2713 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 4	270
HOMRIGHAUS HENRY L 6020 AVENUE Q 1/2 GALVESTON TX 77551	**01-44-26-05-00051.0050** 2711 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 5	271
JURGENSEN FLORENCE E 502 WANDA PL NOKOMIS FL 34275	**01-44-26-05-00051.0060** 2709 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 6	272
LARC INC 2570 HANSON ST FT MYERS FL 33901	**01-44-26-05-00051.0070** 2707 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 7	273
BERTIN A P PO BOX 524 ISABELA PR 00662	**01-44-26-05-00051.0080** 2705 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 8	274
BERTIN A P PO BOX 524 ISABELA PR 00662	**01-44-26-05-00051.0090** 2703 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 9	275
BERTIN A P PO BOX 524 ISABELA PR 00662	**01-44-26-05-00051.0100** 2701 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.51 PB 15 PG 58 LOT 10	276
RYAN JOAN PER REP 2 TIMBER LN TRAFFORD PA 15085	**01-44-26-05-00054.0010** 2619 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 1	277
SIEV INC 2108 NE 1ST AVE FORT LAUDERDALE FL 33305	**01-44-26-05-00054.0020** 2617 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 2	278
DAVIS MICHAEL R + MARILIA C 1710 MULDOON CIR APT 5 ANCHORAGE AK 99504	**01-44-26-05-00054.0030** 2615 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 3	279
WALDRON ALBERTA 136 DOUGLAS ST NW WARREN OH 44483	**01-44-26-05-00054.0040** 2613 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 4	280
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**01-44-26-05-00054.0050** 2611 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 5	281
RETAJCZYK LAUREL J 13 SPRUCE RUN RD CLINTON NJ 08809	**01-44-26-05-00054.0060** 2609 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 6	282
TRAPP LAURENCE J SR 45 WESTWOOD TERR SPRINGFIELD IL 62702	**01-44-26-05-00054.0070** 2607 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 7	283
KAPUT MARTIN T + MARIE 2017 WINSTON DR STERLING HTS MI 48310	**01-44-26-05-00054.0080** 2605 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 8	284
DUGGAN MARY HELEN 607 W MAYWOOD AVE PEORIA IL 61604	**01-44-26-05-00054.0090** 2603 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 54 PB 15 PG 58 LOT 9	285
OSTERWISCH WM W + RUTH M 3801 E GALBRAITH RD CINCINNATI OH 45236	**01-44-26-05-00054.0100** 2601 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 10	286

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HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**01-44-26-05-00054.0110** 2600 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 11	287
MILLIGAN WM CAREY + MARY 1221 BONITA DR PARK RIDGE IL 60068	**01-44-26-05-00054.0120** 2602 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 12	288
COMMOSIOUNG MITZILENA 11231 SW 9TH CT PEMBROKE PINES FL 33025	**01-44-26-05-00054.0130** 2604 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.54 PB 15 PG 58 LOT 13	289
NEWMAN HOLDINGS LLC 3850 NORTH 40TH AVE HOLLYWOOD FL 33021	**01-44-26-09-00089.0010** 7501 CONNIE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.89 PB 15 PG 58 LOT 1	290
CONNER HARVIE H + VIOLA 580 HAWLEY RD BLOUNTVILLE TN 37617	**01-44-26-09-00089.0020** 7503 CONNIE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.89 PB 15 PG 58 LOT 2	291
PATEL KANTILAL 3304 ISLER CT GREENSBORO NC 27407	**01-44-26-09-00090.0010** 7500 CONNIE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 58 LOT 1	292
SANTORO A + FILOMENA 1945 W RIVER DR PENNSAUKEN NJ 08110	**01-44-26-09-00090.0020** 7502 CONNIE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 58 LOT 2	293
MCDONALD DONALD P + ADELE 26 HARTFORD AVE STATEN ISLAND NY 10310	**01-44-26-09-00090.0030** 7503 BETH AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 58 LOT 3	294
RAIA ANGELINA 3329 WILLIS DR BIRMINGHAM AL 35243	**01-44-26-09-00090.0040** 7501 BETH AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 58 LOT 4	295
SWEAT CARRIE LAVAN S ET AL 422 ROSEWOOD ST QUINCY FL 32351	**01-44-26-09-00091.0010** 7500 BETH AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.91 PB 15 PG 58 LOT 1	296
HEKTER LISA CHRISTINE 3815 RADIANT DRIVE #506 COLORADO SPRINGS CO 80917	**01-44-26-09-00091.0020** 7502 BETH AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.91 PB 15 PG 58 LOT 2	297
KARNES JOHN 14457 SOUTH 44TH ST PHOENIX AZ 85044	**01-44-26-09-00091.0030** 7503 ANITA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.91 PB 15 PG 58 LOT 3	298
FORTIER GERARD 66 N CHERRY ST WALLINGFORD CT 06492	**01-44-26-09-00091.0040** 7501 ANITA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.91 PB 15 PG 58 LOT 4	299
MITCHAM H L + MARION S 52 PLOOF RD BREMEN GA 30110	**01-44-26-09-00092.0010** 7500 ANITA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.92 PB 15 PG 58 LOT 1	300
BRAY SHIRLEY P 5626 NW 161ST ST HIALEAH FL 33014	**01-44-26-09-00092.0020** 7502 ANITA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.92 PB 15 PG 58 LOT 2	301
BABCOCK JEANETTE + 1253 ROSEWIND CIR CASTLE ROCK CO 80104	**01-44-26-09-00092.0030** 7503 ALYNE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.92 PB 15 PG 58 LOT 3	302
GREENE J H + NANNIE D 5330 PALMETTO RD KNOXVILLE TN 37921	**01-44-26-09-00092.0040** 7501 ALYNE AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.92 PB 15 PG 58 LOT 4	303
AMIRULLA AMIN + LEELA 109 JACKSON ST #3D HOBOKEN NJ 07030	**01-44-26-09-00093.0010** 2500 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.93 PB 15 PG 58 LOT 1	304

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HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**01-44-26-09-00094.0010** 2529 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 1	305
PIZER IRENE J 1838 THESY DR MELBOURNE FL 32940	**01-44-26-09-00094.0020** 2527 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 2	306
GAYLE MICHAEL O + MIRIAM A 12979 BIGGIN CHURCH RD S JACKSONVILLE FL 32224	**01-44-26-09-00094.0030** 2525 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 3	307
MANGIPUDI KONDALARAO C/O AVNASH KHANNA 1243 NACHEZ TRACE APT C MARIATTA GA 30008	**01-44-26-09-00094.0040** 2523 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 4	308
MEADOWS CYNTHIA 7536 VAN BUREN AVE HAMMOND IN 46324	**01-44-26-09-00094.0050** 2521 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 5	309
BALAZS DONALD W371N5526 MARQUETTE ST OCONOMOWOC WI 53066	**01-44-26-09-00094.0060** 2519 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 6	310
MULLOCK MILDRED G 4311 WOODSIDE HAVEN DR COLUMBIA SC 29206	**01-44-26-09-00094.0070** 2517 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 7	311
MATTHEWS DENISE A P O BOX 782 AVONDALE AZ 41601	**01-44-26-09-00094.0080** 2515 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 94 PB 15 PG 58 LOT 8	312
SMITH JEANNETTE C TR 991 WHELK DR SANIBEL FL 33957	**01-44-26-09-00094.0090** 2514 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 9	313
SUNRISE COASTAL PROPERTIES INC P O BOX 231163 OLD VILLAGE STATION GREAT NECK NY 11023	**01-44-26-09-00094.0100** 2516 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 10	314
MORGAN LUCILLE LOUISE 13432 SE 3RD ST FT MYERS FL 33905	**01-44-26-09-00094.0110** 2518 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 11	315
STAUB JOSEPH C + 15 SPRING CREEK CIR GETTYSBURG PA 17325	**01-44-26-09-00094.0120** 2520 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 94 PB 15 PG 58 LOT 12	316
BOYETTE DONAHUE C/O BEVERLY B GODWIN 220 CREEK RIDGE DR GOLDSBORO NC 27530	**01-44-26-09-00094.0130** 2522 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 13	317
GAMMIE C M + ROSE MARIE 8021 E 3RD ST TUCSON AZ 85710	**01-44-26-09-00094.0140** 2524 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 14	318
LINTON LENEIVE + 730 NW 33RD AVE FT LAUDERDALE FL 33311	**01-44-26-09-00094.0150** 2526 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 15	319
RENSI GARY W + RITA 9748 GROSSE ILE PKWY GROSSE ILE MI 48138	**01-44-26-09-00094.0160** 2528 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.94 PB 15 PG 58 LOT 16	320
USA REAL ESTATE SOLUTIONS LLC 318 TAMIAMI TRAIL #15 PUNTA GORDA FL 33950	**01-44-26-09-00097.0010** 2513 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 1	321
FATH R J + EVELYN J 1150 DUTCH RIDGE RD BEAVER PA 15009	**01-44-26-09-00097.0020** 2511 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 97 PB 15 PG 58 LOT 2	322

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MERULLO RICHARD ALFRED 4 EDGECLIFF RD WATERTOWN MA 02172	**01-44-26-09-00097.0030** 2509 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 3	323
MERULLO RICHARD ALFRED 4 EDGECLIFF RD WATERTOWN MA 02172	**01-44-26-09-00097.0040** 2507 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 4	324
DAVIS VIORIS WHITE 4110 NW 39TH AVE LAUDERDALE LAKES FL 33309	**01-44-26-09-00097.0050** 2505 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 5	325
MURPHY J O + DONNA 524 E BAIRD BARBERTON OH 44203	**01-44-26-09-00097.0060** 2503 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 6	326
GOKHALE SHRIPAD B + SHUBHADA S 5101 WISCONSIN AVE NW STE210 WASHINGTON DC 20016	**01-44-26-09-00097.0070** 2501 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 97 PB 15 PG 58 LOT 7	327
PARHAM GEORGE R + DORIS B 6435 CABIN CREEK RD HURLOCK MD 21643	**01-44-26-09-00097.0080** 2500 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 8	328
VALANTASIS NANCY 1425 NEWFOUND HARBOR DR MERRITT ISLAND FL 32952	**01-44-26-09-00097.0090** 2502 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 9	329
FIRST HOME BUILDERS OF FLORIDA 2503 DEL PRADO BLVD STE 300 CAPE CORAL FL 33904	**01-44-26-09-00097.0100** 2504 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 10	330
O HARRAH ELAINE J/T 411 GREENPORT DR WEST CARROLLTON OH 45449	**01-44-26-09-00097.0110** 2506 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 97 PB 15 PG 58 LOT 11	331
YOULES MILDRED D 120 EMILY DR BRUNSWICK GA 31520	**01-44-26-09-00097.0120** 2508 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 97 PB 15 PG 58 LOT 12	332
ZAMBETIS SHIRLEY ANN 5340 LINGER PL YOUNGSTOWN OH 44514	**01-44-26-09-00097.0130** 2510 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 13	333
MCALLISTER ROBERT E 3784 59TH ST W BRADENTON FL 34209	**01-44-26-09-00097.0140** 2512 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.97 PB 15 PG 58 LOT 14	334
FIRST HOME BUILDERS OF FLORIDA 2503 DEL PRADO BLVD STE 300 CAPE CORAL FL 33904	**02-44-26-01-00001.0010** 3612 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 1 PB 26 PG 100 LOT 1	335
JUDAY STEPHEN M 1448 LINDEN WAY INDIANAPOLIS IN 46234	**02-44-26-01-00001.0020** 3610 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 1 PB 26 PG 100 LOT 2	336
RAMOS ABEL Y + MARIA E 601 SARA AVE S LEHIGH ACRES FL 33971	**02-44-26-01-00001.0030** 3608 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 1 PB26 PG 100 LOTS 3 + 4	337
FIRST HOME BUILDERS OF FLORIDA 2503 DEL PRADO BLVD STE 300 CAPE CORAL FL 33904	**02-44-26-01-00001.0050** 3604 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 1 PB 26 PG 100 LOT 5	338
FIRST HOME BUILDERS OF FLORIDA 2503 DEL PRADO BLVD STE 300 CAPE CORAL FL 33904	**02-44-26-01-00001.0060** 3602 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 1 PB 26 PG 100 LOT 6	339
SUNCOAST INVESTMENTS INC PO BOX 990007 NAPLES FL 34116	**02-44-26-01-00001.0070** 3600 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 1 PB 26 PG 100 LOT 7	340

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BLOODWORTH GROVER JR + EVELYN 5311 DENVER DR ORLANDO FL 32812	**02-44-26-01-00003.0030** 7503 TERRY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.3 PB 15 PG 59 LOT 3	341
SMITH WAYNE T + JOAN C 19 MCKINLEY AV LEHIGH ACRES FL 33936	**02-44-26-01-00003.0040** 7501 TERRY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 3 PB 15 PG 59 LOT 4	342
ERNANDES CARLOS + ELENA 401 WOODSIDE AVE VERMILION OH 44089	**02-44-26-01-00004.0010** 7500 TERRY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 59 LOT 1	343
JOLIVETTE ARTHUR + THELMA TR 92 LONGWOOD CT MARRERO LA 70072	**02-44-26-01-00004.0020** 7502 TERRY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 59 LOT 2	344
JOLIVETTE ARTHUR + THELMA TR 92 LONGWOOD CT MARRERO LA 70072	**02-44-26-01-00004.0030** 7503 TENA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 59 LOT 3	345
GROVES NEVA JOAN 121 STONEHOUSE DR LYNCHBURG VA 24502	**02-44-26-01-00004.0040** 7501 TENA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.4 PB 15 PG 59 LOT 4	346
ROSENQUIST OLIVER C PO BOX 82 ASHFORD CT 06278	**02-44-26-01-00005.0010** 7500 TENA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.5 PB 15 PG 59 LOT 1	347
GOLINGAN FERNANDO + 921 TENNIS AV ARDSLEY PA 19038	**02-44-26-01-00005.0020** 7502 TENA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.5 PB 15 PG 59 LOT 2	348
JULIANO MAUEL S JR + FE M 16 KAITLYN CT ALISO VIEJO CA 92656	**02-44-26-01-00006.0010** 3613 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 6 PB 26 PG 100 LOT 1	349
TOSCANO SANTO + JACQUELINE 4 FEATHERLY CT NEW CITY NY 10956	**02-44-26-01-00006.0020** 3611 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 6 PB 26 PG 100 LOT 2	350
TOSCANO SANTO + JACQUELINE 4 FEATHERLY CT NEW CITY NY 10956	**02-44-26-01-00006.0030** 3609 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 6 PB 26 PG 100 LOT 3	351
TOSCANO SANTO + JACQUELINE 4 FEATHERLY CT NEW CITY NY 10956	**02-44-26-01-00006.0040** 3607 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 6 PB 26 PG 100 LOT 4	352
TOSCANO SANTO + JACQUELINE 4 FEATHERLY CT NEW CITY NY 10956	**02-44-26-01-00006.0050** 3605 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 6 PB 26 PG 100 LOT 5	353
MCCOSTLIN MICHAEL T + 316 BIG OAK LANE MADISON AL 35758	**02-44-26-01-00006.0060** 3603 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 6 PB 26 PG 100 LOT 6	354
MCCOSTLIN MICHAEL T + 316 BIG OAK LN MADISON AL 35758	**02-44-26-01-00006.0070** 3601 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES REPLAT SEC 2 BLK 6 PB 26 PG 100 LOT 7	355
MORRISON RONALD W 3208 GALIOT RD VENICE FL 34293	**02-44-26-01-00006.0080** 3600 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 59 LOT 8	356
TAYLOR F + HILDA 789 SPRINGBROOK LN EVANS GA 30809	**02-44-26-01-00006.0090** 3602 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 59 LOT 9	357
SHIMAMOTO AYISHA 1-8-30 TENMABASHI OAP TWR 1ST MBE-121 KITA-KU OSAKA-SHI OSAKA 530-6001 JAPAN	**02-44-26-01-00006.0100** 3604 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 6 PB 15 PG 59 LOT 10	358

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RAMOS ANGEL E + MARELYS 3584 W FLORENTINE DR CITRUS SPRINGS FL 34433	**02-44-26-01-00006.0110** 3606 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 59 LOT 11	359
MENGE W F + SANDRA ANN 305 N FRONT ST LANSE MI 49946	**02-44-26-01-00006.0120** 3608 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 59 LOT 12	360
TUTTLE JAMES A 28 HAPPY LN FAIRVIEW WV 26570	**02-44-26-01-00006.0130** 3610 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 59 LOT 13	361
HIGBEE SYLVIA 4 FIDDLEWOOD CT HOMOSASSA FL 34446	**02-44-26-01-00006.0140** 3612 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.6 PB 15 PG 59 LOT 14	362
YUELLS DAVID H 37 BALLSTON AVE PAWTUCKET RI 02861	**02-44-26-01-00009.0010** 3515 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 1	363
ODENKIRK W E + MARION 4200 WILLIAMSBURG DR APT H HARRISBURG PA 17109	**02-44-26-01-00009.0020** 3513 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 2	364
CORDERO JULIO + JOANN 3817 SE 4TH AVE CAPE CORAL FL 33904	**02-44-26-01-00009.0030** 3511 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 3	365
IRVIN WM FRANKLIN + VIORA 735 S COURT ST SULLIVAN IN 47882	**02-44-26-01-00009.0040** 3509 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 4	366
ROBERTS HUBERT R 8821 FAWN RIDGE FORT MYERS FL 33912	**02-44-26-01-00009.0050** 3507 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 5	367
RIEDLINGER THOMAS PO BOX 100957 CAPE CORAL FL 33910	**02-44-26-01-00009.0060** 3505 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 9 PB 15 PG 59 LOT 6	368
CULLISON B L P O BOX 282 JACKSONVILLE OH 45740	**02-44-26-01-00009.0070** 3503 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 7	369
RAYBORN SAM 8145 GULL LN FORT MYERS FL 33912	**02-44-26-01-00009.0080** 3501 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 9 PB 15 PG 59 LOT 8	370
BREUER ALFRED M JR + C/O MARCIANN RANDEL 999 E AFTON RD BAINBRIDGE NY 13733	**02-44-26-01-00009.0090** 3500 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 9	371
JEFFERIS M B + CHRISTEL PO BOX 26454 COLORADO SPRINGS CO 80936	**02-44-26-01-00009.0100** 3502 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 10	372
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**02-44-26-01-00009.0110** 3504 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 11	373
NIEBAUER FRANCIS+ ROCHELLE 107 STONERIDGE DR WARNER ROBINS GA 31088	**02-44-26-01-00009.0120** 3506 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 12	374
O BRIEN W M + ALICE 314 WASHINGTON AVE CEDARHURST NY 11516	**02-44-26-01-00009.0130** 3508 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 13	375
FULLERTON D MARCIA 143 TOM EDWARDS DR WHITBY ON L1R 2S2 CANADA	**02-44-26-01-00009.0140** 3510 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 14	376

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ROSENBERG PAUL + DONITA CO TR 31516 AVENUE G BIG PINE KEY FL 33043	**02-44-26-01-00009.0150** 3512 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 PB 15 PG 59 LOT 15	377
ROSENBERG PAUL + DONITA CO TR 31516 AVENUE G BIG PINE KEY FL 33043	**02-44-26-01-00009.0160** 3514 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK.9 DB 15 PG 59 LOT 16	378
ELLIS DOROTHY PO BOX 2076 LEHIGH ACRES FL 33970	**02-44-26-05-00040.0010** 7501 SUSAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.40 PB 15 PG 59 LOT 1	379
ROBINSON J E + CATHERINE V PO BOX 3464 PIKEVILLE KY 41502	**02-44-26-05-00041.0010** 7500 SUSAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.41 PB 15 PG 59 LOT 1	380
PARIAG GOODWIN J + SUSAN A 81 NW 189TH ST MIAMI FL 33169	**02-44-26-05-00041.0020** 7502 SUSAN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.41 PB 15 PG 59 LOT 2	381
PARIAG GOODWIN J + SUSAN A 81 NW 189TH ST MIAMI FL 33169	**02-44-26-05-00041.0030** 7503 SARA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.41 PB 15 PG 59 LOT 3	382
SHIM MELANIE 930 NW 202ND LN PEMBROKE PINES FL 33029	**02-44-26-05-00041.0040** 7501 SARA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 41 PB 15 PG 59 LOT 4	383
MYERS MARSHALL M + BETTY F P O BOX 1710 EUREKA MT 59917	**02-44-26-05-00042.0010** 7500 SARA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.42 PB 15 PG 59 LOT 1	384
LANE MYRTLE M C/O KAREN LANE EXEC 126 VARSITY CIR ALTAMONTE SPRINGS FL 32714	**02-44-26-05-00042.0020** 7502 SARA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.42 PB 15 PG 59 LOT 2	385
RODRIGUEZ CHARLS + 11105 SW 122 CT MIAMI FL 33186	**02-44-26-05-00042.0030** 7503 SALLY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.42 PB 15 PG 59 LOT 3	386
NOTESTINE R + ELSIE 22 YORKE RD MOUNTAIN LAKES NJ 07046	**02-44-26-05-00042.0040** 7501 SALLY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 42 PB 15 PG 59 LOT 4	387
NICKEL GEORGE B + 1103 OBSERVATORY DR ORLANDO FL 32818	**02-44-26-05-00043.0010** 7500 SALLY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.43 PB 15 PG 59 LOT 1	388
CARDENAS EUGENIE H 1129 8TH TERR N NAPLES FL 34102	**02-44-26-05-00043.0020** 7502 SALLY AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.43 PB 15 PG 59 LOT 2	389
CARDENAS EUGENIE H 1129 8TH TERR N NAPLES FL 34102	**02-44-26-05-00043.0030** 7503 RITA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.43 PB 15 PG 59 LOT 3	390
DUNCAN MARSHALL A + IDA K 8236 25TH AV N SAINT PETERSBURG FL 33710	**02-44-26-05-00043.0040** 7501 RITA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.43 PB 15 PG 59 LOT 4	391
FLEURY ELEANOR 2628 MONTGOMERY AVE NW WARREN OH 44485	**02-44-26-05-00044.0010** 7500 RITA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.44 PB 15 PG 59 LOT 1	392
FLEURY ELEANOR 2628 MONTGOMERY AVE NW WARREN OH 44485	**02-44-26-05-00044.0020** 7501 RENA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.44 PB 15 PG 59 LOT 2	393
MEROLA LOUIS + JOANNE 7555 CARRIER RD FORT MYERS FL 33912	**02-44-26-05-00045.0010** 7500 RENA AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.45 PB 15 PG 59 LOT 1	394

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ALI KAHLIL J 115 SOUTHEAST 24TH ST CAPE CORAL FL 33990	**02-44-26-05-00045.0020** 7501 RUTH AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 45 PB 15 PG 59 LOT 2	395
WITTMAN SHIRLEY M C/O MRS LEE J LOVENTHAL III 6973 RIDGE MANOR AV SAN DIEGO CA 92120	**02-44-26-05-00046.0010** 3419 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 46 PB 15 PG 59 LOT 1	396
VILLALOBOS JAMES + MARY 8216 GOLD MINE CT FREDERICKSBURG VA 22407	**02-44-26-05-00046.0020** 3417 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 2	397
STARK HAROLD B + MILDRED N 7909 SUGAR CREEK RD LIMA OH 45801	**02-44-26-05-00046.0030** 3415 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 3	398
GORDON CLINTON S 416 S 6TH AVE MOUNT VERNON NY 10550	**02-44-26-05-00046.0040** 3413 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 4	399
SCHULTZ LAWRENCE H + WANDA G 3680 POCHERT RD PORT HOPE MI 48468	**02-44-26-05-00046.0050** 3411 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 5	400
STREETY ASTELLA 19155 ILENE ST DETROIT MI 48221	**02-44-26-05-00046.0060** 3409 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 6	401
MOERS ALLEN E 1320 HARRIET ST EVANSVILLE IN 47710	**02-44-26-05-00046.0070** 3407 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 46 PB 15 PG 59 LOT 7	402
KEOHANE M 16650 MCGREGOR BLVD #103 FT MYERS FL 33908	**02-44-26-05-00046.0080** 3405 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 8	403
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**02-44-26-05-00046.0090** 3403 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 9	404
ALAM EDITH PO BOX 10666 JAMAICA NY 11431	**02-44-26-05-00046.0100** 3401 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 10	405
COOK GARY B P O BOX 432 LIVERMORE FALLS ME 04254	**02-44-26-05-00046.0110** 3400 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 46 PB 15 PG 59 LOT 11	406
HOHMAN ARLENE 1/2 INT T/C + 8323 ORMES RD VASSER MI 48768	**02-44-26-05-00046.0120** 3402 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 12	407
CHRIS PROPERTIES LLC 9200 BONITA BEACH RD STE 201 BONITA SPRINGS FL 34135	**02-44-26-05-00046.0130** 3404 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 46 PB 15 PG 59 LOT 13	408
HERNANDEZ NILZA R 724 ROUND TABLE DR LAS VEGAS NV 89110	**02-44-26-05-00046.0140** 3406 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 14	409
HALLER FREDERICK R + SALLY N 102 TALBOT AVE CAMBRIDGE MD 21613	**02-44-26-05-00046.0150** 3408 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 15	410
SORENSEN LASSE F + MARYJANE B 17107 N US HWY 51 DESOTO IL 62924	**02-44-26-05-00046.0160** 3410 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 16	411
SORENSEN LASSE F + MARYJANE B 17107 N US HWY 51 DESOTO IL 62924	**02-44-26-05-00046.0170** 3412 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 17	412

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EICHER JANN 654 SHERIDAN AVE COLUMBUS OH 43209	**02-44-26-05-00046.0180** 3414 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 18	413
USA REAL ESTATE SOLUTIONS LLC 318 TAMIAMI TRAIL #15 PUNTA GORDA FL 33950	**02-44-26-05-00046.0190** 3416 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 19	414
PLOMONDON L + MILDRED 612 SHADYSIDE ST LEHIGH ACRES FL 33936	**02-44-26-05-00046.0200** 3418 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.46 PB 15 PG 59 LOT 20	415
LACHIANA JOSEPH 7101 HANKS LN MARION IL 62959	**02-44-26-05-00049.0010** 3319 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 1	416
TUMM DALE E + OLGA 2326 LONGLEAF LN AUGUSTA GA 30906	**02-44-26-05-00049.0020** 3317 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 2	417
LOWENHAUPT MARGARET C/O LEWIS M TURBYFILL 311 9TH ST BLACK MOUNTAIN NC 28711	**02-44-26-05-00049.0030** 3315 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 3	418
LOWENHAUPT MARGARET C/O LEWIS M TURBYFILL 311 9TH ST BLACK MOUNTAIN NC 28711	**02-44-26-05-00049.0040** 3313 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 4	419
TUMM D + OLGA 2326 LONGLEAF LN AUGUSTA GA 30906	**02-44-26-05-00049.0050** 3311 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 5	420
TUMM D + OLGA 2326 LONGLEAF LN AUGUSTA GA 30906	**02-44-26-05-00049.0060** 3309 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 6	421
USA REAL ESTATE SOLUTIONS LLC 318 TAMIAMI TRAIL #15 PUNTA GORDA FL 33950	**02-44-26-05-00049.0070** 3307 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 7	422
PUENTES RONALD 4601 NW 207TH DR MIAMI FL 33055	**02-44-26-05-00049.0080** 3305 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 8	423
ADRIAANSEN LESLIE I + PHYLLIS 7084 TUCKAHOE RD WILLIAMSON NY 14589	**02-44-26-05-00049.0090** 3303 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK 49 PB 15 PG 59 LOT 9	424
CALAFATIS NICHOLAS 165 CHICHESTER RD EDMONTON LONDON N99DF ENGLAND	**02-44-26-05-00049.0100** 3301 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 10	425
KONCHAN EILEEN C 6015 LUELDA AVE PARMA OH 44129	**02-44-26-05-00049.0110** 3300 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 11	426
OVERLY PATSY LAVERNE 253 FAIRWAY AV APT 2 CHILLICOTHE OH 45601	**02-44-26-05-00049.0120** 3302 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 12	427
PINTER R C C/O JOYCE GEHRKE 13154 PARKWAY RD POUND WI 54161	**02-44-26-05-00049.0130** 3304 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 13	428
SCHMITT SGM CARL JR + RUTH 14400 W CLEVELAND AVE NEW BERLIN WI 53151	**02-44-26-05-00049.0140** 3306 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 14	429
SCHMITT SGM CARL JR + RUTH 14400 W CLEVELAND AVE NEW BERLIN WI 53151	**02-44-26-05-00049.0150** 3308 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 15	430

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
TUMM D + OLGA 2326 LONGLEAF LN AUGUSTA GA 30906	**02-44-26-05-00049.0160** 3310 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 16	431
LEHIGH HOLDING CO LLC C/O REED DEVELOPMENT CO 5130 MAIN ST STE 6 NEW PORT RICHEY FL 34652	**02-44-26-05-00049.0170** 3312 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 17	432
FIGUEROA VICTOR A PO BOX 11084 SAN JUAN PR 00922	**02-44-26-05-00049.0180** 3314 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 18	433
MCCARTHY GEORGE W JR 111 WORTH ST #7A NEW YORK NY 10013	**02-44-26-05-00049.0190** 3316 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 19	434
SWEENEY PATRICK J JR C/O J M SWEENEY 1908 SAPLING DR O FALLON MO 63366	**02-44-26-05-00049.0200** 3318 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 5 BLK.49 PB 15 PG 59 LOT 20	435
REDBERG LUELLA K 2109 6TH ST PERU IL 61354	**02-44-26-09-00080.0010** 7500 RUTH AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.80 PB 15 PG 59 LOT 1	436
MEROLA LOUIS + JOANNE 7555 CARRIER RD FORT MYERS FL 33912	**02-44-26-09-00080.0020** 7501 QUEEN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.80 PB 15 PG 59 LOT 2	437
OVERTON VELDA H 510 RICHLEY DR BALLWIN MO 63011	**02-44-26-09-00081.0010** 7500 QUEEN AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.81 PB 15 PG 59 LOT 1	438
MILLER WILLIAM J + DAPHNE G 105 FAIRFZX RD E PITTSBURGH PA 15221	**02-44-26-09-00081.0020** 7501 PAT AVE N LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.81 PB 15 PG 59 LOT 2	439
PETERSON ERIK 3830 7TH ST SOUTH ARLINGTON VA 22204	**02-44-26-09-00082.0010** 3200 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 8 BLK.82 PB 15 PG 59 LOT 1	440
JEHLEN RICHARD ARTHUR 3430 YUKON DR PORT CHARLOTTE FL 33948	**02-44-26-09-00083.0010** 3128 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 1	441
GRADY ELIZABETH 2136 LOWRIE ST PITTSBURGH PA 15212	**02-44-26-09-00083.0020** 3126 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 2	442
OCARROLL JOHN + BARBARA 117 BUSSELL RD STATESVILLE NC 28677	**02-44-26-09-00083.0030** 3124 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 3	443
BURDAN H HENRY + CLARA S C/O DANIEL WEIDNER POA 583 VADER HILL RD COUDERSPORT PA 16915	**02-44-26-09-00083.0040** 3120 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 4	444
JEAN JEAN R + FERNANDE 2712 DORSON WAY DELRAY BEACH FL 33445	**02-44-26-09-00083.0050** 3118 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 5	445
JEAN JEAN R + FERNANDE 2712 DORSON WAY DELRAY BEACH FL 33445	**02-44-26-09-00083.0060** 3116 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 6	446
BOURGOIN VICTOR + 222 FLORENCE AVE ROCHESTER NY 14616	**02-44-26-09-00083.0070** 3114 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 83 PB 15 PG 59 LOT 7	447
KUSHNER DAVID + MARIE 1235 NW 19TH TERR DELRAY BEACH FL 33445	**02-44-26-09-00083.0080** 3112 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 8	448

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
PAUZE ROBERT D 77 SHINNECOCK AV MASTIC NY 11950	**02-44-26-09-00083.0090** 3108 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 83 PB 15 PG 59 LOT 9	449
PAUZE ROBERT D 77 SHINNECOCK AV MASTIC NY 11950	**02-44-26-09-00083.0100** 3106 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 83 PB 15 PG 59 LOT 10	450
SARDINA JODIANN 70 OAK LANE STATEN ISLAND NY 10312	**02-44-26-09-00083.0110** 3104 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 11	451
SARDINA DOMINICK 70 OAK LANE STATEN ISLAND NY 10312	**02-44-26-09-00083.0120** 3100 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.83 PB 15 PG 59 LOT 12	452
LAMPE JUDITH M + CLEMENS J J/+ 2343 ST JOSEPH ARNOLD MO 63010	**02-44-26-09-00084.0010** 3219 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 1	453
BUDINICH MARIO + BARBARA E 1008 MARYLAND AVE CROYDON PA 19021	**02-44-26-09-00084.0020** 3217 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 2	454
BUDINICH MARIO + BARBARA E 1008 MARYLAND AVE CROYDON PA 19021	**02-44-26-09-00084.0030** 3215 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 3	455
KIRBY MERLE M C/O KATHRYN F CHESTER 129 FARKAS LN LAS VEGAS NV 89128	**02-44-26-09-00084.0040** 3213 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 4	456
HO STEVE + 4120 W BEACH BLVD GULFPORT MS 39501	**02-44-26-09-00084.0050** 3211 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 84 PB 15 PG 59 LOT 5	457
FOWLER DONALD L + 220 S OHIO ST STATE LINE IN 47982	**02-44-26-09-00084.0060** 3209 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 6	458
JASMATT INC PO BOX 2014 LEHIGH ACRES FL 33970	**02-44-26-09-00084.0070** 3207 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 7	459
GORDON KENNETH + CECILE 929 NW 161ST AVE PEMBROKE PINES FL 33028	**02-44-26-09-00084.0080** 3205 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 8	460
GLAAB PAUL EDWARD TR + 275 BIG VALLEY SPUR GEORGETOWN TX 78628	**02-44-26-09-00084.0090** 3203 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 9	461
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**02-44-26-09-00084.0100** 3201 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 10	462
HARKINS JAMES T 40 MARPLE AVE CLIFTON HEIGHTS PA 19018	**02-44-26-09-00084.0110** 3200 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 11	463
WILSON RICHARD + LINDA 153 STUART AVE LEOMINSTER MA 01453	**02-44-26-09-00084.0120** 3202 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 12	464
GREER GOLDIE D 1620 MAYFLOWER CT #A-521 WINTER PARK FL 32792	**02-44-26-09-00084.0130** 3204 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 13	465
BOGGS PHILLIP E + GLORIA T 5874 WEST POINT RD LAGRANGE GA 30240	**02-44-26-09-00084.0140** 3206 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 14	466

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
WALES KAREN U P O BOX 3089 POINT PLEASANT NJ 08742	**02-44-26-09-00084.0150** 3208 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOTS 15 + 16	467
ZEBEDEE ENTERPRISES INC 2210 EMBASSY RD NORTH PORT FL 34287	**02-44-26-09-00084.0170** 3212 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 17	468
TAYLOR C B + MARGARET C/O MARGARET FLAURNOY 916 PLEASANT AV DECORAH IA 52101	**02-44-26-09-00084.0180** 3214 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 18	469
TAYLOR C B + MARGARET C/O MARGARET FLAURNOY 2202 TWIN SPRINGS RD DECORAH IA 52101	**02-44-26-09-00084.0190** 3216 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.84 PB 15 PG 59 LOT 19	470
PORTER VAUGHN F + LYDIA M 1311 JACKSON AV LEHIGH ACRES FL 33972	**02-44-26-09-00084.0200** 3218 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 84 PB 15 PG 59 LOT 20	471
SCHREINER ENTERPRISES INC P O BOX 931 LEHIGH ACRES FL 33970	**02-44-26-09-00087.0010** 3129 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 1	472
OBERUCH MATTHEW + HELEN 1321 SQUIRREL RD WALL TOWNSHIP WALL NJ 07719	**02-44-26-09-00087.0020** 3127 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 2	473
VALENTIN D + ANGELICA AVE LONSTANCIA AA-1 EXT VILLA DEL CARMEN PONCE PR 00731	**02-44-26-09-00087.0030** 3125 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 87 PB 15 PG 59 LOT 3	474
JENKINS GLEN A + JUNE 820 SUNSET DR SULLIVAN IL 61951	**02-44-26-09-00087.0040** 3123 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 4	475
FERNANDEZ MAYRA E + 2210 SW 67TH LN MIRAMAR FL 33023	**02-44-26-09-00087.0050** 3121 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 87 PB 15 PG 59 LOT 5	476
PATRAJU EURIC + KALOUTIE 5530 NW 61 ST APT 323 COCONUT CREEK FL 33073	**02-44-26-09-00087.0060** 3119 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 6	477
ROWLAND LEO + JANE 5822 SAINT ANGELA DR CHARLESTON SC 29418	**02-44-26-09-00087.0070** 3117 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 7	478
RADISH DANIEL A + KYLE M 2008 FARMINGTON TURN WESTLAKE OH 44145	**02-44-26-09-00087.0080** 3115 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 87 PB 15 PG 59 LOT 8	479
SWORDS GEORGE L + MARCIA J 4117 N TOWNHOUSE RD HANNA CITY IL 61536	**02-44-26-09-00087.0090** 3114 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 9	480
SWORDS GEORGE L + MARCIA J 4117 N TOWNHOUSE RD HANNA CITY IL 61536	**02-44-26-09-00087.0100** 3116 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 10	481
BERGER JAMES B + ROSEANNE M 189 CHURCH ST NEW MILFORD PA 18834	**02-44-26-09-00087.0110** 3118 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 11	482
MELLE J A + ROSE 200 CHERYL CIR NEWPORT NEWS VA 23602	**02-44-26-09-00087.0120** 3120 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 12	483
PEEK BUDDIE M + 18915 BERRY HILL DR TOMBALL TX 77377	**02-44-26-09-00087.0130** 3122 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 13	484

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
CARD GEORGE + MARILYN 3915 GLADING DR SAN DIEGO CA 92154	**02-44-26-09-00087.0140** 3124 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 14	485
TIGHE J S + ANN PO BOX 31086 OMAHA NE 68131	**02-44-26-09-00087.0150** 3126 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 15	486
KIGER EDWARD ETAL NANCY CUTKA 4037 E SALINAS CT PHONIX AZ 85044	**02-44-26-09-00087.0160** 3128 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.87 PB 15 PG 59 LOT 16	487
EDWARDS C A + PEARL C/O DANIEL F LAMBERT 465 LANDSDOWNE WESTMOUNT QC HEY 2V4 CANADA	**02-44-26-09-00090.0010** 3113 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 1	488
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**02-44-26-09-00090.0020** 3111 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 2	489
BESS DONALD L SR + CAROL TR 3321 KAYLYN ST LANCASTER CA 93535	**02-44-26-09-00090.0030** 3109 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 3	490
GRECO MARIE 36 LINSAY LN CRANSTON RI 02921	**02-44-26-09-00090.0040** 3107 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 4	491
USA REAL ESTATE SOLUTIONS LLC 318 TAMIAMI TRAIL #15 PUNTA GORDA FL 33950	**02-44-26-09-00090.0050** 3105 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK 90 PB 15 PG 59 LOT 5	492
HOWARD JOSEPH G + LINDA J 623 SW 53RD TER CAPE CORAL FL 33914	**02-44-26-09-00090.0060** 3103 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 6	493
HEITKAMP MARK CARL 7922 RIO GRANDE DR CLEVES OH 45002	**02-44-26-09-00090.0070** 3101 75TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 7	494
MORSE JOHN E JR + DEBBIE L 8 DEVON RD SAVANNAH GA 31419	**02-44-26-09-00090.0080** 3100 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 8	495
HABITAT FOR HUMANITY 1288 N TAMIAMI TRL NORTH FORT MYERS FL 33903	**02-44-26-09-00090.0090** 3102 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 9	496
MAYFIELD G K + MARIE PO BOX 304 OKOLONA MS 38860	**02-44-26-09-00090.0100** 3104 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 10	497
MAYFIELD G K + MARIE PO BOX 304 OKOLONA MS 38860	**02-44-26-09-00090.0110** 3106 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 11	498
KOKKO ROBERT SAMUEL SR + 3987 MEADOWBROOK DR TROY MI 48084	**02-44-26-09-00090.0120** 3108 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 12	499
MORRIS W G + CLOVER 15661 FREMONT RD GRASS VALLEY CA 95949	**02-44-26-09-00090.0130** 3110 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 13	500
CLARK JOHN P + MARY B PO BOX 112 VICTORIA IL 61485	**02-44-26-09-00090.0140** 3112 74TH ST W LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 9 BLK.90 PB 15 PG 59 LOT 14	501
FREEMAN ALTHEA 4500 NW 39TH ST LAUDERDALE LAKES FL 33319	**03-44-26-04-00016.0130** 3708 HYDE PARK DR FORT MYERS FL 33905	LEHIGH ACRES UNIT 4 BLK 16 PB 26 PG 6 LOT 13	502

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
ASHLEY CHRISTOPHER + LINDA 3706 HYDE PARK DR FORT MYERS FL 33905	**03-44-26-04-00016.0140** OBOR FL	LEHIGH ACRES UNIT 4 BLK 16 PB 26 PG 6 LOT 14	503
FRANJUL ENTERPRISES INC 1925 IVISA AVE NAPLES FL 34117	**03-44-26-04-00016.0150** 3704 HYDE PARK DR FORT MYERS FL 33905	LEHIGH ACRES UNIT 4 BLK 16 PB 26 PG 6 LOT 15	504
STONER W L + DARLENE J 6309 CHESHAM AVE NE NORTH CANTON OH 44721	**03-44-26-04-00016.0160** 3702 HYDE PARK DR FORT MYERS FL 33905	LEHIGH ACRES UNIT 4 BLK 16 PB 26 PG 6 LOT 16	505
REED TINA L + 7653 MCMILLIAN RD KNOVILLE TN 37914	**03-44-26-04-00019.0220** 6151 STRATTON RD FORT MYERS FL 33905	LEHIGH ACRES UNIT 4 BLK 19 PB 26 PG 6 LOT 22	506
BULLOCK ROBERT J + BARBARA E 806201 MAPLE LAKE PARK 34 INNERKIP ON NOJ 1M0 CANADA	**03-44-26-04-00020.0010** 6152 STRATTON RD FORT MYERS FL 33905	LEHIGH ACRES UNIT 4 BLK 20 PB 26 PG 6 LOT 1	507
BULLOCK ROBERT J + BARBARA E 806201 MAPLE LAKE PARK 34 INNERKIP ON N0J 1M0 CANADA	**03-44-26-04-00020.0020** 6150 STRATTON RD FORT MYERS FL 33905	LEHIGH ACRES UNIT 4 BLK 20 PB 26 PG 6 LOT 2	508
ORTOLIVO THOMAS P + ELAINE M 7611 OAK GROVE CIR LAKE WORTH FL 33467	**03-44-26-04-00020.0030** 6148 STRATTON RD FORT MYERS FL 33905	LEHIGH ACRES UNIT 4 BLK 20 PB 26 PG 6 LOT 3	509
LEE COUNTY P O BOX 398 FORT MYERS FL 33902	**30-43-27-00-00001.0020** 2500 BATEMAN RD ALVA FL 33920	THE SOUTH 3279 FT OF SEC W OF LESS BATEMAN RD RD	510
LEE COUNTY P O BOX 398 FORT MYERS FL 33902	**31-43-27-00-00001.0020** 3300 BATEMAN RD ALVA FL 33920	ALL OF SEC 31 WEST + SOUTH OF BATEMAN RD LES PARLS 2.000 + 4.001 + GREENBRIAR UN 34 PB 27 PG 54 PARCELS 47 + 70 THRU 72 + 75	511
EAST COUNTY WATER CONTROL DIST 601 EAST COUNTY LN LEHIGH ACRES FL 33936	**31-43-27-00-00001.0030** ACCESS UNDETERMINED FL	THE W 200 FT OF THE SW 1/4 OF THE SECT	512
BOBBY RICHARD J + JUDITH A 7207 BILLIE LN LOUISVILLE KY 40219	**06-44-27-16-00300.0010** 1973 WESTBORO LOOP LEHIGH ACRES FL 33972	GREENBRIAR UNIT 51 BLK 300 PB 27 PG 74 LOT 1	513
STALLARD ROBERT A + LOIS J 586 ROUTE 366 APOLLO PA 15613	**06-44-27-16-00300.0020** 1975 WESTBORO LOOP LEHIGH ACRES FL 33972	GREENBRIAR UNIT 51 BLK 300 PB 27 PG 74 LOT 2	514
GOODREAU RENEE M 19431 BROAD ACRES CLINTON TOWNSHIP MI 48035	**06-44-27-16-00301.0070** 1969 WESTBORO LOOP LEHIGH ACRES FL 33972	GREENBRIAR UNIT 51 BLK 301 PB 27 PG 74 LOT 7	515
GRADY PENNIE JILL 314 BROOKWAY WEST DR LEWISVILLE NC 27023	**06-44-27-16-00301.0080** 1971 WESTBORO LOOP LEHIGH ACRES FL 33972	GREENBRIAR UNIT 51 BLK 301 PB 27 PG 74 LOT 8	516

516 RECORDS PRINTED

LEE COUNTY
SOUTHWEST FLORIDA

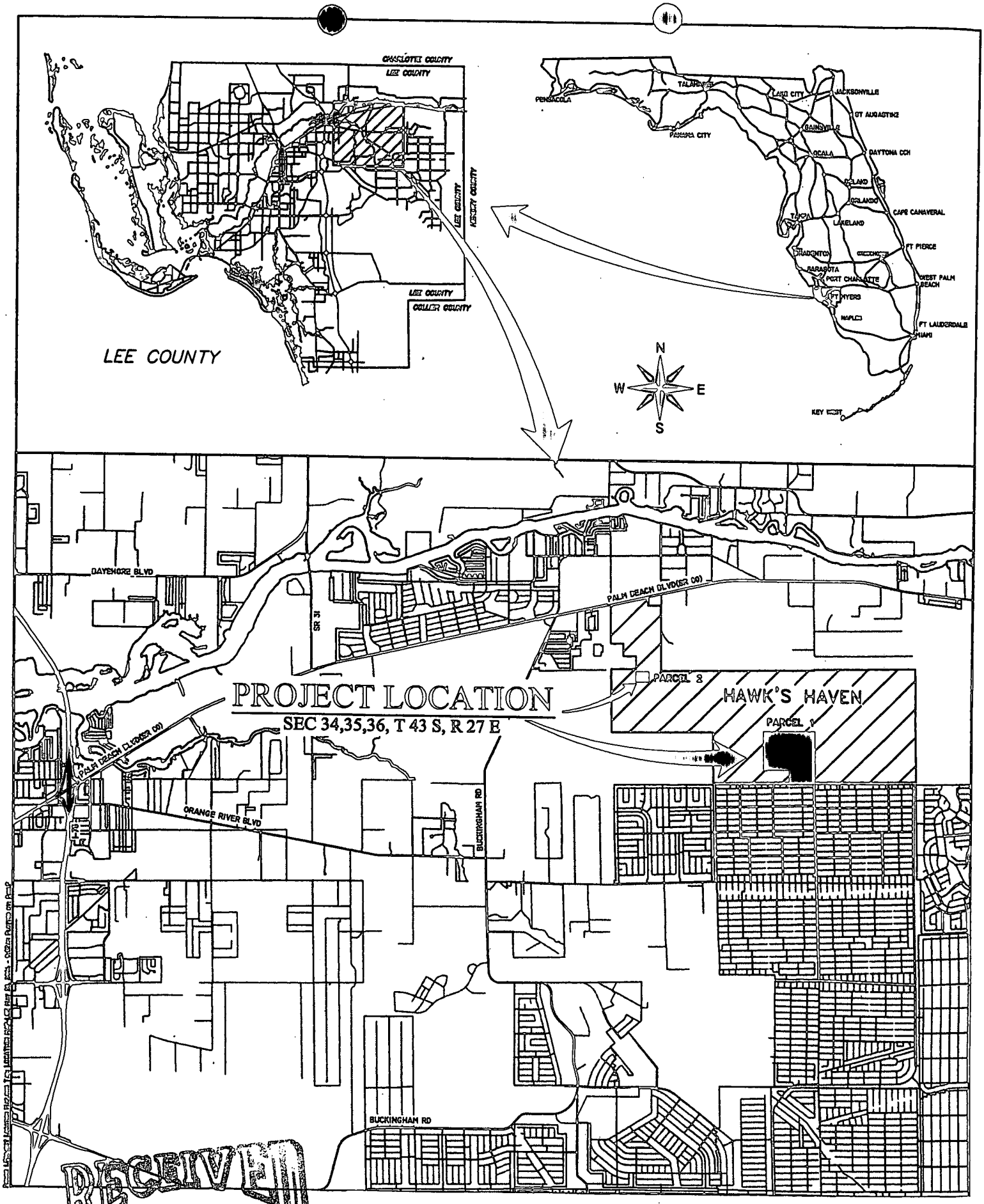
COURTESY NOTICE
OF RECEIPT OF ZONING APPLICATION

Date:	July 28, 2004
Case Number:	DCI2004-00054
Case Name:	HAWKS HAVEN RPD
Request:	Amend Hawk's Haven Residential Planned Development to permit an additional 148 acres and 400 dwelling units. As amended the request is for 1,999 dwelling units (single- and multi-family) on with a golf course on 1,946 acres of land. Maximum height is 45 feet/3 stories stories for residential and 60 feet/3 stories for other recreational buildings.
Location:	17750 Alva, FL 33920, 2970 Hickey Creek Rd, Alva, FL 33920, 3 properties at Ft. Myers, FL 33905(access undetermined), and 4 properties at Alva, FL 33920(Access Undetermined)
Location Map:	SEE REVERSE
PROPERTY OWNER'S REPRESENTATIVE:	MR MATTHEW D UHLE KNOTT CONSOER 239-334-2722
Lee County Planner:	Tony Palermo 239-479-8325

The file may be reviewed Monday through Friday between the hours of 7:30 a.m. and 4:30 p.m. at the Lee County Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

This is a courtesy notice. A public hearing date has not yet been set. You will receive another notice once the hearing date and time have been established.

JMP



RECEIVED
JUL 26 2004
PERMIT COUNTER

EXHIBIT 6-B DCI2004-00054

25-43-26-00-00121.0000
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

26-43-26-00-00011.0010
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

27-43-26-00-00003.0020
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

34-43-26-00-00001.0010
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

35-43-26-00-00001.0000
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

35-43-26-00-00002.0000
HAWKS HAVEN INVESTMENT INC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

25-43-26-00-00119.0030
KOOK SCOTT G +
17540 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0050
DRAKE JOHN P + TIFFANY F
17950 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0090
WILES PAUL H + DEBORAH
17600 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0130
SCHMIDT ERWIN E + JOAN C
2813 SW 51ST ST
CAPE CORAL, FL 33914

26-43-26-00-00011.0000
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

27-43-26-00-00003.0010
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

27-43-26-00-00016.0000
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

34-43-26-00-00001.0020
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

35-43-26-00-00001.0010
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

36-43-26-00-00001.0000
HAWKS HAVEN INVESTMENT LLC
12800 UNIVERSITY DR STE 275
FORT MYERS, FL 33907

25-43-26-00-00119.0040
KOOK SCOTT G +
17540 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0070
MORRIS CHARLES + SHERYL W
17630 OAK CREEK ROAD
ALVA, FL 33920

25-43-26-00-00119.0100
BARR JOHN
17650 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0140
MICHAELKIEWICZ STEPHEN P
17930 OAK CREEK RD
ALVA, FL 33920

All data is current at time of printing and subject to change without notice.

25-43-26-00-00119.0150
CARSON LONNIE R + TERRY L
17520 OAK CR RD
ALVA, FL 33920

25-43-26-00-00119.0160
SUBBERT SCOTT M + ROBIN M
17750 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0190
SIMMONS JERRY G TR
17141 FRANK RD
ALVA, FL 33920

25-43-26-00-00119.0200
SUBBERT DANIEL W + JENNIFER K
17690 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0210
HAMILTON DOUGLAS E
6151 INDUSTRY AVE
FORT MYERS, FL 33905

25-43-26-00-00119.0240
HAMILTON DOUGLAS + KIMBERLY
17780 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00119.0250
HAMILTON DOUGLAS E + KIMBERLY
17780 0AK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0000
DEAN ROBERT S JR + KATHRYN S
1273 CALOOSA DR
FORT MYERS, FL 33901

25-43-26-00-00122.0020
ALI AHMED REBECCA T
17140 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.002A
MCCLINTICK MARK E + NELLA L
P O BOX 628
ALVA, FL 33920

25-43-26-00-00122.002B
SCARPELLI JAMES + DIANE
2141 BISCAYNE DR
ELK GROVE VILLAGE, IL 60007

25-43-26-00-00122.0030
YEOMANS JOHN D + RUTHANN M
17221 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0040
WALLER ALICIA C
17270 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0050
KOHL L L + MAUD H
17310 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0060
MANGAN ALAN J
17240 OAK CREEK DR
FT MYERS, FL 33920

25-43-26-00-00122.0070
BEESLEY CAROL L
17151 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0080
RUTTMAN MILDRED
17200 OAK CREEK ROAD
ALVA, FL 33920

25-43-26-00-00122.0090
MINGIONE VINCENT J+ PAMELA C
17301 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0100
KENNEDY SEAN A + EVELYN V
17281 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0110
ANDERSON CAROLYN J
17251 OAK CREEK RD
ALVA, FL 33920

All data is current at time of printing and subject to change without notice.

25-43-26-00-00122.0150
CARSON LONNIE R + THERESA L
17520 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0170
BUSH DAVID + CHRISTIE A
17470 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0180
BERRYMAN HOWARD + PAMELA
17460 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0240
WALLIN DAVID T + KIMBERLY M
17450 OAK CREEK RD
ALVA, FL 33920

25-43-26-00-00122.0300
T & R ROOFING INC
14032 PALM BEACH BLVD
FT MYERS, FL 33905

25-43-26-00-00122.0310
MYOSKY LEONARD J + AGNES C
17340 OAK CREEK RD
ALVA, FL 33920

26-43-26-00-00001.0000
AMTEL FARM INC
ATT: RUNG
2500 EDWARDS DR
FT MYERS, FL 33901

26-43-26-00-00007.0000
BARR PAUL M + SHIRLEY J
2630 HICKEY CREEK RD
FORT MYERS, FL 33920

26-43-26-00-00008.0000
DUNCAN SOLON + JILL
2807 HICKEY CREEK RD
ALVA, FL 33920

26-43-26-00-00008.0010
GRIFFIN CAROLYN B
2751 RHODE ISL AV
FORT MYERS, FL 33916

26-43-26-00-00008.0020
MAJEWSKI KEELY HANSEN
2760 HICKEY CREEK RD
ALVA, FL 33920

26-43-26-00-00008.0030
CONNER DENNIS W + FAY A
2720 HICKEY CREEK RD
ALVA, FL 33920

26-43-26-00-00008.0050
GROSS MARK A + JOAN L
2780 HICKEY CREEK RD
ALVA, FL 33920

26-43-26-00-00008.0060
DUNCAN SOLON S + JILL O
2870 HICKEY CREEK RD
ALVA, FL 33920

26-43-26-00-00008.0080
GRIFFIN CAROLYN B
2751 RHODE ISL AV
FORT MYERS, FL 33916

26-43-26-00-00008.0090
GRIFFIN CAROLYN B
2751 RHODE ISL AV
FORT MYERS, FL 33916

26-43-26-00-00008.0110
SAMPSON CHESTER R + JULIE L
2700 HICKEY CREEK RD
ALVA, FL 33920

26-43-26-00-00010.0000
GERACI D D TR
2023 WEST FIRST ST
FORT MYERS, FL 33901

26-43-26-00-00012.0010
CARTER DORIS L TR +
10235 COUNTY RD 56
WOODLAND, AL 36280

27-43-26-00-00001.0020
SAGER LILLY S
1280 BLUFFS CIR
DUNEDIN, FL 34698

All data is current at time of printing and subject to change without notice.

27-43-26-00-00001.0060
ROBERTS RICHARD A + KAREN M
2211 LINWOOD AV
ALVA, FL 33920

27-43-26-00-00001.006E
RITCHEY RONALD M
3230 BURMUDA ISLE CIR #1024
NAPLES, FL 34109

27-43-26-00-00001.0080
AMTEL FARM INC
ATT: RUNG
2500 EDWARDS DR
FORT MYERS, FL 33901

27-43-26-00-00002.0000
MILLS GEORGE B JR +
5440 BUCKINGHAM ROAD
FORT MYERS, FL 33905

27-43-26-00-00003.0000
SCHULMAN WILLIAM TR
18 E 81ST ST
NEW YORK, NY 10028

27-43-26-00-00004.0000
HOFMEISTER SALYARDS L/E
C/O SCOTT HOFFMEISTER
108 BARBARA ST
LOUISVILLE, CO 80027

27-43-26-00-00006.0000
TERRELL WILLIAM M
2081 LINWOOD AVE
ALVA, FL 33920

27-43-26-00-00007.0000
WALKER ROBERT E
15930 OLD OLGA RD
ALVA, FL 33920

27-43-26-00-00007.0010
DENOVA PROSPERO
15460 PALM BEACH BLVD
ALVA, FL 33920

27-43-26-00-00008.0000
BROWN JACQUELINE E
15590 KARANAN DR
ALVA, FL 33920

27-43-26-00-00009.0000
SKINNER SHARI
2280 BROWN RD
ALVA, FL 33920

27-43-26-00-00011.0000
CARTER TALLEY + MARTHA CO-TR
10235 COUNTY RD 56
WOODLAND, AL 36280

27-43-26-00-00011.0020
ALLEN JAMES C JR + CYNTHIA C
2371 LINWOOD AV
ALVA, FL 33920

27-43-26-00-00011.0030
HITCHCOCK MARK T
2501 LINWOOD AV
ALVA, FL 33920

27-43-26-00-00011.0040
CARTER KEITH A + SHEILA R
C/O JACOB CARTER
5125 BARON ST
LEHIGH ACRES, FL 33971

27-43-26-00-00011.0050
CARTER DAVID W + MARCELLA A
2401 LINWOOD AVE
ALVA, FL 33920

27-43-26-00-00011.0060
ALLEN JAMES C JR + CYNTHIA C
2371 LINWOOD AV
ALVA, FL 33920

27-43-26-00-00011.0070
ROBERTS DEREK G +
3955 MARVAEZ ST
FORT MYERS, FL 33901

27-43-26-00-00018.0000
ARONOFF JOSEPH EST
69 VERNON ST
SEWAREN, NJ 07077

27-43-26-00-00019.0000
ROUNSIFER WILLIAM CHARLES SR +
PO BOX 50354
FORT MYERS, FL 33994

27-43-26-00-00020.0000
LIEBL ERIC +
3204 SE 1ST AVE
CAPE CORAL, FL 33904

27-43-26-00-00021.0000
ZIELINSKI PETER J +
15980 OLD OLGA RD
ALVA, FL 33920

27-43-26-00-00021.0040
ZIELINSKI PETER J + TEENA MARY
15980 OLD OLGA RD
ALVA, FL 33920

27-43-26-00-00021.0050
CONWAY THOMAS III + ELIZABETH
17951 OAK CREEK RD
ALVA, FL 33920

28-43-26-00-00007.0010
JOHN J DAVIS FORT MYERS LLC
2612 HIBISCUS PL
FORT LAUDERDALE, FL 33301

28-43-26-00-00007.0020
CONLEY MARY L TR
2385 S OLGA DR
FORT MYERS, FL 33905

28-43-26-00-00012.001A
JAMES FRIEDA K
14991 DRAWDY RD
FORT MYERS, FL 33905

28-43-26-00-00012.0020
CHANEY DOROTHY
14941 DRAWDY RD
FT MYERS, FL 33905

28-43-26-00-00012.0040
SPURLOCK JAMES M + KAREN S
14891 DRAWDY RD
FT MYERS, FL 33905

28-43-26-00-00013.0000
BUCKINGHAM DEVELOPMENT LLC
2695 HACKNEY RD
WESTON, FL 33331

28-43-26-00-00014.0000
BUCKINGHAM DEVELOPMENT LLC
2695 HACKNEY RD
WESTON, FL 33331

28-43-26-12-00000.0010
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0020
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0030
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0040
HAWKS PRESERVE LLC
11220-27 METERO PKWY
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28-43-26-12-00000.0050
HAWKS PRESERVE LLC
11220-27 METERO PKWY
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28-43-26-12-00000.0060
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0070
HAWKS PRESERVE LLC
11220-27 METERO PKWY
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28-43-26-12-00000.0080
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0090
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

All data is current at time of printing and subject to change without notice.

28-43-26-12-00000.0100
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0110
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0120
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0130
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11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0140
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0150
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0160
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0170
HAWKS PRESERVE LLC
11220-27 METERO PKWY
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28-43-26-12-00000.0180
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11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0190
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0200
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0210
HAWKS PRESERVE LLC
11220-27 METERO PKWY
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28-43-26-12-00000.0220
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28-43-26-12-00000.0230
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11220-27 METERO PKWY
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28-43-26-12-00000.0240
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0250
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11220-27 METERO PKWY
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28-43-26-12-00000.0280
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11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0290
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

All data is current at time of printing and subject to change without notice.

28-43-26-12-00000.0300
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0370
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0380
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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11220-27 METERO PKWY
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28-43-26-12-00000.0400
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11220-27 METERO PKWY
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28-43-26-12-00000.0410
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11220-27 METERO PKWY
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28-43-26-12-00000.0420
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0430
HAWKS PRESERVE LLC
11220-27 METERO PKWY
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11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0450
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0460
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11220-27 METERO PKWY
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28-43-26-12-00000.0470
HAWKS PRESERVE LLC
11220-27 METERO PKWY
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28-43-26-12-00000.0490
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.0500
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11220-27 METERO PKWY
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HAWKS PRESERVE LLC
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28-43-26-12-00000.1180
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11220-27 METERO PKWY
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28-43-26-12-00000.1190
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FORT MYERS, FL 33912

28-43-26-12-00000.1210
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1220
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

All data is current at time of printing and subject to change without notice.

28-43-26-12-00000.1230
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1240
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1250
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1260
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1270
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1280
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1290
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1300
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1310
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1320
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1330
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

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HAWKS PRESERVE LLC
11220-27 METERO PKWY
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28-43-26-12-00000.1390
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1400
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1410
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1420
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

All data is current at time of printing and subject to change without notice.

28-43-26-12-00000.1430
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1440
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1450
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1460
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1700
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1710
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1720
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1730
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1740
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1750
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1760
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1770
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1780
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1790
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1800
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1810
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1820
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1830
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1840
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-00000.1850
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

All data is current at time of printing and subject to change without notice.

28-43-26-12-00000.1860
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-0000A.0000
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-0000C.0000
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-0000D.0000
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

28-43-26-12-0000R.0000
HAWKS PRESERVE LLC
11220-27 METERO PKWY
FORT MYERS, FL 33912

33-43-26-00-00002.0000
HUNTER JESSIE C 50.25 %ETAL
3181 BUCKINGHAM RD
FORT MYERS, FL 33905

33-43-26-00-00002.0010
BUCKINGHAM DEVELOPMENT LLC
2695 HACKNEY RD
WESTON, FL 33331

33-43-26-00-00004.0000
BUCKINGHAM DEVELOPMENT LLC
2695 HACKNEY RD
WESTON, FL 33331

34-43-26-00-00001.0000
HUNTER JESSIE ETAL
3181 BUCKINGHAM RD
FT MYERS, FL 33905

01-44-26-01-00001.0010
BUISSON JOSEPH A + MARIE
8210 SW 5TH ST
NORTH LAUDERDALE, FL 33068

01-44-26-01-00001.0020
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-01-00001.0030
NEWMAN CAROLYN
7318 BENT CREEK DR
TEMPERANCE, MI 48182

01-44-26-01-00002.0010
GRANGAARD H A JR + BONNIE
2585 N 131ST ST
BROOKFIELD, WI 53005

01-44-26-01-00002.0020
HERUBIN F B + SOPHIA
2099 20TH ST
WYANDOTTE, MI 48192

01-44-26-01-00002.0030
QUANG LUULY
4925 SKATES CIR
FORT MYERS, FL 33905

01-44-26-01-00002.0040
KLUEMPER J D + JOAN H
6000 LAKELAND DR
EVANSVILLE, IN 47711

01-44-26-01-00002.0050
DALBERRY KAREN
4733 N PINE ISLAND RD
SUNRISE, FL 33351

01-44-26-01-00002.0060
GEORGE BARRY S
3889 APPLE VALLEY DR
HOWARD, OH 43028

01-44-26-01-00003.0010
KIRKPATRICK WILLIAM J JR
PO BOX 9371
GLENWOOD, FL 32722

01-44-26-01-00003.0020
ADAMSON DERRICK + KATHLEEN
3340 NW 177TH TER
OPA LOCKA, FL 33056

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01-44-26-01-00003.0030
ADAMSON DERRICK + KATHLEEN
3340 NW 177TH TER
CAROL CITY, FL 33056

01-44-26-01-00003.0040
DYKSTRA JESSIE
2912 E JOAN D ARC AVE
PHOENIX, AZ 85032

01-44-26-01-00003.0050
HAMAKER ALEXANDER V
2111 WELCH ST B320
HOUSTON, TX 77019

01-44-26-01-00003.0060
ANDERSON WM T + MARGARET L
10037 LOCUST ST
GLENN DALE, MD 20769

01-44-26-01-00004.0010
DELACRUZ ENTERPRISES INC
322 GUNNERY RD S
LEHIGH ACRES, FL 33971

01-44-26-01-00004.0020
NAVEA CYNTHIA V
16421 SW 64TH TERR
MIAMI, FL 33193

01-44-26-01-00004.0030
MOSKOWITZ BARBARA
4000 N OCEAN DR APT 802
RIVIERA BEACH, FL 33404

01-44-26-01-00004.0040
TRAVIS WILLIAM RUSSELL
PO BOX 130042
TAMPA, FL 33681

01-44-26-01-00004.0050
NICKELS JAMIE P + SCOTT K
P O BOX 26
COBURN, VA 24230

01-44-26-01-00004.0060
DELACRUZ ENTERPRISES INC
322 GUNNERY RD S
LEHIGH ACRES, FL 33971

01-44-26-01-00005.0010
KONICEK IRENE E
9230 INDEPENDENCE BLVD APT 124
CLEVELAND, OH 44130

01-44-26-01-00006.0010
STAPLETON MARTHA A
7009 NOBLE CT
CINCINNATI, OH 45239

01-44-26-01-00006.0020
SANIBEL MARCO INTERNATIONAL
343 ALMERIA AVE
CORAL GABLES, FL 33134

01-44-26-01-00006.0030
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-01-00006.0040
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-01-00006.0050
CHRISTOFOR A
65 CEDAR ST
NORWALK, CT 06854

01-44-26-01-00006.0060
MULHERN MILDRED M
342 N HAUCKSVILLE RD
HAMPSTEAD, MD 21074

01-44-26-01-00006.0070
DOUGHTY WM A
236 DI MARCO DR
PHILADELPHIA, PA 19154

01-44-26-01-00009.0010
GRANT HORACE +
3240 12TH AVE SE
NAPLES, FL 34117

01-44-26-01-00009.0020
SAMUELS J B + THELMA
1679 S LAKE AVE APT 2
CLEARWATER, FL 34616

All data is current at time of printing and subject to change without notice.

01-44-26-01-00009.0030
KUSALBA MICHAEL + FLORENCE
401 FRANKLIN AVE
SOUTH PLAINFIELD, NJ 07080

01-44-26-01-00009.0050
EIGEL JAMES C
1201 EDGECLIFF PL APT 1111
CINCINNATI, OH 45206

01-44-26-01-00009.0060
LE BEL FERNAND + MARY
224 LAKE VIEW RD
ECHO BAY, ON P0S 1C0
CANADA

01-44-26-01-00009.0070
FABBRINI GLADYS CAROL
12 COMET CT
PALM COAST, FL 32137

01-44-26-01-00009.0080
J + B PROPERTY GROUP
3850 N 40TH AVE
HOLLYWOOD, FL 33021

01-44-26-05-00040.0010
SCHIAVONE PAULINE A
409 W SMITH ST
OXFORD, IN 47971

01-44-26-05-00041.0010
HOERR JUANITA M
3848 LAUREL VALLEY BLVD
ZEPHYRHILLS, FL 33542

01-44-26-05-00041.0020
JOHNSON MARY
42780 PECK WADSWORTH RD
WELLINGTON, OH 44090

01-44-26-05-00041.0030
MYSELS LEO V + ANNE
215 W NAOMI DR #5701
NAPLES, FL 34104

01-44-26-05-00041.0040
MACMILLAN ROBERT
44 BEDFORD ST
WALTHAM, MA 02453

01-44-26-05-00041.0050
MCILVAIN W R JR + BONNIE K
RR 2 BOX 148B
MILTON, DE 19968

01-44-26-05-00042.0010
BROWN ROY + REGINA H/W
5080 O'BANNON RD
FORT MYERS, FL 33905

01-44-26-05-00042.0020
BROWN ROY + REGINA H/W
5080 O'BANNON RD
FORT MYERS, FL 33905

01-44-26-05-00042.0030
BROWN ROY + REGINA H/W
5080 O'BANNON RD
FORT MYERS, FL 33905

01-44-26-05-00042.0040
WALKER D M + ELIZABETH
612 CORNWALLIS AVE
LOCUST GROVE, VA 22508

01-44-26-05-00043.0010
IZZO VIVIAN P
54 HOME AVE
PROVIDENCE, RI 02908

01-44-26-05-00043.0020
COUNCELL B KEITH
11521 SHAWNEE RD
FORT MYERS, FL 33913

01-44-26-05-00043.0030
HELLER ROBERTA TR
42-35 BELL BLVD 108
BAYSIDE, NY 11361

01-44-26-05-00043.0040
BLEY ELMER R + ANN
31080 MCKINNEY DR
FRANKLIN, MI 48025

01-44-26-05-00043.0050
HELLER ROBERTA TR
42-35 BELL BLVD 108
BAYSIDE, NY 11361

All data is current at time of printing and subject to change without notice.

01-44-26-05-00043.0060
POWERS LUCINDA
977 ATHENS RD
SHERWOOD, MI 49089

01-44-26-05-00043.0070
BANKS GERALD S + KELLY A
20 LANCASTER FARM RD
SALEM, NH 03079

01-44-26-05-00043.0080
VANCAMP RONALD A
2948 BYRON CENTER AV
WYOMING, MI 49509

01-44-26-05-00044.0010
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-05-00044.0020
HELLER ROBERTA TR
42-35 BELL BLVD 108
BAYSIDE, NY 11361

01-44-26-05-00044.0030
ZAPATA WILLIAM + ROSA
10126 SW 144TH PL
MIAMI, FL 33186

01-44-26-05-00044.0040
PIPER THOMAS E + ALMA C
12344 BEAVER TRL SE
ALBUQUERQUE, NM 87123

01-44-26-05-00045.0010
BROWN F E + LORETTA
11411 N DERRINGER RD
MARANA, AZ 85653

01-44-26-05-00045.0020
BAILEY MERTILINE +
3504 SKIPPER RD
SEBRING, FL 33875

01-44-26-05-00045.0030
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-05-00045.0040
BROWN CRAIG W TR
15281 TWELVE MILE RD
ROSEVILLE, MI 48066

01-44-26-05-00046.0010
DIONNE LEO V + LOIS E
3335 W WATER ST
PORT HURON, MI 48060

01-44-26-05-00046.0020
MOORE LEROY W + DONNA L
134 W SYCAMORE ST
BLUE GRASS, IA 52726

01-44-26-05-00046.0030
CLARK TREVOR S
13281 SW 8TH ST
DAVIE, FL 33325

01-44-26-05-00046.0040
AUSTIN JEFFREY C + DIANE
368 TIRRELL HILL RD
GOFFSTOWN, NH 03045

01-44-26-05-00047.0010
SEWARD KENNETH R
HC 62 BOX 40
RATON, NM 87740

01-44-26-05-00048.0010
SALAMEH EMAD 1/2 INT
2249 CLEVELAND AV
FORT MYERS, FL 33901

01-44-26-05-00048.0020
BICKEL JOSEPH E SR
PO BOX 288
CHANNAHON, IL 60410

01-44-26-05-00048.0030
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-05-00048.0040
SAVEY RICHARD L + THEO J
2477 S BROADWAY
WELLSBURG, NY 14894

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01-44-26-05-00048.0050
MADDOCK R A + SANDRA L
P O BOX 326
MONTICELLO, IN 47960

01-44-26-05-00048.0060
PRICE MICHAEL D +
5142 RIDGEDALE DR
DALLAS, TX 75206

01-44-26-05-00048.0070
PRICE MICHAEL D +
5142 RIDGEDALE DR
DALLAS, TX 75206

01-44-26-05-00048.0080
GREENE MICHAEL G + GLADYS M
3564 REVERE CT
LAKE STATION, IN 46405

01-44-26-05-00048.0090
MORROW JAMES D + ANNA
2108 PRESIDIO AVE
MODESTO, CA 95355

01-44-26-05-00048.0100
MORROW J D + ANNA
C/O CAROL MORROW SIZEMORE
2824 PASO ROBLES DR
MODESTO, CA 95350

01-44-26-05-00051.0010
RAMNATH ISHWAR
5591 CRESTMONT ST APT E
CLEARWATER, FL 33760

01-44-26-05-00051.0020
RAMIREZ CAROLS + HAYDEE
2001 COLINAS ALT MAYAGUEZ
MAYAGUEZ, PR 00680

01-44-26-05-00051.0030
WHITE CLIFFORD
P O BOX 54
11417 SUNNYSIDE
MOUNT BELVIEU, TX 77580

01-44-26-05-00051.0040
VANWAGNER ROBERT
6040 LACOTA AVE
FORT MYERS, FL 33905

01-44-26-05-00051.0050
HOMRIGHAUS HENRY L
6020 AVENUE Q 1/2
GALVESTON, TX 77551

01-44-26-05-00051.0060
JURGENSEN FLORENCE E
502 WANDA PL
NOKOMIS, FL 34275

01-44-26-05-00051.0070
LARC INC
2570 HANSON ST
FT MYERS, FL 33901

01-44-26-05-00051.0080
BERTIN A P
PO BOX 524
ISABELA, PR 00662

01-44-26-05-00051.0090
BERTIN A P
PO BOX 524
ISABELA, PR 00662

01-44-26-05-00051.0100
BERTIN A P
PO BOX 524
ISABELA, PR 00662

01-44-26-05-00054.0010
RYAN JOAN PER REP
2 TIMBER LN
TRAFFORD, PA 15085

01-44-26-05-00054.0020
SIEV INC
2108 NE 1ST AVE
FORT LAUDERDALE, FL 33305

01-44-26-05-00054.0030
DAVIS MICHAEL R + MARILIA C
1710 MULDOON CIR APT 5
ANCHORAGE, AK 99504

01-44-26-05-00054.0040
WALDRON ALBERTA
136 DOUGLAS ST NW
WARREN, OH 44483

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01-44-26-05-00054.0050
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-05-00054.0060
RETAJCZYK LAUREL J
13 SPRUCE RUN RD
CLINTON, NJ 08809

01-44-26-05-00054.0070
TRAPP LAURENCE J SR
45 WESTWOOD TERR
SPRINGFIELD, IL 62702

01-44-26-05-00054.0080
KAPUT MARTIN T + MARIE
2017 WINSTON DR
STERLING HTS, MI 48310

01-44-26-05-00054.0090
DUGGAN MARY HELEN
607 W MAYWOOD AVE
PEORIA, IL 61604

01-44-26-05-00054.0100
OSTERWISCH WM W + RUTH M
3801 E GALBRAITH RD
CINCINNATI, OH 45236

01-44-26-05-00054.0110
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-05-00054.0120
MILLIGAN WM CAREY + MARY
1221 BONITA DR
PARK RIDGE, IL 60068

01-44-26-05-00054.0130
COMMOSIOUNG MITZILENA
11231 SW 9TH CT
PEMBROKE PINES, FL 33025

01-44-26-09-00089.0010
NEWMAN HOLDINGS LLC
3850 NORTH 40TH AVE
HOLLYWOOD, FL 33021

01-44-26-09-00089.0020
CONNER HARVIE H + VIOLA
580 HAWLEY RD
BLOUNTVILLE, TN 37617

01-44-26-09-00090.0010
PATEL KANTILAL
3304 ISLER CT
GREENSBORO, NC 27407

01-44-26-09-00090.0020
SANTORO A + FILOMENA
1945 W RIVER DR
PENNSAUKEN, NJ 08110

01-44-26-09-00090.0030
MCDONALD DONALD P + ADELE
26 HARTFORD AVE
STATEN ISLAND, NY 10310

01-44-26-09-00090.0040
RAIA ANGELINA
3329 WILLIS DR
BIRMINGHAM, AL 35243

01-44-26-09-00091.0010
SWEAT CARRIE LAVAN S ET AL
422 ROSEWOOD ST
QUINCY, FL 32351

01-44-26-09-00091.0020
HEKTER LISA CHRISTINE
3815 RADIANT DRIVE #506
COLORADO SPRINGS, CO 80917

01-44-26-09-00091.0030
KARNES JOHN
14457 SOUTH 44TH ST
PHOENIX, AZ 85044

01-44-26-09-00091.0040
FORTIER GERARD
66 N CHERRY ST
WALLINGFORD, CT 06492

01-44-26-09-00092.0010
MITCHAM H L + MARION S
52 PLOOF RD
BREMEN, GA 30110

01-44-26-09-00092.0020
BRAY SHIRLEY P
5626 NW 161ST ST
HIALEAH, FL 33014

01-44-26-09-00092.0030
BABCOCK JEANETTE +
1253 ROSEWIND CIR
CASTLE ROCK, CO 80104

01-44-26-09-00092.0040
GREENE J H + NANNIE D
5330 PALMETTO RD
KNOXVILLE, TN 37921

01-44-26-09-00093.0010
AMIRULLA AMIN + LEELA
109 JACKSON ST #3D
HOBOKEN, NJ 07030

01-44-26-09-00094.0010
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

01-44-26-09-00094.0020
PIZER IRENE J
1838 THESY DR
MELBOURNE, FL 32940

01-44-26-09-00094.0030
GAYLE MICHAEL O + MIRIAM A
12979 BIGGIN CHURCH RD S
JACKSONVILLE, FL 32224

01-44-26-09-00094.0040
MANGIPUDI KONDALARAO
C/O AVNASH KHANNA
1243 NACHEZ TRACE APT C
MARIATTA, GA 30008

01-44-26-09-00094.0050
MEADOWS CYNTHIA
7536 VAN BUREN AVE
HAMMOND, IN 46324

01-44-26-09-00094.0060
BALAZS DONALD
W371N5526 MARQUETTE ST
OCONOMOWOC, WI 53066

01-44-26-09-00094.0070
MULLOCK MILDRED G
4311 WOODSIDE HAVEN DR
COLUMBIA, SC 29206

01-44-26-09-00094.0080
MATTHEWS DENISE A
P O BOX 782
AVONDALE, AZ 41601

01-44-26-09-00094.0090
SMITH JEANNETTE C TR
991 WHELK DR
SANIBEL, FL 33957

01-44-26-09-00094.0100
SUNRISE COASTAL PROPERTIES INC
P O BOX 231163
OLD VILLAGE STATION
GREAT NECK, NY 11023

01-44-26-09-00094.0110
MORGAN LUCILLE LOUISE
13432 SE 3RD ST
FT MYERS, FL 33905

01-44-26-09-00094.0120
STAUB JOSEPH C +
15 SPRING CREEK CIR
GETTYSBURG, PA 17325

01-44-26-09-00094.0130
BOYETTE DONAHUE
C/O BEVERLY B GODWIN
220 CREEK RIDGE DR
GOLDSBORO, NC 27530

01-44-26-09-00094.0140
GAMMIE C M + ROSE MARIE
8021 E 3RD ST
TUCSON, AZ 85710

01-44-26-09-00094.0150
LINTON LENEIVE +
730 NW 33RD AVE
FT LAUDERDALE, FL 33311

01-44-26-09-00094.0160
RENSI GARY W + RITA
9748 GROSSE ILE PKWY
GROSSE ILE, MI 48138

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01-44-26-09-00097.0010
USA REAL ESTATE SOLUTIONS LLC
318 TAMIAMI TRAIL #15
PUNTA GORDA, FL 33950

01-44-26-09-00097.0020
FATH R J + EVELYN J
1150 DUTCH RIDGE RD
BEAVER, PA 15009

01-44-26-09-00097.0030
MERULLO RICHARD ALFRED
4 EDGECLIFF RD
WATERTOWN, MA 02172

01-44-26-09-00097.0040
MERULLO RICHARD ALFRED
4 EDGECLIFF RD
WATERTOWN, MA 02172

01-44-26-09-00097.0050
DAVIS VIORIS WHITE
4110 NW 39TH AVE
LAUDERDALE LAKES, FL 33309

01-44-26-09-00097.0060
MURPHY J O + DONNA
524 E BAIRD
BARBERTON, OH 44203

01-44-26-09-00097.0070
GOKHALE SHRIPAD B + SHUBHADA S
5101 WISCONSIN AVE NW STE210
WASHINGTON, DC 20016

01-44-26-09-00097.0080
PARHAM GEORGE R + DORIS B
6435 CABIN CREEK RD
HURLOCK, MD 21643

01-44-26-09-00097.0090
VALANTASIS NANCY
1425 NEWFOUND HARBOR DR
MERRITT ISLAND, FL 32952

01-44-26-09-00097.0100
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

01-44-26-09-00097.0110
O HARRAH ELAINE J/T
411 GREENPORT DR
WEST CARROLLTON, OH 45449

01-44-26-09-00097.0120
YOULES MILDRED D
120 EMILY DR
BRUNSWICK, GA 31520

01-44-26-09-00097.0130
ZAMBETIS SHIRLEY ANN
5340 LINGER PL
YOUNGSTOWN, OH 44514

01-44-26-09-00097.0140
MCALLISTER ROBERT E
3784 59TH ST W
BRADENTON, FL 34209

02-44-26-01-00001.0010
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00001.0020
JUDAY STEPHEN M
1448 LINDEN WAY
INDIANAPOLIS, IN 46234

02-44-26-01-00001.0030
RAMOS ABEL Y + MARIA E
601 SARA AVE S
LEHIGH ACRES, FL 33971

02-44-26-01-00001.0050
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00001.0060
FIRST HOME BUILDERS OF FLORIDA
2503 DEL PRADO BLVD STE 300
CAPE CORAL, FL 33904

02-44-26-01-00001.0070
SUNCOAST INVESTMENTS INC
PO BOX 990007
NAPLES, FL 34116

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02-44-26-01-00003.0030
BLOODWORTH GROVER JR + EVELYN
5311 DENVER DR
ORLANDO, FL 32812

02-44-26-01-00003.0040
SMITH WAYNE T + JOAN C
19 MCKINLEY AV
LEHIGH ACRES, FL 33936

02-44-26-01-00004.0010
ERNANDES CARLOS + ELENA
401 WOODSIDE AVE
VERMILION, OH 44089

02-44-26-01-00004.0020
JOLIVETTE ARTHUR + THELMA TR
92 LONGWOOD CT
MARRERO, LA 70072

02-44-26-01-00004.0030
JOLIVETTE ARTHUR + THELMA TR
92 LONGWOOD CT
MARRERO, LA 70072

02-44-26-01-00004.0040
GROVES NEVA JOAN
121 STONEHOUSE DR
LYNCHBURG, VA 24502

02-44-26-01-00005.0010
ROSENQUIST OLIVER C
PO BOX 82
ASHFORD, CT 06278

02-44-26-01-00005.0020
GOLINGAN FERNANDO +
921 TENNIS AV
ARDSLEY, PA 19038

02-44-26-01-00006.0010
JULIANO MAUEL S JR + FE M
16 KAITLYN CT
ALISO VIEJO, CA 92656

02-44-26-01-00006.0020
TOSCANO SANTO + JACQUELINE
4 FEATHERLY CT
NEW CITY, NY 10956

02-44-26-01-00006.0030
TOSCANO SANTO + JACQUELINE
4 FEATHERLY CT
NEW CITY, NY 10956

02-44-26-01-00006.0040
TOSCANO SANTO + JACQUELINE
4 FEATHERLY CT
NEW CITY, NY 10956

02-44-26-01-00006.0050
TOSCANO SANTO + JACQUELINE
4 FEATHERLY CT
NEW CITY, NY 10956

02-44-26-01-00006.0060
MCCOSTLIN MICHAEL T +
316 BIG OAK LANE
MADISON, AL 35758

02-44-26-01-00006.0070
MCCOSTLIN MICHAEL T +
316 BIG OAK LN
MADISON, AL 35758

02-44-26-01-00006.0080
MORRISON RONALD W
3208 GALIOT RD
VENICE, FL 34293

02-44-26-01-00006.0090
TAYLOR F + HILDA
789 SPRINGBROOK LN
EVANS, GA 30809

02-44-26-01-00006.0100
SHIMAMOTO AYISHA
1-8-30 TENMABASHI OAP TWR 1ST
MBE-121 KITA-KU
OSAKA-SHI OSAKA 530-6001,
JAPAN

02-44-26-01-00006.0110
RAMOS ANGEL E + MARELYS
3584 W FLORENTINE DR
CITRUS SPRINGS, FL 34433

02-44-26-01-00006.0120
MENGE W F + SANDRA ANN
305 N FRONT ST
LANSE, MI 49946

02-44-26-01-00006.0130
TUTTLE JAMES A
28 HAPPY LN
FAIRVIEW, WV 26570

02-44-26-01-00006.0140
HIGBEE SYLVIA
4 FIDDLEWOOD CT
HOMOSASSA, FL 34446

02-44-26-01-00009.0010
YUELLS DAVID H
37 BALLSTON AVE
PAWTUCKET, RI 02861

02-44-26-01-00009.0020
ODENKIRK W E + MARION
4200 WILLIAMSBURG DR APT H
HARRISBURG, PA 17109

02-44-26-01-00009.0030
CORDERO JULIO + JOANN
3817 SE 4TH AVE
CAPE CORAL, FL 33904

02-44-26-01-00009.0040
IRVIN WM FRANKLIN + VIORA
735 S COURT ST
SULLIVAN, IN 47882

02-44-26-01-00009.0050
ROBERTS HUBERT R
8821 FAWN RIDGE
FORT MYERS, FL 33912

02-44-26-01-00009.0060
RIEDLINGER THOMAS
PO BOX 100957
CAPE CORAL, FL 33910

02-44-26-01-00009.0070
CULLISON B L
P O BOX 282
JACKSONVILLE, OH 45740

02-44-26-01-00009.0080
RAYBORN SAM
8145 GULL LN
FORT MYERS, FL 33912

02-44-26-01-00009.0090
BREUER ALFRED M JR +
C/O MARCIANN RANDEL
999 E AFTON RD
BAINBRIDGE, NY 13733

02-44-26-01-00009.0100
JEFFERIS M B + CHRISTEL
PO BOX 26454
COLORADO SPRINGS, CO 80936

02-44-26-01-00009.0110
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-01-00009.0120
NIEBAUER FRANCIS+ ROCHELLE
107 STONERIDGE DR
WARNER ROBINS, GA 31088

02-44-26-01-00009.0130
O BRIEN W M + ALICE
314 WASHINGTON AVE
CEDARHURST, NY 11516

02-44-26-01-00009.0140
FULLERTON D MARCIA
143 TOM EDWARDS DR
WHITBY, ON L1R 2S2
CANADA

02-44-26-01-00009.0150
ROSENBERG PAUL + DONITA CO TR
31516 AVENUE G
BIG PINE KEY, FL 33043

02-44-26-01-00009.0160
ROSENBERG PAUL + DONITA CO TR
31516 AVENUE G
BIG PINE KEY, FL 33043

02-44-26-05-00040.0010
ELLIS DOROTHY
PO BOX 2076
LEHIGH ACRES, FL 33970

02-44-26-05-00041.0010
ROBINSON J E + CATHERINE V
PO BOX 3464
PIKEVILLE, KY 41502

02-44-26-05-00041.0020
PARIAG GOODWIN J + SUSAN A
81 NW 189TH ST
MIAMI, FL 33169

02-44-26-05-00041.0030
PARIAG GOODWIN J + SUSAN A
81 NW 189TH ST
MIAMI, FL 33169

02-44-26-05-00041.0040
SHIM MELANIE
930 NW 202ND LN
PEMBROKE PINES, FL 33029

02-44-26-05-00042.0010
MYERS MARSHALL M + BETTY F
P O BOX 1710
EUREKA, MT 59917

02-44-26-05-00042.0020
LANE MYRTLE M
C/O KAREN LANE EXEC
126 VARSITY CIR
ALTAMONTE SPRINGS, FL 32714

02-44-26-05-00042.0030
RODRIGUEZ CHARLS +
11105 SW 122 CT
MIAMI, FL 33186

02-44-26-05-00042.0040
NOTESTINE R + ELSIE
22 YORKE RD
MOUNTAIN LAKES, NJ 07046

02-44-26-05-00043.0010
NICKEL GEORGE B +
1103 OBSERVATORY DR
ORLANDO, FL 32818

02-44-26-05-00043.0020
CARDENAS EUGENIE H
1129 8TH TERR N
NAPLES, FL 34102

02-44-26-05-00043.0030
CARDENAS EUGENIE H
1129 8TH TERR N
NAPLES, FL 34102

02-44-26-05-00043.0040
DUNCAN MARSHALL A + IDA K
8236 25TH AV N
SAINT PETERSBURG, FL 33710

02-44-26-05-00044.0010
FLEURY ELEANOR
2628 MONTGOMERY AVE NW
WARREN, OH 44485

02-44-26-05-00044.0020
FLEURY ELEANOR
2628 MONTGOMERY AVE NW
WARREN, OH 44485

02-44-26-05-00045.0010
MEROLA LOUIS + JOANNE
7555 CARRIER RD
FORT MYERS, FL 33912

02-44-26-05-00045.0020
ALI KAHLIL J
115 SOUTHEAST 24TH ST
CAPE CORAL, FL 33990

02-44-26-05-00046.0010
WITTMAN SHIRLEY M
C/O MRS LEE J LOVENTHAL III
6973 RIDGE MANOR AV
SAN DIEGO, CA 92120

02-44-26-05-00046.0020
VILLALOBOS JAMES + MARY
8216 GOLD MINE CT
FREDERICKSBURG, VA 22407

02-44-26-05-00046.0030
STARK HAROLD B + MILDRED N
7909 SUGAR CREEK RD
LIMA, OH 45801

02-44-26-05-00046.0040
GORDON CLINTON S
416 S 6TH AVE
MOUNT VERNON, NY 10550

02-44-26-05-00046.0050
SCHULTZ LAWRENCE H + WANDA G
3680 POCHERT RD
PORT HOPE, MI 48468

All data is current at time of printing and subject to change without notice.

02-44-26-05-00046.0060
STREETY ASTELLA
19155 ILENE ST
DETROIT, MI 48221

02-44-26-05-00046.0070
MOERS ALLEN E
1320 HARRIET ST
EVANSVILLE, IN 47710

02-44-26-05-00046.0080
KEOHANE M
16650 MCGREGOR BLVD #103
FT MYERS, FL 33908

02-44-26-05-00046.0090
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-05-00046.0100
ALAM EDITH
PO BOX 10666
JAMAICA, NY 11431

02-44-26-05-00046.0110
COOK GARY B
P O BOX 432
LIVERMORE FALLS, ME 04254

02-44-26-05-00046.0120
HOHMAN ARLENE 1/2 INT T/C +
8323 ORMES RD
VASSER, MI 48768

02-44-26-05-00046.0130
CHRIS PROPERTIES LLC
9200 BONITA BEACH RD STE 201
BONITA SPRINGS, FL 34135

02-44-26-05-00046.0140
HERNANDEZ NILZA R
724 ROUND TABLE DR
LAS VEGAS, NV 89110

02-44-26-05-00046.0150
HALLER FREDERICK R + SALLY N
102 TALBOT AVE
CAMBRIDGE, MD 21613

02-44-26-05-00046.0160
SORENSEN LASSE F + MARYJANE B
17107 N US HWY 51
DESOTO, IL 62924

02-44-26-05-00046.0170
SORENSEN LASSE F + MARYJANE B
17107 N US HWY 51
DESOTO, IL 62924

02-44-26-05-00046.0180
EICHER JANN
654 SHERIDAN AVE
COLUMBUS, OH 43209

02-44-26-05-00046.0190
USA REAL ESTATE SOLUTIONS LLC
318 TAMIAMI TRAIL #15
PUNTA GORDA, FL 33950

02-44-26-05-00046.0200
PLOMONDON L + MILDRED
612 SHADYSIDE ST
LEHIGH ACRES, FL 33936

02-44-26-05-00049.0010
LACHIANA JOSEPH
7101 HANKS LN
MARION, IL 62959

02-44-26-05-00049.0020
TUMM DALE E + OLGA
2326 LONGLEAF LN
AUGUSTA, GA 30906

02-44-26-05-00049.0030
LOWENHAUPT MARGARET
C/O LEWIS M TURBYFILL
311 9TH ST
BLACK MOUNTAIN, NC 28711

02-44-26-05-00049.0040
LOWENHAUPT MARGARET
C/O LEWIS M TURBYFILL
311 9TH ST
BLACK MOUNTAIN, NC 28711

02-44-26-05-00049.0050
TUMM D + OLGA
2326 LONGLEAF LN
AUGUSTA, GA 30906

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02-44-26-05-00049.0060
TUMM D + OLGA
2326 LONGLEAF LN
AUGUSTA, GA 30906

02-44-26-05-00049.0070
USA REAL ESTATE SOLUTIONS LLC
318 TAMIAMI TRAIL #15
PUNTA GORDA, FL 33950

02-44-26-05-00049.0080
PUENTES RONALD
4601 NW 207TH DR
MIAMI, FL 33055

02-44-26-05-00049.0090
ADRIAANSEN LESLIE I + PHYLLIS
7084 TUCKAHOE RD
WILLIAMSON, NY 14589

02-44-26-05-00049.0100
CALAFATIS NICHOLAS
165 CHICHESTER RD
EDMONTON LONDON, N99DF
ENGLAND

02-44-26-05-00049.0110
KONCHAN EILEEN C
6015 LUELDA AVE
PARMA, OH 44129

02-44-26-05-00049.0120
OVERLY PATSY LAVERNE
253 FAIRWAY AV APT 2
CHILLICOTHE, OH 45601

02-44-26-05-00049.0130
PINTER R C
C/O JOYCE GEHRKE
13154 PARKWAY RD
POUND, WI 54161

02-44-26-05-00049.0140
SCHMITT SGM CARL JR + RUTH
14400 W CLEVELAND AVE
NEW BERLIN, WI 53151

02-44-26-05-00049.0150
SCHMITT SGM CARL JR + RUTH
14400 W CLEVELAND AVE
NEW BERLIN, WI 53151

02-44-26-05-00049.0160
TUMM D + OLGA
2326 LONGLEAF LN
AUGUSTA, GA 30906

02-44-26-05-00049.0170
LEHIGH HOLDING CO LLC
C/O REED DEVELOPMENT CO
5130 MAIN ST STE 6
NEW PORT RICHEY, FL 34652

02-44-26-05-00049.0180
FIGUEROA VICTOR A
PO BOX 11084
SAN JUAN, PR 00922

02-44-26-05-00049.0190
MCCARTHY GEORGE W JR
111 WORTH ST #7A
NEW YORK, NY 10013

02-44-26-05-00049.0200
SWEENEY PATRICK J JR
C/O J M SWEENEY
1908 SAPLING DR
O FALLON, MO 63366

02-44-26-09-00080.0010
REDBERG LUELLA K
2109 6TH ST
PERU, IL 61354

02-44-26-09-00080.0020
MEROLA LOUIS + JOANNE
7555 CARRIER RD
FORT MYERS, FL 33912

02-44-26-09-00081.0010
OVERTON VELDA H
510 RICHLEY DR
BALLWIN, MO 63011

02-44-26-09-00081.0020
MILLER WILLIAM J + DAPHNE G
105 FAIRFZX RD
E PITTSBURGH, PA 15221

02-44-26-09-00082.0010
PETERSON ERIK
3830 7TH ST SOUTH
ARLINGTON, VA 22204

02-44-26-09-00083.0010
JEHLEN RICHARD ARTHUR
3430 YUKON DR
PORT CHARLOTTE, FL 33948

02-44-26-09-00083.0020
GRADY ELIZABETH
2136 LOWRIE ST
PITTSBURGH, PA 15212

02-44-26-09-00083.0030
OCARROLL JOHN + BARBARA
117 BUSSELL RD
STATESVILLE, NC 28677

02-44-26-09-00083.0040
BURDAN H HENRY + CLARA S
C/O DANIEL WEIDNER POA
583 VADER HILL RD
COUDERSPORT, PA 16915

02-44-26-09-00083.0050
JEAN JEAN R + FERNANDE
2712 DORSON WAY
DELRAY BEACH, FL 33445

02-44-26-09-00083.0060
JEAN JEAN R + FERNANDE
2712 DORSON WAY
DELRAY BEACH, FL 33445

02-44-26-09-00083.0070
BOURGOIN VICTOR +
222 FLORENCE AVE
ROCHESTER, NY 14616

02-44-26-09-00083.0080
KUSHNER DAVID + MARIE
1235 NW 19TH TERR
DELRAY BEACH, FL 33445

02-44-26-09-00083.0090
PAUZE ROBERT D
77 SHINNECOCK AV
MASTIC, NY 11950

02-44-26-09-00083.0100
PAUZE ROBERT D
77 SHINNECOCK AV
MASTIC, NY 11950

02-44-26-09-00083.0110
SARDINA JODIANN
70 OAK LANE
STATEN ISLAND, NY 10312

02-44-26-09-00083.0120
SARDINA DOMINICK
70 OAK LANE
STATEN ISLAND, NY 10312

02-44-26-09-00084.0010
LAMPE JUDITH M + CLEMENS J J/+
2343 ST JOSEPH
ARNOLD, MO 63010

02-44-26-09-00084.0020
BUDINICH MARIO + BARBARA E
1008 MARYLAND AVE
CROYDON, PA 19021

02-44-26-09-00084.0030
BUDINICH MARIO + BARBARA E
1008 MARYLAND AVE
CROYDON, PA 19021

02-44-26-09-00084.0040
KIRBY MERLE M
C/O KATHRYN F CHESTER
129 FARKAS LN
LAS VEGAS, NV 89128

02-44-26-09-00084.0050
HO STEVE +
4120 W BEACH BLVD
GULFPORT, MS 39501

02-44-26-09-00084.0060
FOWLER DONALD L +
220 S OHIO ST
STATE LINE, IN 47982

02-44-26-09-00084.0070
JASMATT INC
PO BOX 2014
LEHIGH ACRES, FL 33970

02-44-26-09-00084.0080
GORDON KENNETH + CECILE
929 NW 161ST AVE
PEMBROKE PINES, FL 33028

All data is current at time of printing and subject to change without notice.

02-44-26-09-00084.0090
GLAAB PAUL EDWARD TR +
275 BIG VALLEY SPUR
GEORGETOWN, TX 78628

02-44-26-09-00084.0100
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-09-00084.0110
HARKINS JAMES T
40 MARPLE AVE
CLIFTON HEIGHTS, PA 19018

02-44-26-09-00084.0120
WILSON RICHARD + LINDA
153 STUART AVE
LEOMINSTER, MA 01453

02-44-26-09-00084.0130
GREER GOLDIE D
1620 MAYFLOWER CT #A-521
WINTER PARK, FL 32792

02-44-26-09-00084.0140
BOGGS PHILLIP E + GLORIA T
5874 WEST POINT RD
LAGRANGE, GA 30240

02-44-26-09-00084.0150
WALES KAREN U
P O BOX 3089
POINT PLEASANT, NJ 08742

02-44-26-09-00084.0170
ZEBEDEE ENTERPRISES INC
2210 EMBASSY RD
NORTH PORT, FL 34287

02-44-26-09-00084.0180
TAYLOR C B + MARGARET
C/O MARGARET FLAURNOY
916 PLEASANT AV
DECORAH, IA 52101

02-44-26-09-00084.0190
TAYLOR C B + MARGARET
C/O MARGARET FLAURNOY
2202 TWIN SPRINGS RD
DECORAH, IA 52101

02-44-26-09-00084.0200
PORTER VAUGHN F + LYDIA M
1311 JACKSON AV
LEHIGH ACRES, FL 33972

02-44-26-09-00087.0010
SCHREINER ENTERPRISES INC
P O BOX 931
LEHIGH ACRES, FL 33970

02-44-26-09-00087.0020
OBERUCH MATTHEW + HELEN
1321 SQUIRREL RD
WALL TOWNSHIP
WALL, NJ 07719

02-44-26-09-00087.0030
VALENTIN D + ANGELICA
AVE LONSTANCIA AA-1
EXT VILLA DEL CARMEN
PONCE, PR 00731

02-44-26-09-00087.0040
JENKINS GLEN A + JUNE
820 SUNSET DR
SULLIVAN, IL 61951

02-44-26-09-00087.0050
FERNANDEZ MAYRA E +
2210 SW 67TH LN
MIRAMAR, FL 33023

02-44-26-09-00087.0060
PATRAJU EURIC + KALOUTIE
5530 NW 61 ST APT 323
COCONUT CREEK, FL 33073

02-44-26-09-00087.0070
ROWLAND LEO + JANE
5822 SAINT ANGELA DR
CHARLESTON, SC 29418

02-44-26-09-00087.0080
RADISH DANIEL A + KYLE M
2008 FARMINGTON TURN
WESTLAKE, OH 44145

02-44-26-09-00087.0090
SWORDS GEORGE L + MARCIA J
4117 N TOWNHOUSE RD
HANNA CITY, IL 61536

All data is current at time of printing and subject to change without notice.

02-44-26-09-00087.0100
SWORDS GEORGE L + MARCIA J
4117 N TOWNHOUSE RD
HANNA CITY, IL 61536

02-44-26-09-00087.0110
BERGER JAMES B + ROSEANNE M
189 CHURCH ST
NEW MILFORD, PA 18834

02-44-26-09-00087.0120
MELLE J A + ROSE
200 CHERYL CIR
NEWPORT NEWS, VA 23602

02-44-26-09-00087.0130
PEEK BUDDIE M +
18915 BERRY HILL DR
TOMBALL, TX 77377

02-44-26-09-00087.0140
CARD GEORGE + MARILYN
3915 GLADING DR
SAN DIEGO, CA 92154

02-44-26-09-00087.0150
TIGHE J S + ANN
PO BOX 31086
OMAHA, NE 68131

02-44-26-09-00087.0160
KIGER EDWARD ETAL
NANCY CUTKA
4037 E SALINAS CT
PHONIX, AZ 85044

02-44-26-09-00090.0010
EDWARDS C A + PEARL
465 LANDSDOWNE
WESTMOUNT, QC HEY 2V4
CANADA

02-44-26-09-00090.0020
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-09-00090.0030
BESS DONALD L SR + CAROL TR
3321 KAYLYN ST
LANCASTER, CA 93535

02-44-26-09-00090.0040
GRECO MARIE
36 LINSAY LN
CRANSTON, RI 02921

02-44-26-09-00090.0050
USA REAL ESTATE SOLUTIONS LLC
318 TAMIAMI TRAIL #15
PUNTA GORDA, FL 33950

02-44-26-09-00090.0060
HOWARD JOSEPH G + LINDA J
623 SW 53RD TER
CAPE CORAL, FL 33914

02-44-26-09-00090.0070
HEITKAMP MARK CARL
7922 RIO GRANDE DR
CLEVES, OH 45002

02-44-26-09-00090.0080
MORSE JOHN E JR + DEBBIE L
8 DEVON RD
SAVANNAH, GA 31419

02-44-26-09-00090.0090
HABITAT FOR HUMANITY
1288 N TAMIAMI TRL
NORTH FORT MYERS, FL 33903

02-44-26-09-00090.0100
MAYFIELD G K + MARIE
PO BOX 304
OKOLONA, MS 38860

02-44-26-09-00090.0110
MAYFIELD G K + MARIE
PO BOX 304
OKOLONA, MS 38860

02-44-26-09-00090.0120
KOKKO ROBERT SAMUEL SR +
3987 MEADOWBROOK DR
TROY, MI 48084

02-44-26-09-00090.0130
MORRIS W G + CLOVER
15661 FREMONT RD
GRASS VALLEY, CA 95949

02-44-26-09-00090.0140
CLARK JOHN P + MARY B
PO BOX 112
VICTORIA, IL 61485

03-44-26-04-00016.0140
ASHLEY CHRISTOPHER + LINDA
3706 HYDE PARK DR
FORT MYERS, FL 33905

03-44-26-04-00016.0160
STONER W L + DARLENE J
6309 CHESHAM AVE NE
NORTH CANTON, OH 44721

03-44-26-04-00020.0010
BULLOCK ROBERT J + BARBARA E
806201 MAPLE LAKE PARK 34
INNERKIP, ON NOJ 1M0
CANADA

03-44-26-04-00020.0030
ORTOLIVO THOMAS P + ELAINE M
7611 OAK GROVE CIR
LAKE WORTH, FL 33467

31-43-27-00-00001.0020
LEE COUNTY
P O BOX 398
FORT MYERS, FL 33902

06-44-27-16-00300.0010
BOBBY RICHARD J + JUDITH A
7207 BILLIE LN
LOUISVILLE, KY 40219

06-44-27-16-00301.0070
GOODREAU RENEE M
19431 BROAD ACRES
CLINTON TOWNSHIP, MI 48035

03-44-26-04-00016.0130
FREEMAN ALTHEA
4500 NW 39TH ST
LAUDERDALE LAKES, FL 33319

03-44-26-04-00016.0150
FRANJUL ENTERPRISES INC
1925 IVISA AVE
NAPLES, FL 34117

03-44-26-04-00019.0220
REED TINA L +
7653 MCMILLIAN RD
KNOVILLE, TN 37914

03-44-26-04-00020.0020
BULLOCK ROBERT J + BARBARA E
806201 MAPLE LAKE PARK 34
INNERKIP, ON N0J 1M0
CANADA

30-43-27-00-00001.0020
LEE COUNTY
P O BOX 398
FORT MYERS, FL 33902

31-43-27-00-00001.0030
EAST COUNTY WATER CONTROL DIST
601 EAST COUNTY LN
LEHIGH ACRES, FL 33936

06-44-27-16-00300.0020
STALLARD ROBERT A + LOIS J
586 ROUTE 366
APOLLO, PA 15613

06-44-27-16-00301.0080
GRADY PENNIE JILL
314 BROOKWAY WEST DR
LEWISVILLE, NC 27023

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Mr. Mike Roeder *Ft. Myers Shores
East Lee County Council
1625 Hendry Street, Suite 301
Ft. Myers, FL 33901

Mr. Clarence Bowman *Ft. Myers Shores
Morse Shores Civic Association
260 Alameda Ave
Ft. Myers, FL 33905

Ms. Shirley Radkiewicz *Ft. Myers Shores
East Lee County Council
1535 Sunkist Way
Ft. Myers, FL 33905