LEE COUNTY
SOUTHWEST FLORIDA

APPLICATION FOR ADMINISTRATIVE ACTION FOR UNINCORPORATED AREAS ONLY

Applicant's Name: WCI Communities, LLC
Project Name: Parcels F & G at the Colony Golf and Bay Club of Pelican Landing
STRAP Number(s): 17-47-25-00-00001.0010

- ☐ Administrative Variance **(attach Supplement A)**
- ☐ Commercial Lot Split **(attach Supplement B)**
- ☐ Consumption On Premises **(attach Supplement C)**
- ☐ Minimum Use Determination **(attach Supplement D)**
- ☐ LCLDC, Zoning District Boundaries, or Ordinance Interpretation **(attach Supplement E)**
- ☐ Relief for Designated Historic Resources **(attach Supplement F)**
- ☐ Relief for Easement Encroachment **(attach Supplement G)**
- ☐ Administrative Amendment to PUD or PD **(attach Supplement H)**
- ☒ Final Plan Approval for PD per Resolution: # Z-94-014 and Z95-061 **(attach Supplement H)**
- ☐ Administrative Deviation from LCLDC Chapter 10, Section 10-104 **(attach Supplement I)**
- ☐ Placement of Model Home/Unit or Model Display Center **(attach Supplement J)**
- ☐ Dock & Shoreline Structures **(attach Supplement K)**
- ☐ Determination of TDR Units that may be created from Wetlands per LCLDC Sec. 2-147(a) **(attach Supplement L)**
- ☐ Wireless Communication Facility Shared Use Plan Agreement **(attach Supplement M)**
- ☐ Community Gardens **(attach Supplement N)**
- ☐ Modification of Existing 86-36 MH/RV Park Site Plan **(attach Supplement O)**
- ☐ Administrative Approval of Compact Community for a Mixed Use Community in Southeast Lee County (DR/GR) **(attach Supplement P)**
- ☐ Administrative Action for Elimination or Modification of Duration Limitations on Certain Existing Mines {Section 12-121(k)} **(attach Supplement Q)**
- ☐ Administrative Action for a Planned Development or Live-Work Units in the Page Park Community Plan Area {Section 33-1202(b)} **(attach Supplement R)**
- ☐ Administrative Extension of a Master Concept Plan per LCLDC Sec. 34-381(c) **(attach Supplement S)**

Is this project located in the Boca Grande, Caloosahatchee Shores, Captiva, North Captiva, Estero, Page Park, Palm Beach Boulevard, Buckingham, Pine Island, Lehigh Acres, or North Fort Myers Planning Community/Community Plan areas? ☒ **YES** ☐ **NO**

**If YES, please note that the applicant may be required to conduct one public informational session where the agent will provide a general overview of the project for any interested citizens (see PART 3-E, below). See also Explanations below and individual Supplement forms for specific Community requirements.*

STAFF USE ONLY

Case Number: ADD2013-00011
Current Zoning: RPD
Land Use Classification: OUTLYING SUB.
Planning Community: ESTERO

Commission District: 3
Fee Amount: $1,000
Intake by: C.J.M.

LEE COUNTY
COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET)
FORT MYERS, FL 33902
PHONE (239) 533-8585

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C.J.M.
COMMUNITY DEVELOPMENT
ADD 2013-00011

PART 1
APPLICANT/AGENT INFORMATION

A. Name of Applicant: WCI Communities, LLC
Address: 24301 Walden Center Drive
City, State, Zip: Bonita Springs, FL 34134
Phone Number: 239.947.2600 Fax Number: 239.498.8614
E-mail Address: barryernst@wcicommunities.com

B. Relationship of Applicant to owner (check one):

☐ Applicant (including an individual or husband & wife) is the sole owner of the property. **[34-201(a)(1)a.1.; 34-204(a)(5)]**

☐ **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.1.** (See Part 1 Exhibit Form A1 attached hereto for suggested Affidavit Form for an individual.) **[34-202(b)(1)c.; 34-204(a)(5)]**

☒ Applicant has been authorized by the owner(s) to represent them for this action:

☒ **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.1.** (for an individual) or **Exhibit AA-1.B.2** (for Corporation, etc.). (Please select the appropriate Affidavit Form {A1 or A2} from the suggested forms in Part 1 Exhibits attached hereto.) See Guide and Explanatory Notes for PART 1 below. **[34-202(b)(1)c.; 34-204(a)(5)]**

☐ Applicant is a contract purchaser/vendee. **[34-202(b)(1)d.]**

☐ **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.1.** (for an individual) or **Exhibit AA-1.B.2.** (for Corporation, etc.). (Please select the appropriate Affidavit Form {A-1 or A-2} from the suggested forms in Part 1 Exhibits attached hereto.) See Guide and Explanatory Notes for PART 1 below. **[34-202(b)(1)c.; 34-204(a)(5)]**

C. Authorized Agent: Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.; 34-204(a)(5)]

1. Company Name: Q. Grady Minor and Associates, P.A.
Contact Person: Michael Delate
Address: 3400 Via Del Rey
City, State, Zip: Bonita Springs, FL 34134
Phone Number: 239.947.1144 Fax Number: 239.947.0375
E-mail address: mdelate@gradyminor.com

2. Additional Agent(s): The names of other agents that the County may contact concerning this application are attached as **Exhibit AA-1.C.2. [34-202(b)(1)c.; 34-204(a)(5)]**

PART 2
PROPERTY OWNERSHIP

Is this request specific to a particular tract of land? ☐ NO ☒ YES. If the answer is **YES**, please complete the following items.

A. Property Ownership: Single owner (individual or husband & wife only) [34-201(a)(1)a.1.; 34-204(a)(5)]

1. Name: WCI Communities, LLC
Address: 24301 Walden Center Drive
City, State, Zip: Bonita Springs, FL 34134
Phone Number: 239.947.2600 Fax Number: 239.498.8614
E-mail address: barryernst@wcicommunities.com

B. **Property Ownership: Multiple owners (Corporation, partnership, trust, association) [34-201(a)(1); 34-204(a)(5)].**
   1. ☒ Disclosure of (Ownership) Interests Form is attached as **AA-2.B.1. [34-201(b)2; 34-204(a)(5)]**

C. **Multiple parcels:**
   1. ☐ Property owners list is attached as **Exhibit AA-2.C.1. [34-202(a)(5); 34-204(a)(5)]**
   2. ☐ Property owners map is attached as **Exhibit AA-2.C.2. [34-202(a)(5); 34-204(a)(5)]**

D. **Date property was acquired by present owner(s):** June 5, 2012

PART 3
PROPERTY INFORMATION

Is this request specific to a particular tract of land? ☐ NO ☒ YES. If the answer is **YES**, please complete the following items.

A. **STRAP Number(s): [34-204(a)(2)** 17-47-25-00-00001.0010

B. **Street Address of Property:** VIA DEL CORSO LN

C. **Legal Description:**
   ☒ **Legal description** (on 8½" x 11" paper) is attached as **Exhibit AA-3.C.1. [34-204(a)(1)]**
   ☒ **Sealed sketch** of the legal description is attached as **Exhibit AA-3.C.2. [34-204(a)(1)]**

D. **Boundary Survey:**
   ☒ A Boundary survey, tied to the state plane coordinate system, is attached as **Exhibit AA-3.D.1. [34-202(a)(2); 34-204(a)(5)]**
   ☐ The property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records (or Plat Books) of Lee County. A copy of the applicable plat is attached as **Exhibit AA-3.D.2. [34-202(a)(2); 34-204(a)(5)]**

E. **Planning Community/Community Plan Area:** Estero
If the application is for administrative action within the **Page Park Community Plan Area**, an informational session must be conducted within the Page Park Community and a meeting summary document must be submitted. {See Explanatory Notes below.} Attach meeting summary document labelled as **Exhibit AA-3.E. [33-1203(a)(5); 33-1203(b)]**

If the application is for administrative action within certain other Planning Communities/Community Plan Areas, see the individual Supplements for meeting requirements applicable to the specific application. **[34-204(a)(6); 33-54; 33-1004; 33-1203; 33-1401; 33-1482; & 33-1532]**

F. **General Location of Property:**
   1. ☐ Area location map is attached as **Exhibit AA-3.F. [34-202(a)(4); 34-204(a)(5)]**
   2. **Directions to property: [34-204(a)(5)]**
      West on Coconut Road to Via Venetto Way on the south side of Coconut Road

G. **Current Zoning of Property: [34-204(a)(5)]** Pelican Landing RPD/CPD DRI

H. Current use(s) of the property [34-204(a)(4) & (5)]:

1. ☒ Current uses of the property are:
   Vacant multi-family residential

2. ☐ If buildings or structures exist on the property, an affidavit is required stating whether the buildings & structures will be removed or retained and specific details regarding any structures proposed to be retained. Attach as **Exhibit AA-3.H.2.** and entitle **"Structure Affidavit".** [34-204(a)(4)]

I. Property Dimensions [34-202(a)(8)]:

1. Width (average if irregular parcel): _____ Feet
2. Depth (average if irregular parcel): _____ Feet
3. Total area: _____ Acres or square feet
4. Frontage on road or street: _____ Feet on _____ Street
   2nd Frontage on road or street: _____ Feet on _____ Street

J. Property Restrictions: Are there deed restrictions or other types of covenants or restrictions currently applicable to this parcel? ☒ **NO** ☐ **YES.** If the answer is **YES**, please address the following items.

1. A copy of the deed restrictions or covenants currently applicable to this parcel is attached as **Exhibit AA-3.J.1. [34-204(a)(3)].**
2. A statement explaining how the deed restrictions or other types of covenants or restrictions may affect the requested action is attached as **Exhibit AA-3.J.2. [34-204(a)(3)]**

PART 4
ACTION REQUESTED

A. Type Of Request (please check one):

- ☐ Administrative Variance **(requires Supplement A)**
- ☐ Commercial Lot Split **(requires Supplement B)**
- ☐ Consumption On Premises **(requires Supplement C)**
- ☐ Minimum Use Determination **(requires Supplement D)**
- ☐ LCLDC, Zoning District Boundaries, or Ordinance Interpretation **(requires Supplement E)**
- ☐ Relief for Designated Historic Resources **(requires Supplement F)**
- ☐ Relief for Easement Encroachment **(requires Supplement G)**
- ☐ Administrative Amendment to PUD or PD **(requires Supplement H)**
- ☒ Final Plan Approval for PD per Resolution: # Z94-014 and Z95-061 **(requires Supplement H)**
- ☐ Administrative Deviation from LCLDC Chapter 10, Section 10-104 **(requires Supplement I)**
- ☐ Placement of Model Home/Unit or Model Display Center **(requires Supplement J)**
- ☐ Dock & Shoreline Structures **(requires Supplement K)**
- ☐ Determination of TDR Units that may be created from Wetlands per LCLDC Sec. 2-147(a) **(requires Supplement L)**
- ☐ Wireless Communication Facility Shared Use Plan Agreement **(requires Supplement M)**
- ☐ Community Gardens **(requires Supplement N)**
- ☐ Modification of Existing 86-36 MH/RV Park Site Plan **(requires Supplement O)**
- ☐ Administrative Approval of Compact Community for a Mixed Use Community in Southeast Lee County (DR/GR) **(requires Supplement P)**
- ☐ Administrative Action for Elimination or Modification of Duration Limitations on Certain Existing Mines {Section 12-121(k)} **(requires Supplement Q)**
- ☐ Administrative Action for a Planned Development or Live-Work Units in the Page Park Planning Community {Section 33-1202(b)} **(requires Supplement R)**
- ☐ Administrative Extension of a Master Concept Plan per LCLDC Sec. 34-381(c) **(attach Supplement S)**

B. Nature Of Request:

Propose permanent access onto Coconut Road

PART 5 – SUBMITTAL REQUIREMENTS

THE NUMBER OF COPIES REQUIRED FOR EACH EXHIBIT IS BASED ON THE ACTION REQUESTED AS INDICATED BELOW. PLEASE NOTE THAT THE THREE (3) SETS OF REQUIRED SUBMITTAL AND SUPPLEMENTAL FORMS MUST BE SUBMITTED IN SETS OF THREE. ADDITIONAL SUBMITTAL ITEMS (LISTED BELOW) SHOULD BE SUBMITTED AS A GROUP WITH THE APPROPRIATE NUMBER OF COPIES PROVIDED AS NOTED BELOW.

Copies Required*	SUP/Exhibit Number	SUBMITTAL ITEMS
3		Completed application for Administrative Action [34-204(a)]
1		Filing Fee - [34-204(a)(8)]
		SUPPLEMENTAL FORMS (select applicable request/form)
3	SUP A	Administrative Variance request
3	SUP B	Commercial Lot Split request
3	SUP C	Consumption On Premises request
3	SUP D	Minimum Use Determination request
3	SUP E	Ordinance Interpretation request
3	SUP F	Relief for Designated Historic Resources request
3	SUP G	Easement Encroachment request
3	SUP H	Administrative Amendment to a PUD or Planned Development request
3	SUP H	Final Plan Approval for a Planned Development request
3	SUP I	Administrative Deviation from Chapter 10 of the LDC request
3	SUP J	Placement of Model Home/Unit or Model Display Center request
3	SUP K	Dock & Shoreline Structure request
3	SUP L	Determination of TDR Units that may be created from Wetlands
3	SUP M	Wireless Communication Facility Shared Use Plan Agreement request
3	SUP N	Community Gardens request
3	SUP O	Modification of Existing MH/RV Park site plan
7	SUP P	Administrative Approval of Compact Community for a Mixed-Use Community in Southeast Lee County (DR/GR)
3	SUP Q	Administrative Action for Elimination or Modification of Duration Limitations on Certain Existing Mines
15	SUP R	Administrative Action for a Planned Development or Live-Work Units in the Page Park Community Plan Area
3	SUP S	Administrative Extension of a Master Concept Plan
		ADDITIONAL SUBMITTAL ITEMS
3	AA-1.B.2	Notarized Affidavit of Authorization Form [34-204(a)(5); 34-202(b)(1)c]
3	AA-1.C.2	Additional Agents [34-204(a)(5); 34-202(b)(1)c.]
3	AA-2.B.1	Disclosure of Interest Form [34-204(a)(5); 34-201(b)(2)a]
3	AA-2.C.1	Subject property owners list (if applicable) [34-204(a)(5); 34-202(a)(5)]
3	AA-2.C.2	Subject Property Owners map (if applicable) [34-204(a)(5); 34-202(a)(5)]
3	AA-3.A.1	List of STRAP Numbers (if additional sheet is required) [34-204(a)(2)]
3	AA-3.C.1	Legal Description **(2 originals required)** [34-204(a)(1)]
3	AA-3.C.2	Sealed Sketch of the Legal Description **(2 originals required)** [34-204(a)(1)]
3	AA-3.D.1	Boundary Survey (tied to State Plane Coordinate System) [34-204(a)(5); 34-202(a)(2)] {NOTE: This is a required submittal for all Planned Development Applications and for all properties of 10 acres or more **(2 originals required)** [34-204(a)(5); 34-373(a)(4)a.]}
3	AA-3.D.2	Copy of Plat (if applicable) [34-204(a)(1)]
3	AA-3.E	Page Park Community Meeting Summary Document (if application is located in the Page Park Community Plan Area) [34-204(a)(6); 33-1203(b)]
3	AA-3.F	Area Location Map on 8-1/2" by 11" paper pursuant to LCLDC Section [34-204(a)(5); 34-202(a)(4)]
3	AA-3.H.2	Structure Affidavit (if buildings or structures exist on the property) [34-204(a)(4)]
3	AA-3.J.1	Copy of deed restrictions or covenants or other restrictions applicable to the parcel (required if answered YES to Part 3.J). [34-204(a)(3)]
3	AA-3.J.2	Explanation as to how the restrictions may affect the requested action (required if answered YES to Part 3.J). [34-204(a)(3)]

*** At least one copy must be an original.**

Exhibit H-2.A

Written Narrative

Proposed is a permanent access off Coconut Road. The project was previously approved by ADD2012-00064

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ADD 2013-00011

LEE COUNTY
SOUTHWEST FLORIDA

ADMINISTRATIVE ACTION REQUEST
SUPPLEMENT H
FOR UNINCORPORATED AREAS ONLY

ADMINISTRATIVE AMENDMENT TO A PUD OR PLANNED DEVELOPMENT PER LCLDC SECTION 34-380(b) or FINAL PLAN APPROVAL FOR A PLANNED DEVELOPMENT

Case Number: ADD2013-00011

Project Name: Parcels F & G at the Colony Golf and Bay Club of Pelican Landing

Applicant's Name: WCI Communities, LLC

STRAP Number(s): 17-47-25-00-00001.0010

Indicate whether REQUEST is for:

☐ **ADMINISTRATIVE AMENDMENT** (please complete PART 1, PART 2., & PART 3.)

☒ **FINAL PLAN APPROVAL** (please complete PART 1, PART 2, & PART 4.)

***Planning Community/Community Plan Area:** Estero

**If located within the Estero, Caloosahatchee Shores, Page Park, Palm Beach Boulevard, Buckingham, Greater Pine Island, Lehigh Acres, or North Fort Myers Planning Community or Community Plan area and the request includes administrative deviations amending the Master Concept Plan or other provisions of the applicable zoning resolution, please conduct an informational meeting in the applicable community and provide a meeting summary document (see PART 2.C.). See LCLDC Section 33 and The Lee Plan.*

If the request is for an administrative amendment to a PUD or to a Planned Development or Final Plan Approval please submit the "Application for Administrative Action" form for unincorporated areas and Supplement H including the following:

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COMMUNITY DEVELOPMENT

PART 1
APPLICATION INFORMATION

A. **ORIGINAL PROJECT NAME** (if different than Project Name currently used): Pelican Landing RPD/CPD DRI

B. **ORIGINAL REZONING RESOLUTION NUMBER:** Z-94-014

C. **SUBSEQUENT ZONING ACTION RESOLUTION/CASE NUMBERS** (if any): Please list all previous zoning and administrative actions (approvals and denials) on this project subsequent to original rezoning including Resolution Numbers and Case Numbers (provide added sheets, if necessary; label as **Exhibit H-1.C.**).

See Exhibit H-1.C attached

D. **DEVELOPMENT ORDER NUMBERS FOR PROJECT** (if any): Please list all local development orders approved on this project. Please indicate the status of each development order (provide added sheets, if necessary; label as **Exhibit H-1.D.**).

DOS2001-00031
DOS2012-00032

PART 2
REQUESTED ACTION

A. **WRITTEN NARRATIVE:** Please provide a written narrative statement explaining exactly what is proposed. Label as **Exhibit H-2.A.**

B. **RELIEF/DEVIATIONS:** Is any relief requested from the provisions of the Lee County Land Development Code?

☒ **NO**

☐ **YES** – If **YES**, provide a **written narrative statement** explaining the specific relief requested (a schedule of deviations). Include specific references to any section (number{s} and name{s}) of the Lee County Land Development Code (LCLDC) from which relief is sought including why the requested relief is necessary and how it will affect the project. Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Label narrative statement as **Exhibit H-2.B.1.**

Also provide three (3) sets of drawings detailing any proposed deviations or changes to the MASTER CONCEPT PLAN (MCP) in 11" X 17" size (two originals required) and one (1) 24" x 36" size. All deviation requests must be specifically keyed to the location on the MCP. Label deviation drawing(s) as **Exhibit H-2.B.2.**

C. Is the property located within the Estero, Caloosahatchee Shores, Page Park, Palm Beach Boulevard, Buckingham, Greater Pine Island, Lehigh Acres, or North Fort Myers Planning Community/Community Plan Area and does the request include administrative deviations amending the Master Concept Plan or other provisions of the applicable zoning resolution? **[33-2]**

☐ **NO**

☒ **YES** – If **YES**, submit a copy of the Community Meeting Summary Document (see Explanations, PART 2. Below). Label **Exhibit H-2.C.**

PART 3
ADDITIONAL SUBMITTAL REQUIREMENTS FOR ADMINISTRATIVE AMENDMENT APPLICATIONS

Please submit the following for all Administrative Amendment Applications:

A. **AREA LOCATION MAP:** An Area Location Map (on 8.5" by 11" paper) must be provided. The map must be 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. Label as **Exhibit H-3.A. [34-204(a)(5); 34-373(a)(4)b.]**

B. **APPROVED MASTER CONCEPT PLAN:** Provide one (1) APPROVED MASTER CONCEPT PLAN (MCP) and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED at a size of 24" X 36". **Label as Exhibit H-3.B. [34-204(a)(5); 34-373(a)(6)]**

C. **REDUCED SIZE MASTER CONCEPT PLAN:** Provide three (3) copies of the MASTER CONCEPT PLAN REDUCED to a maximum size of 11" x 17" (two originals required). Label as **Exhibit H-3.C. [34-204(a)(5)]**

D. **ZONING RESOLUTIONS/ZONING DOCUMENTS:** Please attach three (3) copies of any zoning resolutions or documents that are still valid. Include the original rezoning resolution, final plan approval letters, Administrative Approval letters, and any other documentation granting relevant approvals. Label as **Exhibit H-3.D. [34-204(a)(5)]**

PART 4
ADDITIONAL SUBMITTAL REQUIREMENTS FOR FINAL PLAN APPROVAL APPLICATIONS

Please submit the following for all Final Plan Approval Applications:

A. **AREA LOCATION MAP:** An Area Location Map (on 8.5" by 11" paper) must be provided. The map must be 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. Label as **Exhibit H-4.A. [34-204(a)(5); 34-373(a)(4)b.]**

B. **APPROVED MASTER CONCEPT PLAN:** Provide one (1) APPROVED MASTER CONCEPT PLAN (MCP) and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED. Label as **Exhibit H-4.B. [34-204(a)(5); 34-373(a)(6)]**

C. **PROPOSED FINAL PLAN:** Please submit three (3) copies of the proposed Final Plan consistent with the approved Master Concept Plan and the approved Zoning Resolution. This proposed Final Plan must show any DEVIATION(s) keyed on the plan to identify the location of the specific deviation. Label as **Exhibit H-4.C. [34-204(a)(5)]**

D. **REDUCED SIZE COPY OF THE PROPOSED FINAL PLAN:** Please submit three (3) copies of the proposed Final Plan REDUCED to a maximum size of 11" x 17" (two originals required). Label as **Exhibit H-4.D. [34-204(a)(5)]**

E. **ZONING RESOLUTIONS/ZONING DOCUMENTS:** Please attach three (3) copies of any zoning resolutions or documents that are still valid. Include the original rezoning resolution, final plan approval letters, Administrative Approval letters, and any other documentation granting relevant approvals. Label as **Exhibit H-4.E. [34-204(a)(5)]**

PART 5 SUBMITTAL REQUIREMENTS		
THE NUMBER OF COPIES REQUIRED FOR EACH SUBMITTAL ITEM/EXHIBIT IS INDICATED BELOW. PLEASE NOTE THAT THIS SUPPLEMENT NEEDS TO BE ACCOMPANIED BY THE APPLICATION FOR ADMINISTRATIVE ACTION. COPIES OF BOTH OF THESE APPLICATIONS SHOULD BE SUBMITTED TOGETHER IN SETS OF THREE ALONG WITH ALL OTHER REQUIRED DOCUMENTATION. ADDITIONAL SUBMITTAL ITEMS (listed below) SHOULD BE SUBMITTED AS A GROUP WITH THE APPROPRIATE NUMBER OF COPIES PROVIDED AS NOTED BELOW.		
Copies Required*	**Exhibit Number**	**SUBMITTAL ITEMS**
		FOR ADMINISTRATIVE AMENDMENT APPLICATIONS and FOR FINAL PLAN APPROVAL APPLICATIONS
3		Completed Application for Administrative Action Form [34-204(a)]
1		Filing Fee - [34-204(a)(8)]
3	SUP H	Administrative Amendment to a PUD or Planned Development request Supplement Form [34-204(a)(5)]
3	H-1.C	Subsequent Zoning Action Resolution/Case Numbers (if any and if added sheet is necessary) [34-204(a)(5)]
3	H-1.D	Development Order Numbers for the Project (if any and if added sheets are necessary) [34-204(a)(5)]
3	H-2.A	Written Narrative explaining what, exactly, is proposed [34-204(a)(5)]
3	H-2.B.1	Schedule of Deviations and Justification Statement for each requested deviation (if YES was answered to Item # 2.B.) [34-204(a)(5)]
1	H-2.B.2	Site plan (24" X 36" size) detailing each requested deviation (if YES was answered to Item # 2.B.) [34-204(a)(5)]
3	H-2.B.2	Reduced site plans (11" X 17" size) detailing each requested deviation (if YES was answered to Item # 2.B.) - **two originals required** [34-204(a)(5)]
1	H-2.C	Community Meeting Summary Document (if answered YES to Item 2.C.) [34-204(a)(5); 33-3]
		ADDITIONAL SUBMITTAL ITEMS FOR ADMINISTRATIVE AMENDMENT APPLICATIONS
3	H-3.A	Area Location Map (8 ½' X 11" size) [34-204(a)(5)]
1	H-3.B	Approved Master Concept Plan and detailed drawings of any proposed deviations (24" X 36" size) [34-204(a)(5)]
3	H-3.C	Master Concept Plan (11" X 17" maximum size) including detailed drawings of any proposed deviations - **two originals required** [34-204(a)(5)]
3	H-3.D	Zoning Resolutions/Zoning Documents [34-204(a)(5)]
		ADDITIONAL SUBMITTAL REQUIREMENTS FOR FINAL PLAN APPROVAL APPLICATIONS
3	H-4.A	Area Location Map (8 ½' X 11" size) [34-204(a)(5)]
3	H-4.B	Approved Master Concept Plan and detailed drawings of any proposed deviations (24" X 36" size) [34-204(a)(5)]
1	H-4.C	Proposed Final Plan including Deviations keyed to the plan (24" X 36" size) [34-204(a)(5)]
3	H-4.D	Proposed Final Plan (11" X 17" maximum size) - **two originals required** [34-204(a)(5)]
3	H-4.E	Zoning Resolutions/Zoning Documents [34-204(a)(5)]

*** At least one copy must be an original**

PART 1 - AFFIDAVIT A2
(EXHIBIT AA-1.B.2)

AFFIDAVIT
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Paul Erhardt (name), as Vice President (title) of WCI Communities, LLC (company), 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 have authorized 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.

WCI Communities, LLC
*Name of Entity (corporation, partnership, LLP, LC, etc.)

Signature

Paul Erhardt
(Typed or printed name)

Vice President
(title of signatory)

Notary Public State of Florida
Margaret A Sisk
My Commission EE 224210
Expires 10/02/2016

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 2/5/13 (date) by Paul Erhardt (name of person providing oath or affirmation), who is personally known to me or ~~who has produced~~ _____ (type of identification) ~~as identification~~.

Signature of person taking oath or affirmation

MARGRET A SISK
Name typed, printed or stamped

NOTARY
Title or rank

EE 224210
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 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.*

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EXHIBIT AA-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 17-47-25-00-00001.0010 **CASE NO.** ADD 2013-00011

1. Please identify the owners of the property subject to the application. The list must include all individuals, corporations, companies, trusts, or partnerships who have an interest in the property (fee simple, tenancy by the entirety, tenancy in common, or joint tenancy). Also, indicate the percentage of ownership that each owner or entity has in the property. This Disclosure must fully identify the individual persons who have an interest in the property or the legal entities that have an ownership in the property. For additional space, you may attach a separate breakdown of the structures of all legal entities that have an ownership interest in the property owner. See Example given at the bottom of this Disclosure form.

Name and Address	Percentage of Ownership
WCI Communities, LLC	100%
24301 Walden Center Drive	
Bonita Springs, FL 34134	
Please see attached Exhibit AA-2.B.1 Attachment	

2. For each property owner listed under paragraph 1 above that is a CORPORATION of LIMITED LIABILITY COMPANY, list the officers, managers, managing members and stockholders for each corporation or company and the percentage of stock or membership interest owned by each shareholder or member. If that corporation is owned by another corporation, then you must list the officers and stockholders for each corporation that has an ownership interest in the corporation and the percentage of stock owned by each shareholder of that corporation. Listing the officers, directors, or managers is not sufficient. Providing a list of individuals and legal entities holding an ownership interest in a publicly traded company is not required.

Name and Address	Percentage of Stock
WCI Communities, LLC, a Delaware limited liability company	100%
24301 Walden Center Drive	WCI Communities, Inc., a
Bonita Springs, FL 34134	Delaware Corporation, its
(Please see attached Exhibit AA-2.B.1 Attachment	Sole Member

3. For each property owner listed under paragraph 1 above that is a TRUSTEE, list the trustee and primary beneficiaries of the trust with percentage of interest. If a beneficiary of the trust is another trust, the individual trustee, and beneficiaries and percentage of interest for that trust must also be provided. A list of contingent beneficiaries is not required.

Name and Address	Percentage of Interest

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4. For each property owner listed under paragraph 1 above that is a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners. If the general or limited partners are not individuals, but are corporations, companies, trusts, partnerships, or limited partnerships, you must further identify the ownership of those entities as provided in each section of this Disclosure.

Name and Address	Percentage of Ownership

5. If there is a CONTRACT FOR PURCHASE for the subject property, whether contingent on this application or not, list the names of the contract purchasers below, including all individuals and legal entities that are the contract purchasers, including all officers, managers, members, stockholders, beneficiaries, or partners as required in each section above.

Name and Address	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals and legal entities subject to that contingency clause or contract, including all officers, managers, members, stockholders, beneficiaries, as required in each section above.

Name and Address	Percentage of Stock

Example:
The property is owned by John Doe and ABC Corporation. Each have a 50% interest. The officers, directors and ownership interests of ABC Corporation must also be identified. If ABC Corporation was owned by Betty Smith, Barney Doe, and the John Doe, Trust. In addition to Betty and Barney, the Disclosure must also include the individual trustee and primary beneficiaries of the John Doe trust. This identification must continue to occur until the complete ownership structure of all legal entities has been broken down into all individual persons having an ownership interest in each legal entity.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of public hearing, a supplemental disclosure of interest form must 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

Paul Erhardt, Vice President
(Typed or printed name)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 2/5/13 (date) by Paul Erhardt (name of person providing oath or affirmation), who is personally known to me or ~~who has produced _____ (type of identification) as identification~~.

Signature of Notary Public

Notary Public State of Florida
Margaret A Sisk
My Commission EE 224210
Expires 10/02/2016

MARGARET A. SISIK
Printed Name of Notary Public

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Exhibit AA-2.B.1 (attachment)
Disclosure of Interest Form - List of officers and stock holders

Name, Address, and Office

WCI COMMUNITIES, LLC, a Delaware limited liability company
24301 Walden Center Drive
Bonita Springs, Florida 34134

WCI Communities, Inc., a Delaware corporation
The Sole Member (100%) of
WCI Communities, LLC
24301 Walden Center Drive
Bonita Springs, Florida 34134

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Officers:
Keith Bass, President and CEO
Russell Devenfdorf, Senior VP and CFO
Vivien Hastings, Senior VP and Secretary
Paul Erhardt, Senior VP

Holder	Percentage
CEDE & CO	68.18%
Monarch	10.32%
Royal Bank of Scotland	3.76%
Regiment Capital	5.52%
Trilogy Portfolio	1.61%
Creditors Trust	2.70%
WCI Directors & Officers	2.83%
Spectrum Group	0.63%
Eaton Vance	1.14%
KBC Bank	1.13%
Merrill Lynch, Pierce, Fenner & Smith	0.84%
Invesco	1.00%
Cetus	0.17%
WCI Treasury	0.16%
	100.00%

Ownership and Encumbrance Report

First American Issuing Office: First American Title Insurance Company
13450 West Sunrise Blvd., Suite 300
Sunrise, FL 33323

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File No.: **1062-2723352**

Prepared For: Florida Title & Guarantee
6611 Orion Drive, Suite 104
Fort Myers, FL 33912

Legal Description:

"Parcels F & G"

Being a portion of land located in Section 8, Township 47 South, Range 25 East, Lee County, Florida. More particularly described as follows:

Commence at the Southwest corner of the Coconut Road right-of-way as shown on the specific purpose survey prepared by Johnson Engineering, Inc. dated December 15, 1999 with a project number of 19991898; thence run along the South line of said right-of-way South 89°43'06" East, for a distance of 45.84 feet, to the point of beginning of the parcel of land herein described; thence continue along said South line South 89°43'06" East, for a distance of 904.21 feet to the intersection of the extension of the West line of Via Veneto right-of-way as recorded in Official Records Book 4408, Page 470 of the Public Records of Lee County, Florida and said South line of Coconut Road; thence run along the Westerly line of said right-of-way and extension thereof for the following four (4) courses and distances:
1. South 00°17'49" West, for a distance of 47.01 feet;
2. Thence run South 74°36'33" East, for a distance of 58.19 feet;
3. Thence run South 50°54'15" East, for a distance of 143.04 feet;
4. Thence run South 00°11'43" West, for a distance of 82.19 feet to a point on the Westerly line of Parcel 5 of those lands recorded in Instrument Number 2009000192836 of said Public Records; thence run along said Westerly line for the following Eight (8) courses and distances:
1. North 89°47'57" West, for a distance of 34.12 feet;
2. Thence run South 63°30'43" West, for a distance of 230.57 feet;
3. Thence run South 47°26'14" West, for a distance of 466.86 feet;
4. Thence run South 41°35'17" West, for a distance of 46.90 feet to a point on a circular curve concave Northwest, whose radius point bears North 48°24'38" West, a distance of 100.00 feet therefrom;
5. Thence run Southwesterly along the arc of said curve to the right, having a radius of 100.00 feet, through a central angle of 28°01'16", subtended by a chord of 48.42 feet at a bearing of South 55°36'00" West, for an arc length of 48.91 feet to a point on a circular curve concave Southeast, whose radius point bears South 20°23'12" East, a distance of 105.00 feet therefrom;
6. Thence run Southwesterly along the arc of said curve to the left, having a radius of 105.00 feet, through a central angle of 54°28'46", subtended by a chord of 96.12 feet at a bearing of South 42°22'25" West, for an arc length of 99.84 feet to a point on a circular curve concave Northwest, whose radius point bears North 74°51'54" West, a distance of 100.00 feet therefrom;
7. Thence run Southwesterly along the arc of said curve to the right, having a radius of 100.00 feet, through a central angle of 14°44'34", subtended by a chord of 25.66 feet at a bearing of South 22°30'23" West, for an arc length of 25.73 feet to the end of said curve;

8. Thence run South 29°52'39" West, for a distance of 22.93 feet; thence run North 34°45'41" West, for a distance of 134.67 feet; thence run North 53°03'31" West, for a distance of 119.51 feet; thence run North 19°08'07" West, for a distance of 117.09 feet; thence run North 41°42'16" West, for a distance of 86.54 feet; thence run North 00°49'46" West, for a distance of 150.18 feet; thence run North 50°28'56" West, for a distance of 47.03 feet; thence run North 20°07'09" West, for a distance of 19.34 feet; thence run North 34°54'03" West, for a distance of 30.82 feet; thence run North 23°07'05" East, for a distance of 44.14 feet; thence run North 28°21'44" West, for a distance of 88.04 feet; thence run North 39°18'43" East, for a distance of 25.46 feet; thence run North 07°41'43" East, for a distance of 98.70 feet; thence run North 10°04'01" West, for a distance of 18.32 feet to the point of beginning.

1. ***Grantee(s) In Last Deed of Record:***

WCI Communities, LLC, a Delaware limited liability company

2. ***Encumbrances/Matters Affecting Title*** (Includes only mortgages, liens and claims of lien (if not specifically affecting other property only), judgments (certified only), federal tax liens, bankruptcy petitions, death certificates, court orders and decrees, divorce decrees, property settlement agreements, tax warrants, incompetency proceedings and probate proceedings which may affect the title to the property described above (attach an exhibit, if necessary)):

() Exhibit Attached (x) Exhibit Not Attached.

Type of Instrument	**O.R. Book**	**Page**
Quit Claim Deed	Instrument No.	2012000126254
Articles of Amendment to Articles of Incorporation	2547	1333
Articles of Merger	2626	3695
Certificate of Ownership and Merger	2626	3705
Certificate of Merger	2626	3711
Affidavit	Instrument No.	2009000243854
Affidavit	Instrument No.	2009000276131
Code Enforcement Order	Instrument No.	2010000121771
Code Enforcement Order	Instrument No.	2010000121773
Code Enforcement Order	Instrument No.	2010000121774

Type of Instrument	**O.R. Book**	**Page**
Code Enforcement Order	Instrument No.	2010000121775
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266891
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266892
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266893
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266894
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266895
Amended and Restated Declaration and General Protective Covenants	2198	1873
Notice of Adoption of an Amendment	2638	3310
Interlocal Agreement	2651	3628
Covenant of Unified Control	2658	309

Type of Instrument	**O.R. Book**	**Page**
Covenant of Unified Control	2658	319
Grant of Conservation Easement	2669	3613

Forty-Sixth Supplement to the Amended and Restated Declaration and General Protective Covenants	2725	3258
Notice of Adoption of an Amendment	2769	3681
Temporary Access Easement	2775	3829
Notice of Adoption of an Amendment	2806	1657
Grant of Easement	2892	2637
Declaration of Consent to Jurisdiction of Community Development District and to Imposition of Special Assessments	3016	1912
Second Amendment to the Fifth Supplement to the Declaration and General Protective Covenants	3021	957
First Amendment to Sixty-First Supplement to Amended and Restated Declaration and General Protective Covenants	3021	963

Type of Instrument	**O.R. Book**	**Page**
Sixty-Eighth Supplement to the Declaration and General Protective Covenants	3052	1817
Notice of Development Order Approval	3147	1197
Notice of Establishment	3163	3423
Seventy-First Supplement to the Amended and Restated Declaration and General Protective Covenants	3173	3750
Notice of Adoption of the Sixth Amendment	3175	2763
Broadband Service Easement	3203	1881
Notice of Adoption of the Seventh Amendment	3216	4649
Seventy-First Supplement to the Declaration and General Protective Covenants	3220	79
Vacation of Easement	3260	3507
Certificate of Amendment to Declaration and General Protective Covenants	3272	2120

Type of Instrument	**O.R. Book**	**Page**
Covenant of Unified Control	3281	1884
Covenant of Unified Control	3311	4625
First Amendment to Certificate of Amendment to Declaration and General Protective Covenants	3287	4808
Covenant of Unified Control	3307	3805
Memorandum of Agreement	3315	412
Notice of Adoption of the Ninth Amendment	3315	1658
Notice of Adoption of the Eighth Amendment	3322	4512
Seventy-Third Supplement to the Declaration and General Protective Covenants	3362	2486
Seventy-Fifth Supplement and Amendment to the Declaration and General Protective Covenants and Certificate of Amendment of Articles of Incorporation and ByLaws	3520	4679
Easement	3544	1221

Type of Instrument	**O.R. Book**	**Page**
Certificate of Amendment to Amended and Restated Declaration and General Protective Covenants	3572	4580
First Amendment to the Sixty-Eighth Supplement and Seventy-Third Supplement to the Declaration and General Protective Covenants	3614	3553
Notice of Adoption of the Tenth Amendment	3630	252
Third Amendment to Declarations of Consent to Jurisdiction of Community Development District and to Imposition of Special	3720	347

Assessments		
Notice of Development Order Approval	3740	712
Notice of Adoption of the Eleventh Amendment	3769	4090
Second Amendment to the Sixty-Eighth Supplement and Seventy-Third Supplement to the Declaration and General Protective Covenants	3778	3528
Easement	3861	4747
Easement	3861	4744
Easement	3951	3387

Type of Instrument	**O.R. Book**	**Page**
Thirteenth Supplement to the Declaration and General Protective Covenants	3992	4588
Fourth Amendment to Declarations of Consent to Jurisdiction of Community Development District and to Imposition of Special Assessments	4044	2569
Amendment to Declaration and General Protective Covenants	4083	3809
Grant of Utility Easement	4103	3298
Grant of Utility Easement	4103	3295
Easement	4125	4632
First Amendment to Thirty-Second Supplement to Amended and Restated Declaration and General Protective Covenants (Parcel K)	4126	1805
First Amendment to Thirty-Third Supplement to Amended and Restated Declaration and General Protective Covenants (Parcel I)	4126	1809
Fifth Amendment to Declarations of Consent to Jurisdiction of Community Development District and to Imposition of Special Assessments	4508	337
Grant of Easement	Instrument No.	2006000175867

Type of Instrument	**O.R. Book**	**Page**
Grant of Easement	Instrument No.	2006000175868
Access Easement	Instrument No.	2009000202202
Notice of Adoption of the Twelfth Amendment	Instrument No.	2007000116784
Seventh and Final Amendment to Declarations of Consent to Jurisdiction of Community Development District and to Imposition of Special Assessments	Instrument No.	2007000360736
Amendment to Declaration and General Protective Covenants	Instrument No.	2012000015981

Copies of the Encumbrances/Matters Affecting Title (**x**) are () are not included with this Report.

Ad Valorem Real Estate Taxes for Tax Parcel Number 17-47-25-B2-00001.0000 for tax year 2011
Gross Tax: $ 245,188.30 (X) Paid ( ) Not Paid.
Unpaid Taxes for Prior Years (if none, state "none"): None

Certificate

This Ownership and Encumbrance Report ("Report") is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes, from April 15, 1992 to April 23, 2012 at 8:00 a.m.. The foregoing Report accurately reflects matters recorded and indexed in the Official Records Books of Lee County, Florida, affecting title to the property described therein. Liability for any incorrect information contained in this Report is limited (1) to the person or entity to whom the Report is directed, and (2) to a maximum of $1,000.00 pursuant to Section 627.7843(3), Florida Statutes. This Report is not an opinion of title, title insurance policy, warranty of title, or any other assurance as to the status of title and shall not be used for the purpose of issuing title insurance.

First American Title Insurance Company

John T. LaJoie, as Vice President

Dated: 06/15/2012

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Showing **1 - 4** of **4** **(0.031 seconds)**

Search Results

Searched for the name **'2009 real'** in **ALL DOCUMENT TYPES** type documents from **'4/23/2012'** to **'6/15/2012'**

1

[row]	*	Consideration	Party Type	Name ▲	FirstCrossPartyName	Record Date	Type	Book Type	Book	Page	Comments	Instrument
1	U	$10.00	From	2009 REAL ESTATE CORPORATION	WCI COMMUNTIES LLC	6/7/2012	Deed	O			SEC 8 TWN 47S RNG 25E	2012000126254
2	U	$10.00	From	2009 REAL ESTATE LLC	WCI COMMUNTIES LLC	6/7/2012	Deed	O			SEC 8 TWN 47S RNG 25E	2012000126254
3		$10.00	From	2009 REAL ESTATE LLC	CYPRESS COVE AT WILDCAT RUN COMMONS ASSOCIATION INC	4/27/2012	Deed	O			WILDCAT COVE AT WILDCAT RUN PARCEL A	2012000094466
4		$10.00	From	2009 REAL ESTATE LLC	WILDCAT RUN COMMUNITY ASSOCIATION INC	4/27/2012	Deed	O			WILDCAT COVE AT WILDCAT RUN TRACT R	2012000094465

1

6/5/12

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FIRST AMERICAN TITLE, FAY, F199		LEE, FL
06/15/2012 01:52PM IIRU	DATEDOWN RESULTS	PAGE 1 OF 10
ORDER: 2723352	TOF:	COMMENT:

MAY 24, 2012 (Full)

PLANT THROUGH
INSTRUMENT: 2012 - 116135
SEARCH PARAMETERS

MAY 24, 2012 11:59PM

SECTION	TOWNSHIP	RANGE	QUARTER/HALF
7	47S	25E	EH
SEARCH:	FROM 04/02/2012	THROUGH 99/99/9999	
DISPLAY AUTO CHAIN; ALL HIERARCHY			
(CREATE A STARTER / PERMIT DATEDOWNS)			INST:

SECTION	TOWNSHIP	RANGE	QUARTER/HALF
17	47S	25E	NH
SEARCH:	FROM 04/02/2012	THROUGH 99/99/9999	
DISPLAY AUTO CHAIN; ALL HIERARCHY			
(CREATE A STARTER / PERMIT DATEDOWNS)			INST:

REF DOC NO.
2208 - 1081
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2376 - 1319
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2588 - 210
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2620 - 813
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2620 - 1149
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2778 - 2821
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2795 - 1460
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2795 - 1949
(PERMIT DATEDOWNS / USE IN FALLOUT)

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FIRST AMERICAN TITLE, FAY, F199 — LEE, FL
06/15/2012 01:52PM IIRU — DATEDOWN RESULTS — PAGE 2 OF 10
ORDER: 2723352 — TOF: — COMMENT:

REF DOC NO.
2829 - 1128
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2842 - 548
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
3792 - 1530
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
4166 - 1157
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
4322 - 3201
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
4451 - 4123
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2005 - 79010
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2006 - 1551
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2006 - 89029
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2006 - 170243
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2006 - 308375
(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.
2007 - 238219
(PERMIT DATEDOWNS / USE IN FALLOUT)

FIRST AMERICAN TITLE, FAY, F199 — **LEE, FL**

06/15/2012 01:52PM IIRU — DATEDOWN RESULTS — PAGE 3 OF 10

ORDER: 2723352 — TOF: — COMMENT:

REF DOC NO.

2007 - 238220

(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.

2008 - 130388

(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.

2009 - 243861

(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.

2011 - 34407

(PERMIT DATEDOWNS / USE IN FALLOUT)

REF DOC NO.

2011 - 74717

(PERMIT DATEDOWNS / USE IN FALLOUT)

PARAMETER ENTERED:

SECTION	TOWNSHIP	RANGE	QUARTER/HALF
7	47S	25E	EH

SEARCHED PARAMETER:

SECTION	TOWNSHIP	RANGE	QUARTER/HALF
7	47S	25E	EH

CURRENT OPEN ORDERS:		SECTION	TOWNSHIP	RANGE	QUARTER/HALF
JSL	NCS-539852-FL4	7	47S	25E	
JSL	NCS-539852-FL4	7	47S	25E	
JLOCKE	NCS-539852	7	47S	25E	EH
JSL	NCS-539852-FL4	7	47S	25E	EH
MO'LWILSON	NCS-539852FL18	7	47S	25E	EH

RECORDED	INST	DOCUMENT NO.		ALTERNATE NO.	COMP	PORTION	
		DOLLAR AMOUNT	LOAN				
REF ALT NO.		REF DOC NO.	PARTY	LAST		FIRST	MI
04/25/2012	NO	2012 - 92495					

ADOPTION

PARTY1 PAVESE LAW FIRM

PARTY2 LEE COUNTY OF BOARD OF COUNTY COMMISS

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: SE

04/25/2012 NO 2012 - 92495

ADOPTION

PARTY1 PAVESE LAW FIRM

PARTY2 LEE COUNTY OF BOARD OF COUNTY COMMISS

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: SHNE

FIRST AMERICAN TITLE, FAY, F199 — **LEE, FL**

06/15/2012 01:52PM IIRU — DATEDOWN RESULTS — PAGE 4 OF 10

ORDER: 2723352 — TOF: — COMMENT:

04/17/2012 **DD QC** **2012 - 85017**
$.70

PARTY1	HANDA	BENNY	A
PARTY2	HANDA	BENNY	A

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: EHNESENE

04/02/2012 **DD WT** **2012 - 71782**
$3,260.60
07-47-25-00-00003-0050

PARTY1	ESTERO MARINE LLC		
PARTY2	FALCONE TRUSTEE	SAMUEL	A

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: SHNE

04/02/2012 **DD QC** **2012 - 71783**
$65.10
07-47-25-00-00003-0250

PARTY1	WEEKS JR	CHARLES	N
PARTY2	FALCONE TRUSTEE	SAMUEL	A

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: SWNESENE

C08/20/1998 **LN RL** **3002 - 563** **1998 - 4455722** PT GOV2
2985 - 963

PARTY1	LEE COUNTY OF BOARD OF COMMISIONERS		
PARTY2	ABEL	PATRICIA	A

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: NENWSENE

C07/10/1998 **RS** **2985 - 963** **1998 - 4429397**
98-05-06

PARTY1	LEE COUNTY OF		

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: SWSESWNE

C07/10/1998 **RS** **2985 - 963** **1998 - 4429397**
98-05-06

PARTY1	LEE COUNTY OF		

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: NWSESWNE

C07/10/1998 **RS** **2985 - 963** **1998 - 4429397**
98-05-06

PARTY1	LEE COUNTY OF		

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: NENWSENE

C07/10/1998 **RS** **2985 - 963** **1998 - 4429397**
98-05-06

PARTY1	LEE COUNTY OF		

SECT: 7 TWN: 47S RNG: 25E QUARTER/HALF: NWNESENE

PARAMETER ENTERED:

SECTION	TOWNSHIP	RANGE	QUARTER/HALF
17	47S	25E	NH

AUTO CHAIN :

C 05/04/2004 SECTION 17 TOWN 47S RANGE 25E SENENE
4280-3200 CREATED PLAT C4041-4478

FIRST AMERICAN TITLE, FAY, F199 — **LEE, FL**

06/15/2012 01:52PM IIRU — DATEDOWN RESULTS — PAGE 5 OF 10

ORDER: 2723352 — TOF: — COMMENT:

C	11/08/2002	SECTION 17	TOWN 47S	RANGE 25E	SWSWNW
	3771-4353	CREATED PLAT		C3771-4353	
C	04/12/2001	SECTION 17	TOWN 47S	RANGE 25E	NENW
	68-54	CREATED PLAT		P68-54	
C	04/12/2001	SECTION 17	TOWN 47S	RANGE 25E	NWNWNE
	68-54	CREATED PLAT		P68-54	
	03/19/1998	SECTION 17	TOWN 47S	RANGE 25E	NENW
	61-8	CREATED PLAT		P61-8	
	03/13/1998	SECTION 17	TOWN 47S	RANGE 25E	NENW
	61-3	CREATED PLAT		P61-3	

SEARCHED PARAMETER:

SECTION	TOWNSHIP	RANGE	QUARTER/HALF
17	47S	25E	NH

CURRENT OPEN ORDERS:		SECTION	TOWNSHIP	RANGE	QUARTER/HALF
JSL	NCS-539852-FL4	17	47S	25E	
JSL	NCS-539852-FL4	17	47S	25E	
	2641146	17	47S	25E	NE
	2641146	17	47S	25E	NW
MO'LWILSON	NCS-434000-07	17	47S	25E	SWSWNW
JLOCKE	NCS-539852	17	47S	25E	NH
JSL	NCS-539852-FL4	17	47S	25E	NH
MO'LWILSON	NCS-539852FL18	17	47S	25E	NH

RECORDED INST	DOCUMENT NO.	ALTERNATE NO.	COMP	PORTION	
	DOLLAR AMOUNT	LOAN			
REF ALT NO.	REF DOC NO.	PARTY LAST		FIRST	MI

05/24/2012 DD QC — 2012 - 115597
$.70
CORR 174725B1000011130
2011 - 34406 — PARTY1 MICCICHE — LORI — J
PARTY2 MICCICHE — LORI — J
SECT: 17 TWN: 47S RNG: 25E QUARTER/HALF: NWSESWNW

✓ 05/22/2012 MG AG — 2012 - 113757
2009 - 243861 — PARTY1 WCI COMMUNITIES INC
PARTY2 WILMINGTON TRUST
SECT: 17 TWN: 47S RNG: 25E QUARTER/HALF: NW

04/25/2012 NO — 2012 - 92495
ADOPTION
PARTY1 PAVESE LAW FIRM
PARTY2 LEE COUNTY OF BOARD OF COUNTY COMMISS
SECT: 17 TWN: 47S RNG: 25E QUARTER/HALF: NW

C07/10/1998 RS — 2985 - 963 — 1998 - 4429397
98-05-06

FIRST AMERICAN TITLE, FAY, F199 — **LEE, FL**

06/15/2012 01:52PM IIRU — DATEDOWN RESULTS — PAGE 6 OF 10

ORDER: 2723352 — TOF: — COMMENT:

PARTY1 LEE COUNTY OF

SECT: 17 TWN: 47S RNG: 25E QUARTER/HALF: NESESWNW

C07/10/1998 **RS** **2985 - 963** **1998 - 4429397**

98-05-06

PARTY1 LEE COUNTY OF

SECT: 17 TWN: 47S RNG: 25E QUARTER/HALF: NWSWSENW

PARAMETER ENTERED:
REF DOC NO.
2009 - 243861

REF DOC NO.
2009 - 243861

RECORDED INST	ALTERNATE NO. / DOLLAR AMOUNT	DOCUMENT NO. / LOAN	COMPANY
REF ALT NO.	REF DOC NO.	PARTY	LAST / FIRST / MI
✓ 05/21/2012 **MG AG**		**2012 - 112624**	
	2009 - 243861	PARTY1	WCI COMMUNITIES INC
		PARTY2	WILMINGTON TURST

PLAT 2012 - 112623 BLOCK LOT SUB LOT

05/22/2012 **MG AG** **2012 - 113757**

2009 - 243861 PARTY1 WCI COMMUNITIES INC

PARTY2 WILMINGTON TRUST

SECTION	35	TOWN	44 S	RANGE	25 E	QTR/HLF	WH	
SECTION	1	TOWN	45 S	RANGE	25 E	QTR/HLF		
SECTION	12	TOWN	45 S	RANGE	25 E	QTR/HLF	WHNE	
SECTION	6	TOWN	45 S	RANGE	26 E	QTR/HLF	WHNW	
SECTION	18	TOWN	45 S	RANGE	26 E	QTR/HLF	WH	
SECTION	8	TOWN	47 S	RANGE	25 E	QTR/HLF	NWSW	
SECTION	17	TOWN	47 S	RANGE	25 E	QTR/HLF	NW	
PLAT	P69 - 76	BLOCK		LOT	21	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	10	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	11	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	12	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	15	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	16	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	17	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	35	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	38	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	39	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	40	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	41	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	42	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	43	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	44	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	45	SUB LOT		

PLAT	P83 - 64	BLOCK	A	LOT	46	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	48	SUB LOT		
PLAT	P83 - 64	BLOCK	A	LOT	51	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	35	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	36	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	37	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	38	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	39	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	40	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	41	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	42	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	43	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	44	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	45	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	46	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	47	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	48	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	49	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	50	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	51	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	52	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	53	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	54	SUB LOT		
PLAT	P83 - 64	BLOCK	B	LOT	55	SUB LOT		
PLAT	P83 - 64	BLOCK	C	LOT	34	SUB LOT		
PLAT	P83 - 64	BLOCK	C	LOT	35	SUB LOT		
PLAT	P83 - 64	BLOCK	C	LOT	38	SUB LOT		
PLAT	P83 - 64	BLOCK	C	LOT	40	SUB LOT		
PLAT	P83 - 64	BLOCK	C	LOT	41	SUB LOT		
PLAT	P83 - 64	BLOCK	C	LOT	42	SUB LOT		
PLAT	2006 - 126026	BLOCK		LOT		SUB LOT	MF2	PT
PLAT	2006 - 126026	BLOCK	A	LOT	1	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	2	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	3	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	30	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	32	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	33	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	34	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	35	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	37	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	38	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	39	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	40	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	41	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	42	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	43	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	44	SUB LOT		
PLAT	2006 - 126026	BLOCK	A	LOT	45	SUB LOT		

FIRST AMERICAN TITLE, FAY, F199 — **LEE, FL**

06/15/2012 01:52PM IIRU — DATEDOWN RESULTS — PAGE 8 OF 10

ORDER: 2723352 — TOF: — COMMENT:

PLAT	2006 - 126026	BLOCK	A	LOT	46	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	47	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	48	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	49	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	50	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	51	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	52	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	53	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	54	SUB LOT
PLAT	2006 - 126026	BLOCK	A	LOT	55	SUB LOT
PLAT	2006 - 126026	BLOCK	B	LOT	37	SUB LOT
PLAT	2006 - 126026	BLOCK	B	LOT	38	SUB LOT
PLAT	2006 - 126026	BLOCK	B	LOT	41	SUB LOT
PLAT	2006 - 126026	BLOCK	B	LOT	42	SUB LOT
PLAT	2006 - 126026	BLOCK	B	LOT	43	SUB LOT
PLAT	2006 - 126026	BLOCK	B	LOT	44	SUB LOT
PLAT	2006 - 126026	BLOCK	B	LOT	45	SUB LOT
PLAT	2006 - 126026	BLOCK	B	LOT	46	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	15	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	16	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	17	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	18	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	19	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	20	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	21	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	24	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	25	SUB LOT
PLAT	2006 - 126026	BLOCK	C	LOT	26	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	1	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	2	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	3	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	4	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	5	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	6	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	7	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	8	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	9	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	10	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	11	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	12	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	13	SUB LOT
PLAT	2006 - 126026	BLOCK	D	LOT	14	SUB LOT
PLAT	2006 - 288553	BLOCK		LOT		SUB LOT
PLAT	2006 - 458766	BLOCK		LOT	10A	SUB LOT
PLAT	2006 - 458766	BLOCK		LOT	10B	SUB LOT
PLAT	2006 - 458766	BLOCK		LOT	10C	SUB LOT
PLAT	2006 - 458766	BLOCK		LOT	10D	SUB LOT
PLAT	2006 - 458766	BLOCK		LOT	11A	SUB LOT

FIRST AMERICAN TITLE, FAY, F199 — **LEE, FL**

06/15/2012 01:52PM IIRU — DATEDOWN RESULTS — PAGE 9 OF 10

ORDER: 2723352 — TOF: — COMMENT:

PLAT	2006 - 458766	BLOCK	LOT	11B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	11C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	11D	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	12A	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	12B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	12C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	12D	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	13A	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	13B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	13C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	13D	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	14A	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	14B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	14C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	14D	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	15A	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	15B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	15C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	15D	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	16A	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	16B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	16C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	16D	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	17A	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	17B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	17C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	17D	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	18A	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	18B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	18C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	18D	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	19A	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	19B	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	19C	SUB LOT
PLAT	2006 - 458766	BLOCK	LOT	19D	SUB LOT
PLAT	2007 - 271916	BLOCK	LOT	201	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	1	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	2	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	3	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	4	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	5	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	7	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	8	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	9	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	10	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	11	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	12	SUB LOT
PLAT	2007 - 304323	BLOCK	LOT	13	SUB LOT

FIRST AMERICAN TITLE, FAY, F199 — **LEE, FL**

06/15/2012 01:52PM IIRU — DATEDOWN RESULTS — PAGE 10 OF 10

ORDER: 2723352 — TOF: — COMMENT:

PLAT	2007 - 304323	BLOCK		LOT	14	SUB LOT	
PLAT	2007 - 304323	BLOCK		LOT	15	SUB LOT	
PLAT	2007 - 304323	BLOCK		LOT	16	SUB LOT	
PLAT	2007 - 304323	BLOCK		LOT	17	SUB LOT	
PLAT	2008 - 250131	BLOCK	5	LOT	5102	SUB LOT	
PLAT	2008 - 250131	BLOCK	5	LOT	5104	SUB LOT	
PLAT	2008 - 250131	BLOCK	5	LOT	5105	SUB LOT	
PLAT	2008 - 250131	BLOCK	5	LOT	5205	SUB LOT	
PLAT	2008 - 250131	BLOCK	5	LOT	5304	SUB LOT	
PLAT	2008 - 250131	BLOCK	7	LOT		SUB LOT	
PLAT	2009 - 22188	BLOCK		LOT		SUB LOT	A
PLAT	2009 - 22188	BLOCK		LOT		SUB LOT	B
PLAT	2009 - 22188	BLOCK		LOT		SUB LOT	C
PLAT	2009 - 22188	BLOCK		LOT		SUB LOT	GC1
PLAT	2009 - 22188	BLOCK		LOT		SUB LOT	GC2
PLAT	2009 - 22188	BLOCK		LOT		SUB LOT	GC3
PLAT	2009 - 22188	BLOCK		LOT		SUB LOT	GC4

END SEARCH

8. Thence run South 29°52'39" West, for a distance of 22.93 feet; thence run North 34°45'41" West, for a distance of 134.67 feet; thence run North 53°03'31" West, for a distance of 119.51 feet; thence run North 19°08'07" West, for a distance of 117.09 feet; thence run North 41°42'16" West, for a distance of 86.54 feet; thence run North 00°49'46" West, for a distance of 150.18 feet; thence run North 50°28'56" West, for a distance of 47.03 feet; thence run North 20°07'09" West, for a distance of 19.34 feet; thence run North 34°54'03" West, for a distance of 30.82 feet; thence run North 23°07'05" East, for a distance of 44.14 feet; thence run North 28°21'44" West, for a distance of 88.04 feet; thence run North 39°18'43" East, for a distance of 25.46 feet; thence run North 07°41'43" East, for a distance of 98.70 feet; thence run North 10°04'01" West, for a distance of 18.32 feet to the point of beginning.

1. ***Grantee(s) In Last Deed of Record:*** WCI Communities LLC

2009 Real Estate LLC, a Delaware limited liability company, successor by conversion of 2009 Real Estate Corporation f/k/a WCI Communities, Inc.

2. ***Encumbrances/Matters Affecting Title*** (Includes only mortgages, liens and claims of lien (if not specifically affecting other property only), judgments (certified only), federal tax liens, bankruptcy petitions, death certificates, court orders and decrees, divorce decrees, property settlement agreements, tax warrants, incompetency proceedings and probate proceedings which may affect the title to the property described above (attach an exhibit, if necessary)):

() Exhibit Attached (x) Exhibit Not Attached.

Type of Instrument	**O.R. Book**	**Page**
Quit Claim Deed	2297	2237
Articles of Amendment to Articles of Incorporation	2547	1333
Articles of Merger	2626	3695
Certificate of Ownership and Merger	2626	3705
Certificate of Merger	2626	3711
Affidavit	Instrument No.	2009000243854
Affidavit	Instrument No.	2009000276131
Code Enforcement Order	Instrument No.	2010000121771
Code Enforcement Order	Instrument No.	2010000121773
Code Enforcement Order	Instrument No.	2010000121774

Type of Instrument	**O.R. Book**	**Page**
Code Enforcement Order	Instrument No.	2010000121775
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266891
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266892
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266893
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266894
Amended Code Enforcement Order and Order Quashing Earlier Code Enforcement Order	Instrument No.	2010000266895
Amended and Restated Declaration and General Protective Covenants	2198	1873
Notice of Adoption of an Amendment	2638	3310
Interlocal Agreement	2651	3628
Covenant of Unified Control	2658	309

Type of Instrument	**O.R. Book**	**Page**
Covenant of Unified Control	2658	319

6/5/12

Certificate

This Ownership and Encumbrance Report ("Report") is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes, from April 15, 1992 to April 23, 2012 at 8:00 a.m.. The foregoing Report accurately reflects matters recorded and indexed in the Official Records Books of Lee County, Florida, affecting title to the property described therein. Liability for any incorrect information contained in this Report is limited (1) to the person or entity to whom the Report is directed, and (2) to a maximum of $1,000.00 pursuant to Section 627.7843(3), Florida Statutes. This Report is not an opinion of title, title insurance policy, warranty of title, or any other assurance as to the status of title and shall not be used for the purpose of issuing title insurance.

First American Title Insurance Company

John T. LaJoie

John T. LaJoie, as Vice President

Dated: 05/04/2012

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

PROPERTY DESCRIPTION

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

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

1. SOUTH 00°17'49" WEST, FOR A DISTANCE OF 47.01 FEET;
2. THENCE RUN SOUTH 74°36'33" EAST, FOR A DISTANCE OF 58.19 FEET;
3. THENCE RUN SOUTH 50°54'15" EAST, FOR A DISTANCE OF 143.04 FEET;
4. THENCE RUN SOUTH 00°11'43" WEST, FOR A DISTANCE OF 82.19 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 5 OF THOSE LANDS RECORDED IN INSTRUMENT NUMBER 2009000192836 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID WESTERLY LINE FOR THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:

1. NORTH 89°47'57" WEST, FOR A DISTANCE OF 34.12 FEET;
2. THENCE RUN SOUTH 63°30'43" WEST, FOR A DISTANCE OF 230.57 FEET;
3. THENCE RUN SOUTH 47°26'14" WEST, FOR A DISTANCE OF 466.86 FEET;
4. THENCE RUN SOUTH 41°35'17" WEST, FOR A DISTANCE OF 46.90 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 48°24'38" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
5. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 28°01'16", SUBTENDED BY A CHORD OF 48.42 FEET AT A BEARING OF SOUTH 55°36'00" WEST, FOR AN ARC LENGTH OF 48.91 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS SOUTH 20°23'12" EAST, A DISTANCE OF 105.00 FEET THEREFROM;
6. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 105.00 FEET, THROUGH A CENTRAL ANGLE OF 54°28'46", SUBTENDED BY A CHORD OF 96.12 FEET AT A BEARING OF SOUTH 42°22'25" WEST, FOR AN ARC LENGTH OF 99.84 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 74°51'54" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
7. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 14°44'34", SUBTENDED BY A CHORD OF 25.66 FEET AT A BEARING OF SOUTH 22°30'23" WEST, FOR AN ARC LENGTH OF 25.73 FEET TO THE END OF SAID CURVE;
8. THENCE RUN SOUTH 29°52'39" WEST, FOR A DISTANCE OF 22.93 FEET; THENCE RUN NORTH 34°45'41" WEST, FOR A DISTANCE OF 134.67 FEET; THENCE RUN NORTH 53°03'31" WEST, FOR A DISTANCE OF 119.51 FEET; THENCE RUN NORTH 19°08'07" WEST, FOR A DISTANCE OF 117.09 FEET; THENCE RUN NORTH 41°42'16" WEST, FOR A DISTANCE OF 86.54 FEET; THENCE RUN NORTH 00°49'46" WEST, FOR A DISTANCE OF 150.18 FEET; THENCE RUN NORTH 50°28'56" WEST, FOR A DISTANCE OF 47.03 FEET; THENCE RUN NORTH 20°07'09" WEST, FOR A DISTANCE OF 19.34 FEET; THENCE RUN NORTH 34°54'03" WEST, FOR A DISTANCE OF 30.82 FEET; THENCE RUN NORTH 23°07'05" EAST, FOR A DISTANCE OF 44.14 FEET; THENCE RUN NORTH 28°21'44" WEST, FOR A DISTANCE OF 88.04 FEET; THENCE RUN NORTH 39°18'43" EAST, FOR A DISTANCE OF 25.46 FEET; THENCE RUN NORTH 07°41'43" EAST, FOR A DISTANCE OF 98.70 FEET; THENCE RUN NORTH 10°04'01" WEST, FOR A DISTANCE OF 18.32 FEET TO THE POINT OF BEGINNING, CONTAINING 12.26 ACRES, MORE OR LESS.

NOTES:

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

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
AUD 2013-00011

NOT COMPLETE WITHOUT SHEETS 1-2 OF 2

DRAWN BY:	DLS
CHECKED BY:	DLS
JOB CODE:	WCITCFG
SCALE:	N/A
DATE:	5/7/12
FILE:	12-34-002SL2
SHEET:	1 of 2

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Civil Engineers • Land Surveyors • Planners • Landscape Architects
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www.GradyMinor.com Q. Grady Minor and Associates, P.A.

SKETCH & DESCRIPTION

PARCELS F & G

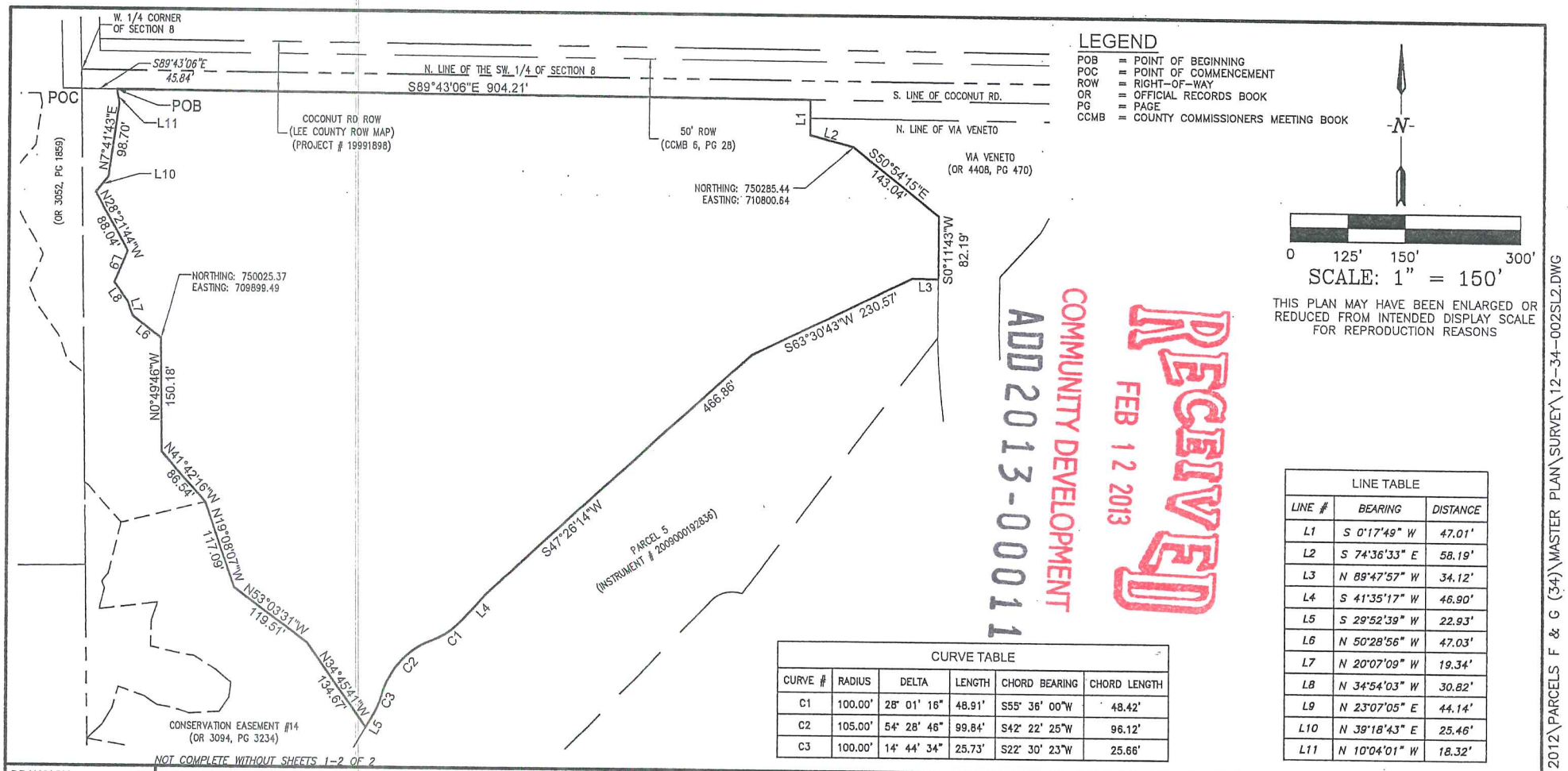
A PORTION OF
SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

NOT A SURVEY

6/20/12
DATE SIGNED

DONALD L. SAINTENOY III, P.S.M
FL LICENSE #6761
FOR THE FIRM

S:\PROJECTS-SURVEY 2012\PARCELS F & G (34)\MASTER PLAN\SURVEY\12-34-002SL2.DWG



LEGEND

POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
ROW = RIGHT-OF-WAY
OR = OFFICIAL RECORDS BOOK
PG = PAGE
CCMB = COUNTY COMMISSIONERS MEETING BOOK

N

0 125' 150' 300'

SCALE: 1" = 150'

THIS PLAN MAY HAVE BEEN ENLARGED OR REDUCED FROM INTENDED DISPLAY SCALE FOR REPRODUCTION REASONS

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CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C1	100.00'	28° 01' 16"	48.91'	S55° 36' 00"W	48.42'
C2	105.00'	54° 28' 46"	99.84'	S42° 22' 25"W	96.12'
C3	100.00'	14° 44' 34"	25.73'	S22° 30' 23"W	25.66'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 0°17'49" W	47.01'
L2	S 74°36'33" E	58.19'
L3	N 89°47'57" W	34.12'
L4	S 41°35'17" W	46.90'
L5	S 29°52'39" W	22.93'
L6	N 50°28'56" W	47.03'
L7	N 20°07'09" W	19.34'
L8	N 34°54'03" W	30.82'
L9	N 23°07'05" E	44.14'
L10	N 39°18'43" E	25.46'
L11	N 10°04'01" W	18.32'

DRAWN BY:	DLS
CHECKED BY:	DLS
JOB CODE:	WCITCFG
SCALE:	1" = 150'
DATE:	5/7/12
FILE:	12-34-002SL2
SHEET:	1 of 1

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SKETCH & DESCRIPTION

PARCELS F & G

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

NOT A SURVEY

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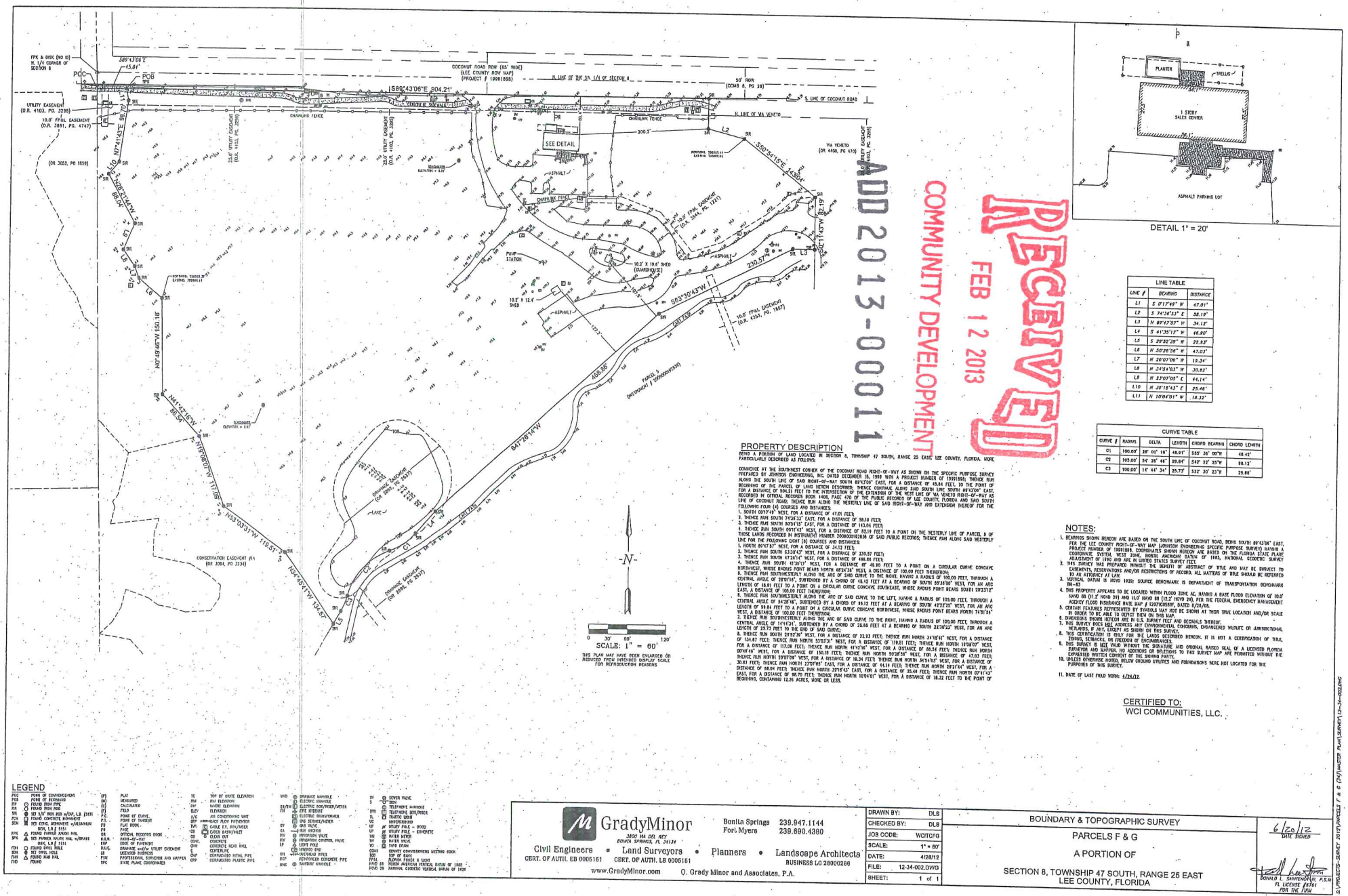

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DETAIL 1" = 20'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 01°17'49" W	47.01'
L2	S 74°36'33" E	58.19'
L3	N 89°47'32" W	34.12'
L4	S 41°35'17" W	46.90'
L5	S 28°32'39" W	22.83'
L6	N 50°28'56" W	47.03'
L7	N 20°07'09" W	19.34'
L8	N 34°54'03" W	30.82'
L9	N 23°07'05" E	44.14'
L10	N 39°18'43" E	25.48'
L11	N 10°04'01" W	18.33'

CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C1	100.00'	28° 01' 18"	48.91'	S35° 36' 00"W	48.42'
C2	105.00'	54° 28' 46"	99.84'	S42° 22' 25"W	96.13'
C3	100.00'	14° 44' 34"	25.73'	S32° 30' 23"E	25.66'

PROPERTY DESCRIPTION

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

COMMENCE AT THE SOUTHWEST CORNER OF THE COCONUT ROAD RIGHT-OF-WAY AS SHOWN ON THE SPECIFIC PURPOSE SURVEY PREPARED BY JOHNSON ENGINEERING, INC. DATED DECEMBER 16, 1998 WITH A PROJECT NUMBER OF 1999(1998; THENCE RUN ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY SOUTH 89°43'06" EAST, FOR A DISTANCE OF 45.81 FEET, TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID SOUTH LINE SOUTH 89°43'06" EAST, FOR A DISTANCE OF 904.21 FEET TO THE INTERSECTION OF THE EXTENSION OF THE WEST LINE OF VIA VENETO RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 4408, PAGE 470 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND SAID SOUTH LINE OF COCONUT ROAD; THENCE RUN ALONG THE WESTERLY LINE OF SAID RIGHT-OF-WAY AND EXTENSION THEREOF FOR THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. SOUTH 01°17'49" WEST, FOR A DISTANCE OF 47.01 FEET;
2. THENCE RUN SOUTH 74°36'33" EAST, FOR A DISTANCE OF 58.19 FEET;
3. THENCE RUN SOUTH 50°54'15" EAST, FOR A DISTANCE OF 143.04 FEET;
4. THENCE RUN SOUTH 00°17'43" WEST, FOR A DISTANCE OF 83.19 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL B OF THOSE LANDS RECORDED IN INSTRUMENT NUMBER 2009000192838 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID WESTERLY LINE FOR THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:
1. NORTH 89°47'32" WEST, FOR A DISTANCE OF 34.12 FEET;
2. THENCE RUN SOUTH 63°30'43" WEST, FOR A DISTANCE OF 230.57 FEET;
3. THENCE RUN SOUTH 41°28'14" WEST, FOR A DISTANCE OF 488.86 FEET;
4. THENCE RUN SOUTH 41°35'17" WEST, FOR A DISTANCE OF 46.90 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 48°24'38" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
5. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 28°01'18", SUBTENDED BY A CHORD OF 48.42 FEET AT A BEARING OF SOUTH 55°36'00" WEST, FOR AN ARC LENGTH OF 48.91 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS SOUTH 20°23'12" EAST, A DISTANCE OF 105.00 FEET THEREFROM;
6. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 105.00 FEET, THROUGH A CENTRAL ANGLE OF 54°28'46", SUBTENDED BY A CHORD OF 96.13 FEET AT A BEARING OF SOUTH 42°22'25" WEST, FOR AN ARC LENGTH OF 99.84 FEET TO A POINT OF A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 74°51'34" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
7. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 14°44'34", SUBTENDED BY A CHORD OF 25.66 FEET AT A BEARING OF SOUTH 32°30'23" WEST, FOR AN ARC LENGTH OF 25.73 FEET TO THE END OF SAID CURVE;
8. THENCE RUN SOUTH 25°08'36" WEST, FOR A DISTANCE OF 22.83 FEET; THENCE RUN NORTH 34°54'41" WEST, FOR A DISTANCE OF 134.87 FEET; THENCE RUN NORTH 33°03'31" WEST, FOR A DISTANCE OF 118.51 FEET; THENCE RUN NORTH 19°08'01" WEST, FOR A DISTANCE OF 117.05 FEET; THENCE RUN NORTH 41°42'16" WEST, FOR A DISTANCE OF 88.56 FEET; THENCE RUN NORTH 00°49'48" WEST, FOR A DISTANCE OF 130.18 FEET; THENCE RUN NORTH 50°28'56" WEST, FOR A DISTANCE OF 47.03 FEET; THENCE RUN NORTH 20°07'09" WEST, FOR A DISTANCE OF 19.34 FEET THENCE RUN NORTH 34°54'03" WEST, FOR A DISTANCE OF 30.82 FEET; THENCE RUN NORTH 23°07'05" EAST, FOR A DISTANCE OF 44.14 FEET; THENCE RUN NORTH 28°21'44" WEST, FOR A DISTANCE OF 88.04 FEET; THENCE RUN NORTH 39°18'43" EAST, FOR A DISTANCE OF 25.48 FEET; THENCE RUN NORTH 07°41'43" EAST, FOR A DISTANCE OF 98.70 FEET, THENCE RUN NORTH 10°04'01" WEST, FOR A DISTANCE OF 18.33 FEET TO THE POINT OF BEGINNING, CONTAINING 12.26 ACRES, MORE OR LESS.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF COCONUT ROAD, BEING SOUTH 89°43'06" EAST, PER THE LEE COUNTY RIGHT-OF-WAY MAP (JOHNSON ENGINEERING SPECIFIC PURPOSE SURVEY) HAVING A PROJECT NUMBER OF 1999(1998. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983, NATIONAL GEODETIC SURVEY ADJUSTMENT OF 1990 AND ARE IN UNITED STATES SURVEY FEET.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. VERTICAL DATUM IS NGVD 1929; SOURCE BENCHMARK IS DEPARTMENT OF TRANSPORTATION BENCHMARK BM-83
4. THIS PROPERTY APPEARS TO BE LOCATED WITHIN FLOOD ZONE AE, HAVING A BASE FLOOD ELEVATION OF 10.0' NAVD 88 (11.2' NGVD 29) AND 11.0' NAVD 88 (12.2' NGVD 29), PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 12071C0589F, DATED 8/28/08.
5. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.
6. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
7. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.
8. THIS CERTIFICATION IS NOT FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
9. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.
10. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.
11. DATE OF LAST FIELD WORK: 4/26/12

CERTIFIED TO:
WCI COMMUNITIES, LLC.

LEGEND

POC	POINT OF COMMENCEMENT	(P)	PLAT	TC	TOP OF CURB ELEVATION	SMH	DRAINAGE MANHOLE	SV	SEWER VALVE
POB	POINT OF BEGINNING	(M)	MEASURED	TW	TOP OF WALL ELEVATION	S	ELECTRIC MANHOLE	S	SIGN
FIP	FOUND IRON PIPE	(C)	CALCULATED	BW	BOTTOM OF WALL ELEVATION	EB/TB	ELECTRIC BOX/PEDESTAL/METER		TELEPHONE MANHOLE
FIR	FOUND IRON ROD	(F)	FIELD	ELEV	ELEVATION	FH	FIRE HYDRANT	TPB	TELEPHONE BOX/PEDESTAL
SIR	SET 5/8" IRON ROD w/CAP, LB 3191	A/C	AIR CONDITIONING UNIT				ELECTRIC TRANSFORMER	TL	TRAFFIC LIGHT
FCM	FOUND CONCRETE MONUMENT	BFP	BACK-FLOW PREVENTER				GAS SERVICE/METER	UG	UNDERGROUND
SCM	SET CONC. MONUMENT w/ALUMINUM DISK, LB # 3191	EVR	CABLE T.V. BOX/RISER	GV	GAS VALVE			UP	UTILITY POLE - WOOD
FPK	FOUND PARKER KALON NAIL	FH	FIRE HYDRANT	GA	GAS ANODES			UP	UTILITY POLE - CONCRETE
SPK	SET PARKER KALON NAIL w/WASHER DISC, LB # 3191	OS	OPTICAL RECORDS BOOK	IRV	IRRIGATION VALVE			WM	WATER METER
		OR	PLAT OR RECORDS	ICV	IRRIGATION CONTROL VALVE			WV	WATER VALVE
FDH	FOUND DRILL HOLE	CONC.	CONCRETE	LP	LIGHT POLE			TD	TYPE DRAIN
SDH	SET DRILL HOLE	CHH	CENTERLINE		WELDED END			CCM	COUNTY COMMISSIONERS MEETING BOOK
FND	FOUND MAG NAIL	LB	LICENSED BUSINESS		INTERLOCK PIPES			TOP	TOP OF BANK
FND	FOUND	PSM	PROFESSIONAL SURVEYOR AND MAPPER	PCP	REINFORCED CONCRETE PIPE			FP&L	FLORIDA POWER & LIGHT
		SPC	STATE PLANE COORDINATES	CMP	CORRUGATED METAL PIPE			NGVD 29	NORTH AMERICAN VERTICAL DATUM OF 1929
				CPP	CORRUGATED PLASTIC PIPE			NGVD 88	NATIONAL GEODETIC VERTICAL DATUM OF 1929
						SMH	SANITARY MANHOLE		

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CHECKED BY:	DLS
JOB CODE:	WCTFCFG
SCALE:	1" = 80'
DATE:	4/28/12
FILE:	12-34-002.DWG
SHEET:	1 of 1

BOUNDARY & TOPOGRAPHIC SURVEY

PARCELS F & G

A PORTION OF

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

6/20/12
DATE SIGNED

DONALD L. SANTEMORE, P.S.M.
FL LICENSE #5761
FOR THE FIRM

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Exhibit H-1.C

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ZONE NOTES QUERY REPORT

ZONE NOTES ID: ZONE: RPD: 000022
ZONING: RPD
STRAP: 17-47-25-00-00001.0000

ADD2012-00064, 31AUG12, APRVL FOR FINAL ZONING PLAN ON PARCELS F & G AT THE COLONY GOLF AND BAY CLUB, WITH CONDS.
ADD2007-00089, 29MAY07, PARCELS F & G AT THE COLONY GOLF AND BAY CLUB, FINAL PLAN APPROVAL FOR A 21 STORY, 280 UNIT MULTI FAMILY RESIDENTIAL BUILDING OVER ONE LEVEL OF PARKING; CONDS.
ADD2001-00086, 25AUG06, WITHDRAWN, LACK OF ACTIVITY, COLONY GOLF AND BAY CLUB.
DRI2002-00002, BS ORD#02-18, 28OCT02, APRV REQUEST FOR NOTICE OF PROPOSED CHANGE TO AMEND THE PELICAN LANDING DRI DEVELOPMENT ORDER #1-9293-121 TO ADJUST BUILDOUT AND TERMINATION DATES; CONDS.
DRI2000-00022, BS ORD# 02-05, 03APRIL02, APRV NOTICE OF PROPOSED CHANGE BY PELICAN LANDING DRI DEVELOPMENT ORDER #1-9293-121, DETERMINING WHETHER THE PROPOSED CHANGES CONSTITUTE A SUBSTANTIAL DEVIATION, TO ADOPT A NEW DRI DEV ORDER FOR THAT PORTION OF DRI LOCATED IN THE CITY OF BONITA SPRINGS; CONDS.
ADD2001-00020, 6/16/01, FINAL ZONING PLAN APVL W COND, THE COLONY GOLF & BAY CLUB OF PELICAN LANDING.
Z-99-024, 95-01-050.04Z/03Z 08.01 & 03.01, 6/21/99, BOCC APVD AMND TO THE DRI & RPD/CPD W COND.
AA-PD-98-70, 95-01-050.13A.16.1, 10/26/98, ADM APPV ADD SIGNS W COND.
AA-PD-96-39, 95-01-050.13A, ADM AMD TO ALLOW PAVER BRICKS ON PVT ROADS.
Z-95-61, 95-01-050.04Z, BOCC APPV AMEND TO Z-94-14 & MCP W COND.
Z-95-62, 95-01-050.04Z, 8/16/95, BOCC APPV DRI AMEND, ADOPT 2ND DO AMEND.
95-01-050.04Z, 3/22/95, APPV 1ST AMEND TO DRI DO.
Z-94-14, 94-4-5-DRI-1, 9/29/94, APPV DRI DO, APPV DBC FM AG-2 TO RPD W COND.

Exhibit H-2.C

Community Meeting Summary

A meeting with the Estero Planning Community was held on May 22, 2012.

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Will lake be built in phases? Will the lake retain water? **Yes, Yes.**

Questions regarding pedestrian gated access to Coconut Road as shown on the conceptual landscape plan. Resident concerns regarding security, maintenance costs, potential use as a cut through by Colony residents. Will this gate be manned? **Pedestrian access may be removed from the plan as all comments encouraged its deletion.**

Questions about existing temporary vehicular access on to Coconut Road. Can it be approved as a permanent access to be used by vendors, service vehicles, landscape vehicles, and construction vehicles? Colony residents and some members of EDRC recommend that this access be a more permanent point of ingress & egress. **WCI will continue to use as a temporary access for sales and construction but will develop plans for a more permanent solution.**

Will the Cielo neighborhood have design and architectural controls? **Yes, this condo development will have standard documents - general covenants with use restrictions that will guide and maintain the integrity of this neighborhood.**

Suggestion that construction entrance be located between buildings 1 & 10 (those buildings on the western portion of the site adjacent to Coconut Road. and "work your way out" of the neighborhood. **For marketing purposes WCI will need to construct buildings with different views. This strategy will not allow us to "work our way out". In addition, another driveway cut onto to Coconut road at this location will not meet Lee County intersection separation criteria.**

How many dedicated parking spaces are under the buildings? **12 under building and 4 located between buildings. The 4 spaces will be dedicated to specific units and may have partial covering, landscaping, and or trellises. Handicapped, guest, and amenity spaces will also be provided.**

Where are the future tower pads? **One just south of Florencia and two more just north of the Castella entry.**

What is the size of the plot? **Site is approximately 12 acres.**

What is the proposed name of the neighborhood? **Cielo.**
Bonita Bay may have a proposed building with a similar name. **WCI will check into.**

Will there be two entrances? **Another access point on to Coconut Road for this neighborhood will not be permitted due to DRI perimeter access limitation and intersection separation requirements.**

Will there be any hi-rise buildings to the west of this development? **No, land to the west is or will be under conservation easement.**

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What is the size of the units and how many bedrooms/baths? **Unit sizes will be approximately 3654 Sq. Ft. (2950 Sq. Ft. AC living and 704 Sq. Ft. covered loggia) with 3 bedrooms and 3.5 baths.**

Questions about roof pitch and consistency with the Estero Plan. **Pitch will be 5:12. The standards set forth in the Estero Plan do not apply to residential development.**

Are there gutters all around the building? **Yes.**

What is the height of the building? **63 feet. If measured from ground to the highest point of the roof-75 feet. Height maximum per zoning approval is 20-stories over parking.**

Buildings may look better with a larger overhang. **Our intention is to continue with our proven product and existing overhang however we will consider this suggestion.**

How will garbage removal work? Will the bin take over a dedicated parking space? Is there a separate chute for recyclables?
Each building has a chute and a collector bin. The bin is rolled out to the curb area for pick and then rolled back by property management personnel on collection day. The bin will not be placed in a parking space. There will be a separate area in the trash room for recyclables.

What will be the prices of these units? **Initially, the prices are expected to range from $700, 000 to $900,000.**

Are conceptual plans intended to be submitted with the DO? Will WCI commit to a landscape plan that will provide a completely opaque buffer in the form of a hedge along Coconut Road? Is it WCI's intention to buffer the impact of the five-story buildings from Coconut Road view? There appears to be limited room for a buffer between buildings 1 and 10 to be able to provide buffering.

The plans required of a Lee County DO will be submitted with the DO. WCI intends having a nearly opaque hedge at plant maturity. Initial plantings will not be 100% opaque. WCI intends on strategically locating plants, shrubs, mid-size and larger trees/palms to help break up the mass of the buildings as well as partially screen the building from pedestrians and vehicular traffic view from Coconut Road. We believe there is ample room to install plantings to achieve this goal.

How will the buildings be protected from errant golf balls? Open porches may be a dangerous location if there is an errant ball. People may be killed Are you keeping vegetation between the buildings and the fairway? Are you altering the fairway? Will Mylar or Plexiglas be utilized? **WCI will strategically place plantings near the tee box to encourage shots away from buildings. Existing vegetation along the fairway may be kept or removed depending on views and ability to shield errant balls. The**

fairway will not be altered. WCI does not intend to use a hardened window however it will be considered.

The rear of the buildings need articulation. The buildings are a pale yellow; will this be the actual color? Buildings appear boring and need embellishment. They look like apartment buildings.

WCI will consider looking at various architectural features and finishes noted in the meeting. Initial renderings depict a pale yellow base color which will not be used at the Colony for Cielo. A multi-colored terracotta scheme will be considered. This will be more consistent with The Colony vision and will achieve a more appealing building elevation.

There is an eagle with an apparent nest located in the conservation easement. What will WCI do to protect this bird? **The State of Florida and Lee County have not identified this stick nest as an active eagle nest. We will be monitoring the nest as nesting season approaches as well as this fall. We encourage residents to keep an eye on this stick nest and assist WCI & the applicable agencies should an active nest be determined to exist. If there is an active eagle nest within the buffer area, a Bald Eagle Management Plan will need to be prepared and put in to action.**

Will there be more detailed plans available for review by the EDRC? Especially landscape plans? The EDRC is used to seeing a more complete application package.

WCI has conducted this informal informational meeting to elicit comments and suggestions. The Estero Plan is applicable to all types of development with the exception of residential. (See Attached) There are no standards for residential uses in this section of the LDC. In the spirit of cooperation and openness, WCI decided to provide a forum similar to what the EDRC provides in order to allow for input from EDRC and adjacent and nearby residents. Although residential structures need not comply with *Article II. Estero Planning Community*, WCI desired to have the knowledgeable EDRC professionals and neighboring property owners share any comments and concerns they may have regarding this exciting new neighborhood within The Colony. Although not required, WCI's intention is to keep the EDRC informed of our more detailed proposals and development progress.

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ARTICLE II. ESTERO PLANNING COMMUNITY

DIVISION 1. IN GENERAL

Sec. 33-51. - Purpose and intent.

The purpose of this division is to create standards for growth in the Estero Planning Community (see map in Appendix I), described in Goal 19 of the Lee County Comprehensive Plan. Specific high growth corridors may be designated as overlay districts subject to the provisions of this subdivision. The policies contained within this article are intended to encourage mixed-use developments, interconnectivity, pedestrian activity, and to achieve and maintain a unique, unified and pleasing aesthetic/visual quality in landscaping, architecture, signage. The standards in Article II apply to all commercial, religious, institutional, and mixed use buildings within the Estero Community, except where the authority of a separate political jurisdiction supercedes county authority.

(Ord. No. 05-29, § 5, 12-13-05)

Sec. 33-52. - Applicability.

(a)

Scope. The provisions of article II apply to all development located in the Estero Planning Community, as defined in section 33-53(a) and Goal 19 of the Lee County Comprehensive Plan.

(b)

Development orders. The provisions of article II apply to all development orders and type 1, 2, 8, 10, and 12 limited review development orders requested within the Estero Planning Community. Compliance with these provisions will be required in order to obtain development order approval.

(c)

Demonstrating compliance. Compliance with the standards set forth in this article must be demonstrated on the drawings or site development plans submitted in conjunction with an application for development order approval or with a building permit application if a development order is not required. This will not prevent simultaneous applications for a development order and building permit on the same parcel, however, the development order approval must precede the building permit approval.

(Ord. No. 05-29, § 5, 12-13-05; Ord. No. 07-24, § 6, 8-14-07)

Sec. 33-53. - Planning community boundaries.

(a)

(4)

A permanent fountain structure.

(Ord. No. 05-29, § 5, 12-13-05)

Sec. 33-118. - Interconnections and shared access.

(a)

Interconnects. Adjacent commercial uses must provide interconnections for automobile, bicycle and pedestrian traffic. All adjacent parking lots must connect. Interconnects between parking lots are not intended to satisfy the criteria for site location standards outlined in Policy 6.1.2(5) of the Lee Plan.

(b)

Inter-parcel vehicle access points between contiguous commercial tracts must be provided. Properties that have frontage or other means of access to a side street parallel or perpendicular to US 41, Corkscrew Road, or Sandy Lane must connect to the side street.

(c)

Use of shared accessways is encouraged.

(Ord. No. 05-29, § 5, 12-13-05)

Secs. 33-119—33-225. - Reserved.

Subdivision II. Architectural

Sec. 33-226. - Applicability.

Architectural design of all commercial, industrial, public and mixed use buildings within the Estero Planning Community must comply with this subdivision.

(Ord. No. 05-29, § 5, 12-13-05)

Sec. 33-227. - Architectural style.

The preferred architectural style in the Estero Planning Community is Mediterranean, with Old Florida where appropriate, and other styles of architecture that are deemed compatible with these styles. Distinct vernacular styles must be displayed through the inclusion of extended roof overhangs, porches, decorative columns, covered corridors, covered walkways, and pitch roofs (where applicable). Buildings of less than 5,000 square feet of gross floor area must be designed with roofs having a minimum pitch of 30 degrees. (Refer to Figure 3).

THE NEWS-PRESS
Published every morning
Daily and Sunday
Fort Myers, Florida
Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared **Elizabeth Patton** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

Notice of Meeting

In the matter of:
Public Notice of informal meeting for proposed residential development of Parcel F/G at The Colony in Pelican Landing.

In the court was published in said newspaper in the issues of

May 15, 2012

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County; Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Elizabeth Patton

Sworn to and subscribed before me this 16th day of May, 2012.

By **Elizabeth Patton**
Personally known to me or who has produced

_____

as identification, and who did or did not take an oath.

Notary Public Deanna Crews

Print Name: **Deanna Crews**
My commission Expires: **March 21, 2016**

DEANNA CREWS
MY COMMISSION # EE181424
EXPIRES March 21, 2016
(407) 398-0153 FloridaNotaryService.com

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT

ADD 2013-00011

Public Notice:
Notice is hereby given for a public informational meeting for the proposed residential development of Parcel F/G at The Colony in Pelican Landing. The meeting will be held on Tuesday, May 22, 2012, at 5:00 PM at the Raptor Bay Golf Club Facility located at 23001 Coconut Point Resort Drive. The project is located south of and on the west end of Coconut Road just east of the Hyatt Hotel and will consist of twelve (12) condominium buildings with a total of 96 units. The buildings will be 4-stories over parking. This meeting is being held to comply with Section 33-54(a) of the Lee County Land Development Code.
May 15 No.1454897

Order Confirmation

Ad Order Number	Customer	Payor Customer	PO Number
0001454897	Q. GRADY MINOR & ASSOC. P.A.	Q. GRADY MINOR & ASSC	PUBLIC NOTICE
Sales Rep.	**Customer Account**	**Payor Account**	**Ordered By**
jbraband	665435	665435	KIM SCHER
Order Taker	**Customer Address**	**Payor Address**	**Customer Fax**
jbraband	3800 VIA DEL REY BONITA SPRINGS FL 34134-7556 USA	3800 VIA DEL REY BONITA SPRINGS FL 34134-7556 USA	
Order Source	**Customer Phone**	**Payor Phone**	**Customer EMail**
Walk In	(239)947-1144	(239)947-1144	scopeland@gradyminor.com
			Special Pricing
			None

Tear Sheets	Proofs	Affidavits	Blind Box	Promo Type	Materials
0	0	0		No Promo	

Invoice Text

Ad Order Notes

Net Amount	Tax Amount	Total Amount	Payment Method	Payment Amount	Amount Due
$78.20	$0.00	$78.20		$0.00	$78.20

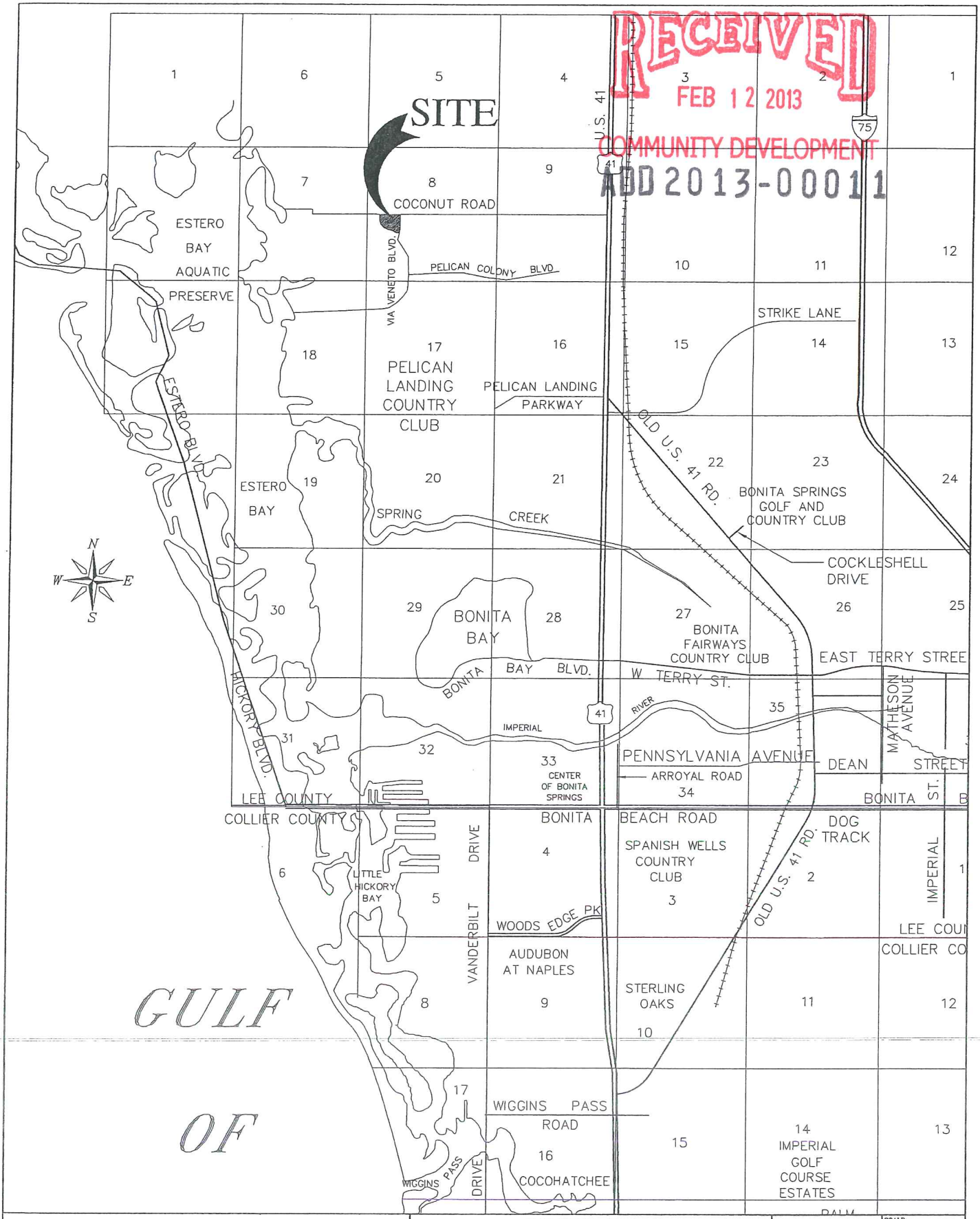
Ad Number	Ad Type	Ad Size	Color	Production Method	Production Notes
0001454897-0'	Legal Liner	: 1.0 X 34 Li	<NONE>	AdBooker	

External Ad Number | **Ad Attributes** | **Ad Released**: No | **Pick Up**

Product Information Run Schedule Invoice Text	Placement/Classification Sort Text	Run Dates	# Inserts	Cost
The News-Press::Classified	1001-1099 Legals	5/15/2012	1	$78.20

Public Notice: Notice is hereby given for a PUBLICNOTICENOTICEISHEREBYGIVE

RECEIVED
MAY 19 2012
Q. Grady Minor
& Associates, P.A.



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GradyMinor

Bonita Springs 239.947.1144
Fort Myers 239.690.4380

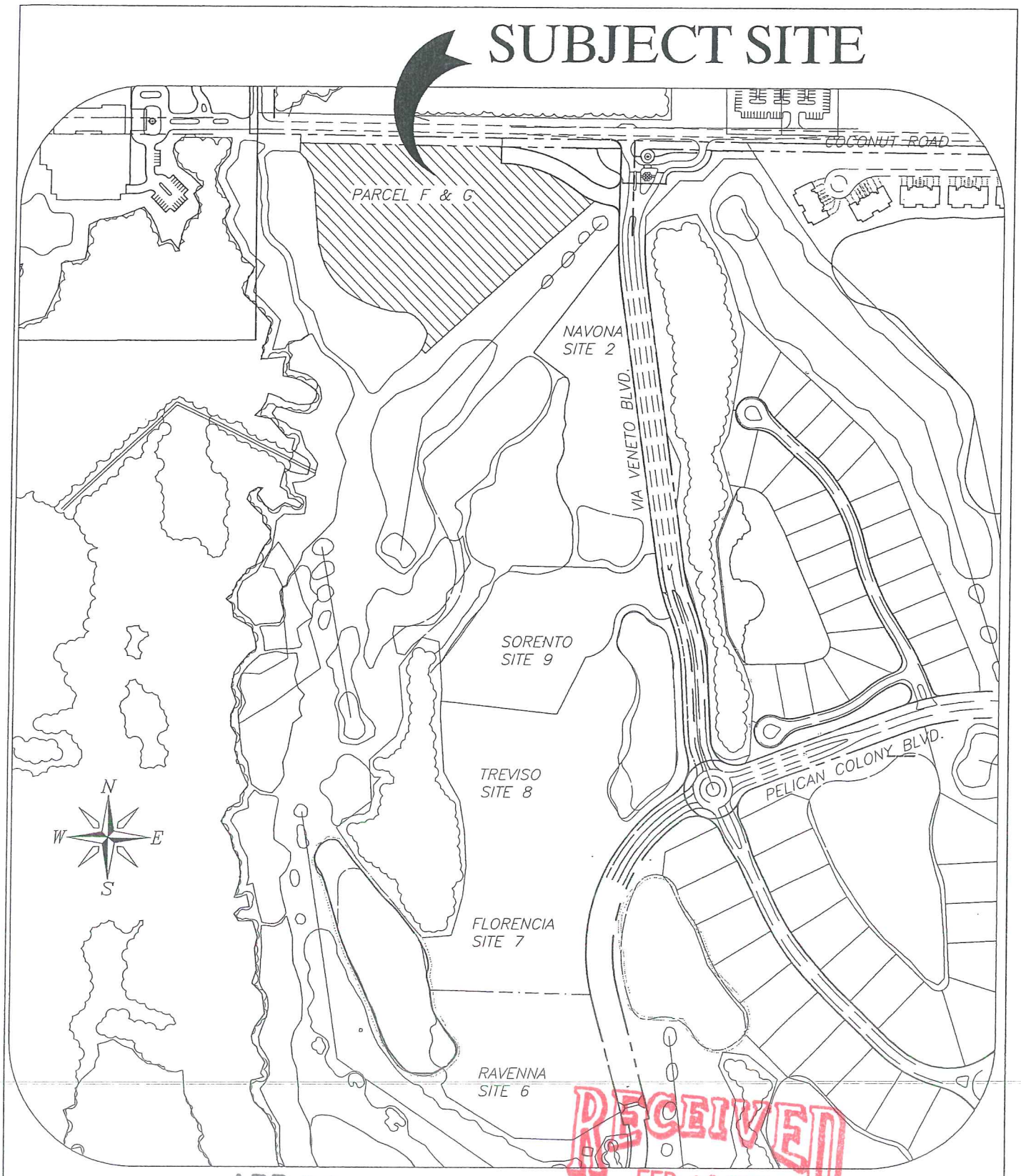
Civil Engineers • Land Surveyors • Planners • Landscape Architects
CERT. OF AUTH. EB 0005151 CERT. OF AUTH. LB 0005151 BUSINESS LC 26000266
www.GradyMinor.com Q. Grady Minor and Associates, P.A.

PARCELS F & G

EXHIBIT H-4.A
EXHIBIT AA-3.F
AREA LOCATION MAP

SCALE: 1" = xx'
JOB CODE: WCITCFG
DATE: MAY 2012
FILE NAME: WCIPFG-ADD LOCATION MAP
SHEET 1 OF 1

G:\PROJ - PLANNING\WCITCFG - PELICAN LANDING PARCEL F & G\DRAWINGS\WCIPFG-ADD LOCATION MAP.DWG 5/8/2012 12:10 PM



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www.GradyMinor.com Q. Grady Minor and Associates, P.A.

PARCELS F & G

EXHIBIT H-4.A
EXHIBIT AA-3.F
VICINITY MAP

SCALE:	1" = XX'
JOB CODE:	WCITCFG
DATE:	MAY 2012
FILE NAME:	WCIPFG-ADD LOCATION MAP
SHEET 1 OF 1	

G:\PROJ - PLANNING\WCITCFG - PELICAN LANDING PARCEL F & G\DRAWINGS\WCIPFG-ADD LOCATION MAP.DWG 5/8/2012 12:09 PM

Exhibit H-4.B

Approved Master Plan
Z95-061

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FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

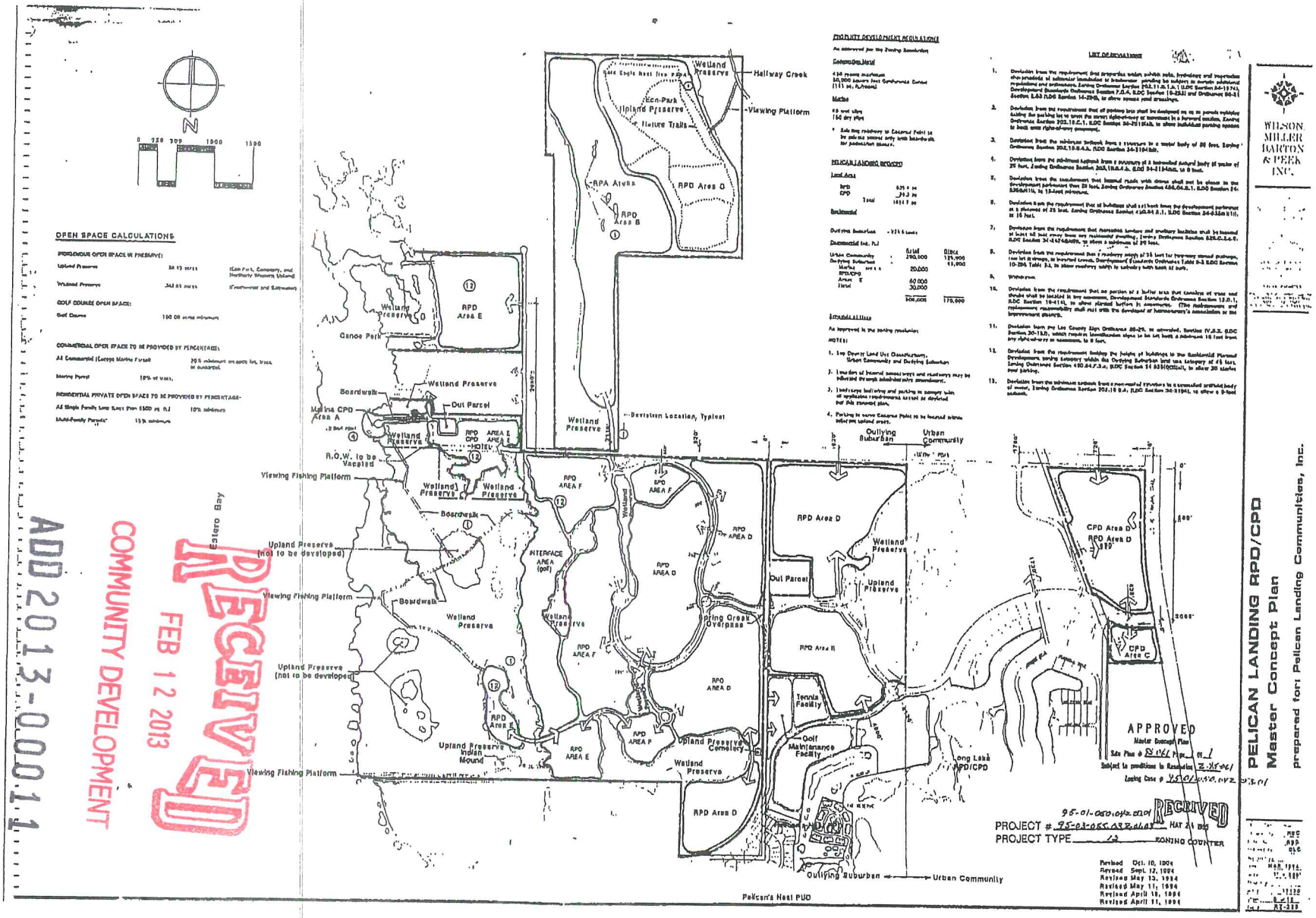
N
0 750 300 1500 1350
OPEN SPACE CALCULATIONS
Wetland Preserve
Halfway Creek
Eco-Park
Upland Preserve
Leisure Trails
Viewing Platform
RPA Areas
RPD Area D
RPD Area B
RPD Area E
Canoe Park
Boardwalk
Out Parcel
Wetland Preserve
Marina CPD Area A
R.O.W. to be Vacated
Viewing Fishing Platform
Upland Preserve (not to be developed)
Division Location, Typical
Outlying Suburban
Urban Community
RPD AREA E
RPD AREA F
RPD AREA D
INTERFACE AREA (golf)
Spring Creek Overpass
RPD Area R
Tennis Facility
Golf Maintenance Facility
Long Lake RPD/CPD
Upland Preserve Indian Mound
Upland Preserve Cemetery
CPD Area D
RPD Area D
CPD Area C
Pelican's Nest PUD
APPROVED
Master Concept Plan
RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD2013-00011
PELICAN LANDING RPD/CPD
Master Concept Plan
prepared for: Pelican Landing Communities, Inc.
WILSON MILLER BARTON & PEEK INC.

Exhibit H-4.E

Zoning Resolutions
Z94-014
Z95-061

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COMMUNITY DEVELOPMENT
ADD 2013-00011

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

WHEREAS, Pelican Landing Communities, Inc., formerly Westinghouse Bayside Communities, Inc., in reference to Pelican Landing DRI and Pelican Landing CPD/RPD, has properly filed an application for:

a) Consideration of the Application for Development Approval (ADA) for a Development of Regional Impact (DRI) on 2,100± acres known as Pelican Landing, State DRI #1-9293-121; and

b) A rezoning of a portion of the DRI from AG-2, RPD, TFC-2 and IM to Residential Planned Development and Commercial Planned Development districts, to permit 2,616 dwelling units, 520,000 square feet of office commercial and a 450 unit convention hotel on a total of 1,121.5± acres. Building heights are proposed to range from 35 feet above average grade to 200 feet above flood elevation; and

WHEREAS, the subject property is located between US 41 and Estero Bay, north of Spring Creek to north and south of Coconut Road, described more particularly as:

LEGAL DESCRIPTION: In Sections 05, 07, 08, 09, 16, 17, 18, 20, and 21, Township 47 South, Range 25 East, and Sections 13 and 24, Township 47 South, Range 24 East, Lee County, Florida:

DRI Parcel 1

A tract or parcel of land lying in Sections 08, 09, 16, 17, 20 and 21, Township 47 South, Range 25 East, Lee County, Florida, which tract or parcel is described as follows:

Beginning at a concrete monument marking the Northeast corner of said Section 20, run S00°35'25"E along the East line of said section for 2,659.47 feet to the Southeast corner of the Northeast Quarter (NE1/4) of said section;
THENCE run N88°52'49"E along the North line of the Southwest Quarter (SW1/4) of said Section 21 for 2,040.41 feet;
THENCE run S00°51'35"E for 801.04 feet to the waters of Spring Creek;
THENCE run along Spring Creek for 3,630 feet, more or less to an intersection of the East line of said Section 20 and the approximate centerline of Spring Creek;
THENCE run along said centerline the following courses:
S78°50'00"W for 181.31 feet,
N34°24'12"W for 230.22 feet,
N30°59'12"W for 174.93 feet,
N24°25'16"E for 120.83 feet,
S65°47'43"E for 219.32 feet,
N18°24'43"E for 158.11 feet,
N75°11'47"W for 351.71 feet,
N65°09'33"W for 451.88 feet,
N84°18'44"W for 351.75 feet,
N66°54'31"W for 445.79 feet,
S63°24'43"W for 134.16 feet,
S03°23'22"E for 170.29 feet,
S50°30'17"W for 220.23 feet,
N84°49'43"W for 331.36 feet,
S62°13'07"W for 214.71 feet,
S22°08'36"W for 291.55 feet,
S72°15'11"W for 131.22 feet to an intersection with the East line of the Southwest Quarter (SW1/4) of said Section 20;
THENCE run N00°50'19"W along said East line for 520.00 feet to the Northeast corner of said fraction;
THENCE run S89°58'37"W along the North line of said fraction for 290.00 feet to an intersection with the approximate centerline of the most Easterly branch of said Spring Creek;

continued...

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FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

THENCE run along said centerline the following courses:
N09°13'28"W for 137.34 feet,
N29°08'22"W for 590.59 feet,
N38°31'58"W for 278.03 feet,
N65°16'43"W for 254.95 feet,
N37°18'28"W for 286.01 feet,
N32°51'05"E for 252.39 feet,
N20°11'00"E for 236.69 feet,
N27°23'47"W for 369.25 feet,
N89°15'43"E for 50 feet, more or less to the Easterly shore of said Spring Creek;
THENCE run along said Easterly shore for 1,220 feet, more or less to an intersection with the North line of said Section 20;
THENCE run N89°15'13"E along said North line of said Section for 970 feet, more or less to a concrete monument marking the Northwest corner of the Northeast Quarter (NE1/4) of said Section 20;
THENCE run N00°31'30"E along the West line of the Southeast Quarter (SE1/4) of said Section 17 for 2,644.38 feet to an intersection with the South line of Spring Creek Road as described in Deed Book 305 at Page 276, Lee County Records;
THENCE run S89°58'35"E along said South line for 739.45 feet;
THENCE run N00°07'58"E for 30.00 feet to an intersection with the North line of the Southeast Quarter (SE1/4) of said Section 17;
THENCE run S89°58'35"E along the North line of said fraction for 375.91 feet to the Southeast corner of lands described in Official Record Book 1713 at Page 1188 of said Public Records;
THENCE run N00°41'04"W for 668.20 feet to the Northeast corner of said lands;
THENCE run N89°50'32"W along the North line of said lands for 366.38 feet to the Easterly line of said Spring Creek Road (50 feet wide);
THENCE run N00°07'58"E for 2,007.04 feet to an intersection with the South line of the Southeast Quarter (SE1/4) of said Section 08;
THENCE continue N00°07'17"E along said East line for 343.54 feet;
THENCE run S89°38'58"E for 10.00 feet;
THENCE run N00°07'17"E along said East line for 849.27 feet to the Southwest corner of lands described in Official Record Book 2039 at Page 3364 said Public Records;
THENCE run S89°21'02"E along the South line of said lands for 189.98 feet;
THENCE run N00°07'17"E along the East line of said lands for 125.01 feet;
THENCE run N89°21'02"W along the North line of said lands for 199.98 feet to an intersection with the Easterly line of said Spring Creek Road;
THENCE run N00°07'17"E along said East line for 1,292.76 feet to an intersection with the South line of Coconut Road (50 feet wide);
THENCE run S89°16'14"E along said South line for 1,802.38 feet to an intersection with the West line of said Section 09;
THENCE run N00°39'58"W along said West line for 25.00 feet to a concrete monument marking the Northwest corner of the Southwest Quarter (SW1/4) of said Section;
THENCE continue along said West line N00°39'58"W for 5.00 feet to an intersection with the South line of said Coconut Road as described in Official Record Book 1738 at Page 2538, said Public Records;
THENCE run S89°35'50"E along said South line for 3,164.37 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S00°10'56"W along said West line for 621.81 feet to a POINT OF CURVATURE;
THENCE run Southerly and Southeasterly along said West line, along the arc of a curve to the left of radius 5,797.58 feet (chord bearing S04°57'34"E) (chord 1,039.14 feet) (delta 10°17'00") for 1,040.54 feet to a POINT OF TANGENCY;
THENCE run S10°06'04"E along said Westerly line for 938.08 feet to an intersection with the North line of the Northeast Quarter (NE1/4) of said Section 16;
THENCE run S89°23'00"W along said North line for 708.94 feet to the Northwest corner of said Northeast Quarter (NE1/4) of Section 16;

continued...

THENCE run S00°02'54"W along said West line of the Northeast Quarter (NE1/4) for 2,643.98 feet to the Southwest corner of the Northeast Quarter (NE1/4) of said Section;
THENCE run N89°10'38"E along the South line of said fraction for 538.06 feet;
THENCE run S00°06'43"E for 1,085.91 feet;
THENCE run N89°06'43"E for 744.41 feet to an intersection with the West line of said Tamiami Trail;
THENCE run Southerly along said West line, along the arc of a non-tangent curve to the right of radius 5,619.58 feet (chord bearing S00°22'05"E) (chord 50.21 feet) (delta 00°30'42") for 50.21 feet to a POINT OF TANGENCY;
THENCE run S00°06'43"E along said West line for 49.81 feet;
THENCE run S89°06'43"W for 300.00 feet;
THENCE run S00°06'43"E for 1,445.82 feet to an intersection with the South line of the Southeast Quarter (SE1/4) of said Section 16;
THENCE run S89°16'54"W along said South line of said fraction for 989.41 feet to the Southeast corner of the Southwest Quarter (SW1/4) of said Section 16;
THENCE run S88°38'34"W along said South line of said Southwest Quarter (SW1/4) for 2,627.98 feet to the POINT OF BEGINNING.

ALSO

DRI Parcel 2
A tract or parcel of land lying in Sections 07, 08, 17 and 18 which tract or parcel is described as follows:

From a railroad spike marking the Northwest corner of the Southwest Quarter (SW1/4) of said Section 08 run S00°23'24"E along the West line of said fraction for 25.00 feet to an intersection with the South line of Coconut Road (50 feet wide) and the POINT OF BEGINNING.
From said POINT OF BEGINNING run S89°16'14"E along said South line for 3,253.00 feet to an intersection with the West line of Spring Creek Road;
THENCE run S00°07'17"W along said West line for 2,610.71 feet to an intersection with the South line of said Section 08;
THENCE run S00°07'58"W along said West line for 2,646.47 feet;
THENCE run N89°58'35"W along the North line of Coconut Road for 689.04 feet to an intersection with the East line of the Northwest Quarter (NW1/4) of said Section 17;
THENCE run N89°59'08"W along said North line for 404.79 feet to the Southeast corner of lands described in Official Record Book 411 at Page 759 of said Public Records;
THENCE run N01°31'36"E along the East line of said lands for 960.34 feet;
THENCE run N89°59'08"W along the North line of said lands for 2,200.77 feet to an intersection with the East line of the Northeast Quarter (NE1/4) of said Section 18;
THENCE continue N89°59'08"W for 1,840 feet more or less to the waters of Estero Bay;
THENCE run Northerly along the waters of Estero Bay for 8,300 feet more or less to an intersection with the North line of the South Half (S1/2) of Government Lot 2 of said Section 07;
THENCE run N89°32'15"E along the North line of said Government Lot 2 for 545 feet more or less to the Northwest corner of lands described in Official Record Book 1895 at Page 3817 of said Public Records;
THENCE run S08°50'45"E along the West line of said lands for 199.50 feet;
THENCE run N89°32'15"E along the South line of said lands for 247.50 feet;
THENCE run N89°35'27"E for 666.22 feet;
THENCE run N89°32'15"E for 239.00 feet to an intersection with the West line of Coconut Road;
THENCE run S01°07'45"E along said West line for 488.63 feet;
THENCE run N89°40'05"E along the South line of said Coconut Road for 24.69 feet to the POINT OF BEGINNING.

continued ...

LESS and EXCEPT lands described in Official Record Book 1677 at Page 3516 of the Public Records of Lee County, Florida.

ALSO:

DRI Parcel 3
A tract or parcel of land lying in Sections 05 and 08, Township 47 South, Range 25 East, Lee County, Florida, consisting of Lots 8B, 9B, 10B, 11B, 12B, 21B, 22B, 23B, 24B and 25B of FLORIDA GULF LAND COMPANY SUBDIVISION as recorded in Plat Book 1 at Page 59 of the Public Records of Lee County, also Lot 8, Block 14 of ELDORADO ACRES (an Unrecorded Subdivision), as shown in Deed Book 310 at Page 183 of the Public Records of Lee County;

ALSO the East Three-quarters (E-3/4) of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of said Section 05;
ALSO the East Two-thirds (E-2/3) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of said Section 05;
ALSO the East Two-thirds (E-2/3) of the Western Half (W1/2) of the Northwest Quarter (NW1/4) of said Section 08; being more particularly described by metes and bounds as follows:

From the Northwest corner of the Southwest Quarter (SW1/4) of said Section 08 run S89°16'14"E along the North line of said Southwest Quarter (SW1/4) for 422.61 feet;
THENCE run N01°05'22"W for 40.02 feet to the POINT OF BEGINNING.
From said POINT OF BEGINNING continue N01°05'22"W for 2,610.06 feet;
THENCE run N01°22'23"W for 1,304.41 feet;
THENCE run N89°56'22"W for 107.12 feet;
THENCE run N01°22'55"W for 1,303.87 feet;
THENCE run N89°34'15"E for 2,593.81 feet;
THENCE run S00°26'45"E for 2,655.42 feet;
THENCE run N88°48'50"W along the North line of said Section 08 for 322.66 feet;
THENCE run N89°25'01"W for 587.55 feet;
THENCE run S00°50'16"E for 132.58 feet;
THENCE run N89°11'54"W for 75.00 feet;
THENCE run N00°50'16"W for 132.30 feet;
THENCE run N89°25'01"W for 610.69 feet;
THENCE run S01°00'35"E for 2,612.12 feet to an intersection with the North right-of-way line of Coconut Road;
THENCE run N89°16'14"W along said North right-of-way line for 845.23 feet to the POINT OF BEGINNING.

ALSO

DRI Parcel 4
All of Government Lot 1, Section 07, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at a concrete monument marking the Northeast corner of Government Lot 1 of said Section 07, run S01°07'45"E along the East line of said Section 07 for 1,324.52 feet to the Southeast corner of said Government Lot 1;
THENCE run S89°33'42"W along the South line of said Government Lot for 1,747.82 feet to a concrete post at the waters of Estero Bay;
THENCE run Northerly and Westerly along the waters of Estero Bay to an intersection with the North line of said Section 07;
THENCE run N89°48'31"E along said North line for 2,575 feet more or less to the POINT OF BEGINNING.

Containing 2,409 acres, more or less.
Bearings hereinabove mentioned are based on the East boundary line of Pelican's Nest Unit No. 1 as recorded in Plat Book 41 at Pages 58 through 60 of the Public Records of Lee County, Florida.

AND

continued...

DRI Beach Parcel
A tract or parcel of land lying in Government Lot 3, Section 13, and Government Lot 2, Section 24, Township 47 South, Range 24 East, Big Hickory Island, Lee County, Florida, which tract or parcel is described as follows:

From the center of a turnaround on SR 865 (Bonita Beach Road) being S.R.D. Station 19184.75 and N24°28'41"W along the northern prolongation of said centerline of SR 865 for 266.00 feet;
THENCE run S62°26'49"W for 98.40 feet;
THENCE run N27°33'11"W for 1,863.42 feet;
THENCE run N20°00'41"W for 1,403.30 feet;
THENCE run N65°00'00"E for 313.91 feet to the POINT OF BEGINNING.
From said POINT OF BEGINNING run N18°55'11"W for 97.51 feet,
N22°26'23"W for 100.53 feet,
N23°09'50"W for 100.14 feet,
N14°51'19"W for 73.01 feet,
N27°40'10"W for 88.01 feet,
N29°33'57"W for 46.01 feet,
N22°14'53"W for 47.27 feet,
N20°39'23"W for 46.98 feet,
N11°15'38"W for 29.80 feet,
N26°10'46"W for 46.87 feet,
N09°09'45"W for 48.26 feet,
N17°35'56"W for 46.04 feet,
N12°49'07"W for 50.04 feet,
N29°20'48"W for 69.12 feet,
N20°48'58"W for 63.82 feet;
THENCE run N79°23'51"W for 247 feet more or less to an intersection with the Approximate Mean High Water Line of the Gulf of Mexico;
THENCE run Northerly and Northeasterly along said waters for 1,140 feet more or less to an intersection with the South line of lands described in Official Record Book 198 at Page 188 of the Public Records of Lee County, Florida;
THENCE run along said South line, along the arc of a curve to the right of radius 12,000.00 feet for 783 feet to an intersection with the Waters of New Pass;
THENCE run Southerly, Easterly, Southwesterly and Southerly along said waters for 4,080 feet more or less to an intersection with a line bearing N65°00'00"E and passing through the POINT OF BEGINNING;
THENCE run S65°00'00"W for 181 feet more or less to the POINT OF BEGINNING.

AND

From said POINT OF BEGINNING run S13°03'59"E for 94.16 feet;
THENCE run S19°13'48"E for 50.64 feet;
THENCE run S04°34'15"E for 54.63 feet;
THENCE run S24°53'12"E for 50.09 feet;
THENCE run S27°10'29"E for 50.01 feet;
THENCE run S31°01'44"E for 42.51 feet to an intersection with the South line of lands described in Official Record Book 2246 at Page 4413 of the Lee County Records;
THENCE run N65°00'00"E along said South line for 134 feet, more or less to the waters of Estero Bay;
THENCE Northerly along said waters for 358 feet, more or less to an intersection with a line bearing N65°00'00"E and passing through the POINT OF BEGINNING;
THENCE run S65°00'00"W for 181 feet, more or less to the POINT OF BEGINNING.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone.

RPD Parcel 1
Tracts or parcels lying in Section 05 and Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows and all consisting of 203.85 acres, more or less.

continued...

Lots 8B, 9B, 10B, 11B, 12B, and Lots 21B, 22B, 23B, 24B, and 25B of Florida Gulf Land Company's Subdivision, all in Section 05, Lee County, Florida (recorded in Plat Book 1 at Page 59), consisting of 100 acres more or less.

ALSO:

The East Three-Quarters (E-3/4) of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), of said Section 05, consisting of 30 acres, more or less.

ALSO:

The East Two-Thirds (E-2/3) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4), of said Section 05, consisting of 26.67 acres, more or less.

The East Two-Thirds (E-2/3) of the West Half (W1/2) of the Northwest Quarter (NW1/4) of said Section 08, consisting of approximately 53.55 acres, more or less, less the Southerly 40.00 feet for the right-of-way of Coconut Road.

RPD Parcel 2
All of Government Lot 1, Section 07, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at a concrete monument marking the Northeast corner of Government Lot 1 of said Section 07 run S01°07'45"E along the East line of said Section 07 for 1,324.52 feet to the Southeast corner of said Government Lot 1;
THENCE run S89°33'42"W along the South line of said Government Lot 1 for 1,747.82 feet to a concrete post at the waters of Estero Bay;
THENCE run Northerly and Westerly along the waters of Estero Bay to an intersection with the North line of said Section 07;
THENCE run N89°48'31"E along said North line for 2,575 feet, more or less to the POINT OF BEGINNING.

Containing 60 acres, more or less.

RPD Parcel 3
A tract or parcel of land lying in Sections 07, 08, 17 and 18, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a railroad spike marking the Northwest corner of the Southwest Quarter (SW1/4) of said Section 08 run S00°23'24"E along the West line of said fraction for 25.00 feet to an intersection with the South line of Coconut Road (50 feet wide);
THENCE run S89°16'14"E along said South line for 1,478.58 feet to the POINT OF BEGINNING;
THENCE continue S89°16'14"E along said South line for 1,774.42 feet to an intersection with the West line of Spring Creek Road as described in County Commissioners Minute Book 6 at Page 210, Public Records, Lee County, Florida;
THENCE run S00°07'17"W along said West line for 2,610.71 feet to an intersection with the South line of said Section 08;
THENCE run S00°07'58"W along said West line for 1,612.27 feet;
THENCE run N89°52'02"W for 5.00 feet to a point on a curve;
THENCE along the arc of a non-tangent curve to the right of radius 1,070.00 feet (delta 91°03'07") (chord bearing S45°39'32"W) (chord 1,527.04 feet) for 1,700.40 feet;
THENCE run N01°31'36"E for 33.48 feet to the Southeast corner of lands described in Official Record Book 411 at Page 759 of said Public Records;
THENCE continue N01°31'36"E along the East line of said lands for 960.34 feet;
THENCE run N89°59'08"W along the North line of said lands for 2,200.77 feet to an intersection with the East line of the Northeast Quarter (NE1/4) of said Section 18;

continued...

THENCE continue N89°59'08"W for 1,840 feet, more or less, to the waters of Estero Bay;
THENCE run Northerly along the waters of Estero Bay for 6,490 feet, more or less, to an intersection with the South line of Government Lot 2, of said Section 07;
THENCE run N89°40'05"E along said South line for 745 feet, more or less;
THENCE run S00°19'55"E for 650.00 feet;
THENCE run N89°40'05"E for 1,107.21 feet to an intersection with the West line of said Section 08;
THENCE run S00°23'24"E along the West line of said Section for 375.11 feet;
THENCE run S89°15'18"E for 1,458.78 feet;
THENCE run N00°44'42"E for 1,000.00 feet to an intersection with the South line of said Coconut Road and said POINT OF BEGINNING.

Containing 513.7 acres, more or less.

RPD Parcel 4
A tract or parcel of land lying in Sections 08, 09, 16 and 17, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a concrete monument marking the Northwest corner of the Southwest Quarter (SW1/4) of said Section 09 run N00°41'48"W along the West line of said Section 09 for 5.00 feet to an intersection with the South line of Coconut Road (50 feet wide) as described in Official Record Book 1738 at Page 2538, Public Records, Lee County, Florida;
THENCE run S89°35'50"E along said South line for 1,549.14 feet to a POINT OF CUSP;
THENCE run along the arc of a curve to the left of radius 30.00 feet (delta 90°00'00") (chord bearing S45°24'10"W) (chord 42.43 feet) for 47.12 feet to a POINT OF TANGENCY;
THENCE run S00°24'10"W for 336.31 feet to a POINT OF CURVATURE;
THENCE run along the arc of the curve to the left of radius 270.00 feet (delta 90°00'00") (chord bearing S44°35'50"E) (chord 381.84 feet) for 424.12 feet to a POINT OF TANGENCY;
THENCE run S89°35'50"E for 99.41 feet to a POINT OF CURVATURE;
THENCE run along the arc of a curve to the right of radius 530.00 feet (delta 27°42'00") (chord bearing S75°44'50"E) (chord 253.74 feet) for 256.23 feet;
THENCE run S20°53'52"E for 1,008.12 feet to a point on a non-tangent curve;
THENCE run along the arc of a curve to the left of radius 840.00 feet (delta 34°20'28") (chord bearing N66°42'56"W) (chord 495.96 feet) for 503.47 feet to a POINT OF COMPOUND CURVATURE;
THENCE along the arc of a curve to the left of radius 1,652.50 feet (delta 21°34'22") (chord bearing S85°19'39"W) (chord 618.53 feet) for 622.20 feet;
THENCE S15°27'32"E along a radial line for 10.00 feet to a point on a non-tangent curve;
THENCE along the arc of a curve to the left of radius 1,642.50 feet (delta 34°59'45") (chord bearing S57°02'36"W) (chord 987.70 feet) for 1,003.22 feet to a POINT OF COMPOUND CURVATURE;
THENCE along the arc of a curve to the left of radius 1,120.00 feet (delta 21°31'30") (chord bearing S28°55'59"W) (chord 412.53 feet) for 414.90 feet to a POINT OF REVERSE CURVATURE;
THENCE along the arc of a curve to the right of radius 935.00 feet (delta 43°04'19") (chord bearing S39°51'23"W) (chord 686.45 feet) for 702.88 feet to a POINT OF COMPOUND CURVATURE;
THENCE along the arc of a curve to the right of radius 2,760.00 feet (delta 24°20'33") (chord bearing S73°33'49"W) (chord 1,163.81 feet) for 1,172.61 feet;
THENCE N20°00'00"W for 580.12 feet;
THENCE N89°52'02"W for 657.66 feet to an intersection with the East line of Spring Creek Road as described in County Commissioners Minute Book 6 at Page 210, Public Records, Lee County, Florida;

continued...

THENCE run N00°07'58"E along said East line for 240.32 feet to an intersection with the South line of the Southeast Quarter (SE1/4) of said Section 08;
THENCE continue N00°07'17"E along said East line for 343.49 feet;
THENCE run S89°38'58"E for 10.00 feet;
THENCE run N00°07'17"E along said East line for 499.94 feet to the Southwest corner of lands described in Official Record Book 428 at Page 349, said Public Records;
THENCE run S89°21'02"E along the South line of said lands for 536.00 feet;
THENCE run N00°07'17"E along the East line of said lands for 474.33 feet;
THENCE run N89°21'02"W along the North line of said lands for 546.00 feet to an intersection with the Easterly line of said Spring Creek Road;
THENCE run N00°07'17"E along said East line for 1,292.76 feet to an intersection with the South line of said Coconut Road;
THENCE run S89°16'14"E along the South line of said Coconut Road 1,802.38 feet to an intersection with the West line of said Section 09;
THENCE run N00°41'48"W along said West line for 25.00 feet to the POINT OF BEGINNING.

Containing 222.36 acres, more or less.

CPD Parcel 1

A tract or parcel of land lying in Sections 07 and 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a railroad spike marking the Northwest corner of the Southwest Quarter (SW1/4) of said Section 08 run S00°23'24"E along the West line of said fraction for 25.00 feet to an intersection with the South line of Coconut Road (50 feet wide) and the POINT OF BEGINNING.

From said POINT OF BEGINNING run S89°16'14"E along said South line for 1,478.58 feet;
THENCE run S00°44'42"W for 1,000.00 feet;
THENCE run N89°15'18"W for 1,458.78 feet to an intersection with the West line of said Section 08;
THENCE run N00°23'24"W along said West Section line for 375.11 feet;
THENCE run S89°40'05"W for 1,107.21 feet;
THENCE run N00°19'55"W for 650.00 feet to an intersection with the South line of Government Lot 2 of said Section 07;
THENCE run S89°40'05"W along said South line for 745 feet, more or less, to an intersection with the waters of Estero Bay;
THENCE run along the waters of Estero Bay for 1,810 feet, more or less, to a point which intercepts the North line of the South Half (S1/2) of said Government Lot 2;
THENCE run N89°32'15"E along said North line of the South Half (S1/2) of said Government Lot 2 for 545 feet, more or less, to the Northwest corner of lands described in Official Record Book 1895 at Page 3817, Public Records, Lee County, Florida;
THENCE S08°50'45"E along the West line of said lands for 199.50 feet;
THENCE N89°32'15"E along the South line of said lands for 247.50 feet;
THENCE run N89°35'27"E for 666.22 feet;
THENCE run N89°32'15"E for 239.00 feet to an intersection with the West line of Coconut Road;
THENCE run S01°07'45"E along said West line for 488.63 feet to an intersection with the South line of said Coconut Road;
THENCE run N89°40'05"E along the South line of said Coconut Road for 24.55 feet to the POINT OF BEGINNING.

LESS and EXCEPT lands described in Official Record Book 1677 at Page 3516, Public Records, Lee County, Florida.

Containing 72.8 acres, more or less.

continued...

CPD Parcel 2
A tract or parcel of land lying in the South Half (S1/2) of Section 09, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:
From the Northwest corner of the Southwest Quarter (SW1/4) of said Section 09 run N00°41'48"W for 5.00 feet to the South right-of-way line of Coconut Road (50 foot right-of-way);
THENCE run S89°35'50"E for 1,863.14 feet to the POINT OF BEGINNING.

From said POINT OF BEGINNING continue S89°35'50"E along said South right-of-way line for 1,301.22 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S00°10'56"W along said West line for 621.81 feet to a POINT OF CURVATURE;
THENCE run Southerly and Southeasterly along the arc of a curve to the left of radius 5,797.58 feet (delta 10°17'00") (chord bearing S04°57'34"E) (chord 1,039.14 feet) for 1,040.54 feet to a POINT OF TANGENCY;
THENCE run S10°06'04"E along said Westerly line for 230.98 feet;
THENCE run S79°53'56"W for 70.57 feet to a POINT OF CURVATURE;
THENCE run along the arc of a curve to the right of radius 650.00 feet (delta 49°49'26") (chord bearing N75°11'21"W) (chord 547.59 feet) for 565.23 feet to a POINT OF REVERSE CURVATURE;
THENCE along the arc of a curve to the left of radius 840.00 feet (delta 16°23'49") (chord bearing N58°28'33"W) (chord 239.57 feet) for 240.39 feet;
THENCE run N20°53'52"W for 1,756.27 feet to an intersection with the South line of said Coconut Road and the POINT OF BEGINNING.

Containing 41.09 acres, more or less.

CPD Parcel 3
A tract or parcel of land lying in the Southeast Quarter (SE1/4) of Section 09, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter (SE1/4) of said Section 09 run N01°00'24"W along the West line of said Southeast Quarter (SE1/4) for 587.77 feet to a point on a non-tangent curve;
THENCE along the arc of a curve to the left of radius 850.00 feet (delta 39°04'25") (chord bearing S80°33'52"E) (chord 568.50 feet) for 579.67 feet to a POINT OF TANGENCY;
THENCE run N79°53'56"E for 70.57 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S10°06'04"E along said West line for 507.09 feet to an intersection with the South line of said Section 09;
THENCE run S89°23'00"W along said South line for 708.94 feet to the POINT OF BEGINNING.

Containing 7.73 acres, more or less.

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on May 31, 1994, and subsequently continued to June 1, 2, 3, 1994; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners on August 29, 1994; and the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE the rezoning of AG-2, RPD, TFC-2, and IM to RPD and CPD districts with the following conditions and deviations:

1. The development of the subject property shall be in accordance with the three-page Master Concept Plan for Pelican Landing RPD/CPD, stamped received on May 16, 1994, except as modified by the conditions herein. Unless specifically approved as part of this rezoning, development shall be in accordance with all applicable local development regulations, including the Pelican Landing Development of Regional Impact Development Order. No deviations from the Land Development Code are granted unless specifically identified herein.

   As a prerequisite to approval of any local Development Order for property located within the Commercial Planned Development and Residential Planned Development, approval of a Final Zoning Plan must be received which specifies the type, intensity and configuration of development for the particular site. The objective of the process is to ensure compliance with the DRI Development Order, Zoning Resolution, and Land Development Code, to allow detailed review of deviations conceptually approved herein, while allowing the development flexibility to respond to changing conditions. Application materials shall be the same as for an Administrative Amendment supplemented per Condition 18.b. Any substantial change in the type, intensity, or configuration of development within the RPD/CPD will require further review through a public hearing. The necessity of said review shall be determined by the Director of Community Development.

Commercial Planned Development

2. Permitted uses in CPD land development Area A: Marina

   Administrative Offices
   Bait and Tackle Shop
   Boat Parts Store
   Cocktail Lounge, only in conjunction with a restaurant
   Club, Private
   Consumption on Premises, only in conjunction with a restaurant
   Food Store, Group I
   Fishhouse
   Specialty Retail, Group I
   Marina (df) including those uses defined with a maximum 150 space dry boat storage building and 48 wet slips
   Rental and Charter Facilities for Boats, limited to residents and guests in Pelican Landing
   Restaurants, Standard
   Sale of Fuel and Lubricants
   School, Commercial limited to sailing, water safety and other marine oriented schools
   Shower and Restroom Facilities

   The following property development regulations shall apply to CPD land development Area A: Marina

   a. Minimum building setbacks for all Marina/Commercial District uses:

Street	-	1/2 right-of-way plus 20 feet
Side	-	10 feet
Water Body	-	0 feet
Wetlands	-	20 feet

   b. Minimum distance between buildings:

Single story buildings	-	10 feet
Multiple story buildings	-	20 feet
Multiple story buildings with sprinkler systems	-	15 feet

   c. Maximum building height - 45 feet above minimum flood elevation

   d. Dry boat storage shall be limited to a height of 45 feet.

e. Prior to any local Development Order for the marina, a parking plan shall be submitted which demonstrates location and adequacy of parking and methods of vehicular and pedestrian movement. County staff shall ensure protection of public safety and compliance with applicable standards. Should vacation of a portion of Coconut Road not occur, developer shall be restricted accordingly.

f. Live-aboards (defined by Ordinance 85-21, as amended) and personal watercraft (defined by Ordinance 90-15, as amended) are prohibited.

g. Marina sanitation facilities are required.

3. Permitted uses in CPD land development Area B:

Hotel/Convention Center (per Ord.):

Hotel or Motel, Convention
Hotel or Motel Accessory Uses - including, but not limited to:
- Tennis Courts
- Swimming Pools
- Bar or Cocktail Lounge
- ATM within the Hotel or Other Building
- Consumption on Premises and
- Package Store within the Hotel or Motel
- Conference Meeting Rooms

Club, Private
Resort
Restaurant, Standard - Groups I, II and III with Consumption on Premises
Specialty Retail Shops - Groups I and II
Business Services - Group I (excluding blood banks, blood donor stations, bail bonding, check exchange, detective agencies)
Studios
Dwelling Units, including but not limited to:
- Two Family Attached
- Townhouse
- Duplex
- Multiple Family Building

Residential Accessory Uses, including but not limited to:
- private garages, carports and parking areas
- private swimming pools and enclosures
- private tennis courts

Model Homes, Model Units and Model Display Center - limited to residential uses within Pelican Landing
Home Occupation
Entrance Gates and Gatehouses

The following property development regulations shall apply to CPD land development Area B: Hotel and Conference Center:

a. Minimum building setbacks:

Street	-	1/2 right-of-way plus 20 feet
Side	-	0 feet or 10 feet for an interior lot and 15 feet for a corner lot
Water Body	-	20 feet
Wetlands	-	20 feet

b. Minimum distance between buildings:

Single story buildings	-	10 feet
Multiple story buildings	-	20 feet
Multiple story buildings with sprinkler systems	-	15 feet

c. Maximum building height - no more than 20 habitable floors

d. Development of CPD Area B for Hotel and Conference Center shall comply with Condition 12 (High Rise Development Regulations).

4. Permitted Uses in CPD land development Area C: Office

Administrative Offices
Bank and Financial Establishments - Group I and II
Day Care (child/adult)
Food and Beverage Service
Insurance Companies
Library
Medical Office
Business Services - Group I (excluding blood banks, blood donor stations, bail bonding, check exchange, detective agencies)
Pharmacy
Post Office
Restaurants
Business Services - Group II (no outdoor storage of vehicles or equipment is permitted)
Contractors and Builders - Group I (no storage facilities permitted)
Cultural Facilities, limited to Art Gallery or Museum
Health Care Facilities - Group III
Personal Services - Group II (health club or beauty spa only)
Commercial School, limited to:
- Art School
- Business School
- Clerical
- Computer Drafting
- Law
- Real Estate
- Aerobics

Social Services - Group I (limited to family and marriage counseling or nutritionists counseling)

The following property development regulations shall apply to CPD land development Area C: Office

a. Minimum building setbacks:

Street	-	1/2 right-of-way plus 20 feet
Side	-	0 feet or 10 feet for an interior lot and 15 feet for a corner lot
Water Body	-	25 feet
Wetlands	-	20 feet

b. Minimum distance between buildings:

Single story buildings	-	10 feet
Multiple story buildings	-	20 feet
Multiple story buildings with sprinkler systems	-	15 feet

c. Maximum building height - 95 feet above minimum flood elevation, with no more than 8 habitable floors

5. Permitted Uses in CPD land development Area D: Mixed Use Commercial

Administrative Offices
Business Services - Group I (excluding blood banks, blood donor stations, bail bonding, check exchange, detective agencies)
Business Services - Group II (no outdoor storage of vehicles or equipment)
Banks and Financial Establishments - Groups I and II with drive-thru
Broadcasting Studio
Commercial Radio and Television
Place of Worship
Religious Facilities
Private Club
Food Store - Group I
Repair Shops - Groups I and II
Restaurant, Standard - Groups I, II and III with consumption on premises
Specialty Retail Shops - Groups I, II and III

Used Merchandise Shops - Group I
Pharmacy and Drug Stores
Commercial School
Social Services - Group I (excluding Public Welfare Centers)
Studios
Health Care Facilities - Group III
Adult Congregate Living Facilities
Insurance Companies
Medical Office
Standard Offices
Cocktail Lounge
Consumption on Premises
Package Store
Automobile Service Station
Self-Service Fuel Pumps
Convenience Food and Beverage Store
Residential Uses, including but not limited to:
- Two family attached
- Townhouse
- Duplex
- Multi-family building

Residential Accessory Uses, including
- Private garages, carports, parking areas
- Swimming pools, tennis courts
- Model Homes, Model Units and Model Display Centers
- Home Occupation

Clothing Stores, General
Contractors and Builders - Group I (no outdoor storage of heavy equipment)
Cultural Facilities (limited to Art Galleries, Museums)
Hobby, Toy, Game Shops
Household/Office Furnishings - Groups I and II
Personal Services - Group I
(excluding coin operated laundries Laundromat)
Personal Services - Group II (limited to hearing aids, optical supplies and other similar health related devices (excluding massage establishments, massage parlors, steam or Turkish baths)
Personal Services - Group IV (limited to debt counseling, portrait copying, and tax return service)
Recreation, Commercial (limited to Health Club)
Theatres

The following property development regulations shall apply to CPD Area D: Mixed Use Commercial

a. Minimum building setbacks:

Street	-	1/2 right-of-way plus 20 feet
Side	-	0 feet or 10 feet for an interior lot and 15 feet for a corner lot
Water Body	-	20 feet (0 feet for seawalled/bulkheaded, manmade water bodies)
Wetlands	-	20 feet

b. Minimum distance between buildings:

Single story buildings	-	10 feet
Multiple story buildings	-	20 feet
Multiple story buildings with sprinkler systems	-	15 feet

c. Maximum building height - 95 feet above minimum flood elevation with no more than 8 habitable floors

6. Permitted uses in CPD land development Area E: Retail

Administrative Offices
Club, Private
Food Store - Group I

Personal Services - Groups I (limited to ATM,beauty shop only) and II (limited to Health Club only)
Restaurant, Standard - Groups I, II and III with consumption on premises
Specialty Retail Shops - Groups I, II and III
Studios
Cocktail Lounge, only in conjunction with a restaurant
Multiple Family Residential Uses, including but not limited to:
- Two family attached
- Townhouse
- Duplex
- Multiple family building

Residential Accessory Uses, including but not limited to:
- Private garages, carports and parking areas
- Private swimming pools and enclosures
- Private tennis courts

Model Homes, Model Units and Model Display Center, limited to residential uses within Pelican Landing
Home Occupation
Entrance Gates and Gatehouses
Used Merchandise, Group I, excluding Pawn Shops

The following property development regulations shall apply to CPD Area E:

a. Minimum building setbacks:

Internal Streets	-	1/2 right-of-way plus 20 feet
Side and	-	0 feet or 10 feet for an interior lot 15 feet for a corner lot
Water Body	-	20 feet (0 feet for seawalled/bulkheaded, manmade water bodies)
Wetlands	-	20 feet

b. Minimum distance between buildings:

Single story buildings	-	10 feet
Multiple story buildings	-	20 feet
Multiple story buildings with sprinkler systems	-	15 feet

c. Maximum building height - 75 feet above minimum flood elevation

7. The following property development regulations apply to residential uses permitted in CPD Areas B, D, and E:

The residential uses in the CPD land development areas shall be permitted only when in conjunction with at least 50,000 square feet or more of commercial uses.

a. Minimum building setbacks:

Street	-	1/2 right-of-way plus 20 feet
Side	-	0 feet or 10 feet for an interior lot and 15 feet for a corner lot
Water Body	-	20 feet
Wetlands	-	20 feet

b. Minimum distance between buildings:

Single story buildings	-	10 feet
Multiple story buildings	-	20 feet
Multiple story buildings with sprinkler systems	-	15 feet

c. Maximum building height - 75 feet above minimum flood elevation in CPD Areas B & E; 95 feet above minimum flood elevation in CPD Area D

Residential Planned Development

8. Permitted uses in RPD land development Area A:

Zero lot line, Single-Family, Two-Family Attached
Residential Accessory Uses, including but not limited to:
- Private garages, carports and parking areas
- Private swimming pools and enclosures
- Private tennis courts

Model Homes, Model Units and Model Display Center, limited to residential uses within Pelican Landing
Speculative Home
Temporary Sales and/or Construction Office
Administrative Offices
Home Occupation
Entrance Gates and Gatehouses
Public and Private Parks, Playgrounds, Tot Lots, Community Swimming Pools, Tennis Courts or other community recreational amenity, Playfields and Commonly Owned Open Space
Essential Services
Signs

9. Permitted Uses in RPD land development Areas B, C, D and F:

Residential Uses, including but not limited to:
- Zero lot line
- Two family attached
- Townhouse
- Duplex
- Single family
- Multiple family buildings

Residential Accessory Uses, including but not limited to:
- Private garages, carports and parking areas
- Private swimming pools and enclosures
- Private tennis courts
- Private boat docks (where permitted by DRI Development Order)

Model Homes, Model Units and Model Display Center, limited to residential uses within Pelican Landing
Temporary Sales and/or Construction Office
Administrative Offices
Golf Courses, Golf Course Accessory and Associate Uses, including but not limited to:
- Club house
- Maintenance facility
- Pro shop
- Alcoholic beverage consumption in the club house
- Snack bar at the ninth hole or other appropriate location
- Ball washers
- Restrooms and other uses which are normal and accessory to the golf course

Club, country
Club, private
Home Occupation
Entrance Gates and Gatehouse
Public and Private Parks
Playground, Tot Lots
Community Swimming Pools
Tennis Courts or other community recreational amenity
Playfields
Essential Services
Essential Service Facilities
Signs
Excavation-water retention

10. Permitted uses in RPD land development Area E:

Residential uses, including but not limited to:
- Zero Lot Line
- Two Family
- Town House

- Duplex
- Single Family
- Multiple Family Buildings

Residential Accessory Uses, including but not limited to:
- Private garages, carports and parking areas
- Private swimming pools and enclosures
- Private tennis courts

Private Parks, Playgrounds, Tot Lots
Community Swimming Pools
Tennis Courts or other community recreational amenity
Playfields
Essential Services
Signs

11. The following property development regulations shall apply to RPD Areas A, B, C, D and E:

a. Minimum Lot Area and Dimensions:

Zero Lot Line Units		Single Family Units	
Area	= 5,000 square feet	Area	= 5,000 square feet
Width	= 40 feet	Width	= 40 feet
Depth	= 100 feet	Depth	= 100 feet

Multi-Family
Area = 2,000 square feet per dwelling unit,
minimum lot size - 10,000 square feet
Width = 100 feet
Depth = 100 feet

Two-Family Attached and Townhouse
Area = 4,000 square feet per dwelling unit
Width = 32 feet
Depth = 100 feet

Duplex
Area = 14,000 square feet
Width = 90 feet
Depth = 100 feet

b. Minimum Setbacks

Zero Lot Line Units
Street = 20 feet or 15 feet for side entry garages
Side = 10 feet on one side, 0 feet on opposite site
Rear = 15 feet for building, 3 feet for pool, deck and enclosure
Waterbody = 20 feet

Single-Family Units
Street = 15 feet
Side = 5 feet
Rear = 15 feet for building,
0 feet for pool, deck and enclosure
Waterbody = 20 feet

Multi-Family
Street = 20 feet
Side Yard = 20 feet
Rear Yard = 20 feet
Waterbody = 20 feet

Two-Family Attached and Townhouse
Street = 20 feet
Side Yard = 5 feet (no side setback required from common side lot line)
Rear = 15 feet
Waterbody = 20 feet

Duplex		
Street	=	1/2 ROW + 20 feet (except for cul-de-sac 1/2 ROW + 15)
Side	=	7 feet (no side setback required from common side lot line)
Rear	=	20 feet
Waterbody	=	20 feet

c. Building heights:

RPD Areas B and D located in the Outlying Suburban land use category shall have a maximum building height of 75 feet above minimum flood elevation with no more than 6 habitable stories.

RPD Areas A, C and D located in the Urban Community land use category shall have maximum building height of 95 feet above minimum flood elevation with no more than 8 habitable stories.

RPD Area E located in the Outlying Suburban land use category shall have a maximum building height of 75 feet above minimum flood elevation with no more than 6 habitable floors.

12. Deviation (12) is approved for RPD Area F, and CPD Area B. These areas may be developed with a maximum building height exceeding 75 feet above minimum flood elevation only if in compliance with the following development regulations. All buildings 45 feet in height or less shall comply with normal setbacks required of conventional multi-family zoning districts. All buildings over 45 feet shall provide one foot of setback from the Pelican Landing perimeter property line for every foot of elevation. In recognition of the wetlands north of Coconut Road, the setback for structures in excess of 75 feet in CPD Area B and the RPD Area F that is adjacent to Coconut Road may be per LDC Section 34-2174.

The regulations set forth below in 12.a through 12.e apply to the development of buildings greater than 75 feet above minimum flood elevation:

a. Minimum Lot Area and Dimensions:

Lot Size	10,000 square feet
Lot Area per Unit	1,000 square feet
Width	100 feet
Depth	100 feet

b. Minimum Setbacks

Private Road	25 feet
Side Yard	50 feet
Rear Yard	10 feet
Waterbody	20 feet

c. A minimum building separation of 125 feet shall be provided between those buildings above 75 feet.

d. A maximum of 8 residential buildings and one hotel building with a height of greater than 75 feet, above minimum flood elevation may be permitted. Such buildings may be located within RPD Area F (residential) and CPD Area B (Hotel).

e. A minimum of 15% open space shall be provided for each multi-family building site that is or exceeds 75 feet in height.

ECO-PARK

13. Permitted Uses in Eco-Park (RPD AREA G):

Uses permitted in the Eco-Park District are limited to activities which make this area available for resource-based recreational activities, enjoyment of nature and educational enrichment, including but not limited to:

Picnic areas, trails, benches, boardwalks, biking/jogging trails, vita course, bird viewing blinds/towers and interpretative facilities, signs, on-going maintenance and removal of exotic vegetation and compliance with management plan required per FGFWFC.

INTERFACE AREA

14.a.Permitted Uses in the Interface Area:

Uses permitted in the Interface Area are limited to golf courses, developed to the guidelines similar to the New York Audubon Society Standards and any related appurtenances or uses, stormwater management; and created wetland marsh and any other created vegetative system or lake system which will promote wildlife diversity, activities which make this area available for resource-based recreational activities, enjoyment of nature and education enrichment, including but not limited to:

Picnic areas, trails, benches, boardwalks, biking/jogging trails, vita course, bird viewing blinds/towers and interpretive facilities, signs, access to the southern segmented ridge, on-going maintenance and removal of invasive exotic vegetation and compliance with the wildlife diversity monitoring plan prepared in conjunction with the Lee County School Board Department of Environmental Education.

b. The Zoning Master Concept Plan shall be adjusted, including revisions to the legal description. The changes shall reflect the terms of this condition and be consistent with the exhibit entitled "Pelican Landing Interface Area Illustration", stamped received August 26, 1994. The shifts in the zoning Master Concept Plan will allow for the Interface Area described above. The western boundary of the Interface Area is the jurisdictional mangrove wetland line. The Interface area is 100 feet in width at the north and south ends of the property, and it is approximately 500 feet in width elsewhere. The creation of the Interface Area will cause Residential Development Area F to shift to the east. RPD Area F will begin at the eastern boundary line of the Interface Area. The CPD Area B (the hotel use) will shift to the west to the present location of CPD Area E/RPD Area E and RPD Area B on the May 16, 1994, Zoning Master Concept Plan, and shall be a third alternative development scenario for that property. RPD Area D, located west of Spring Creek Drive, will be reduced in size due to the relocation of RPD Area F. That portion of the former CPD Area B that does not become the Interface Area will become an RPD Area F. The internal traffic circulation will be adjusted to accommodate the revised design. The southern upland area (proposed RPD Area E) bounded by the south property line, with estuarine wetlands and upland buffers to the west, and the oak hammock to the east shall be redesignated Residential Development Area E. No development can occur within CPD Areas E or B, or RPD Areas E, F, or D until a final zoning plan approval is obtained through the final administrative review process which properly reflects the Interface Area as described herein.

c. The Interface Area will serve two purposes. First, it allows for a buffer area or interface between the residential high-rise development areas and the jurisdictional mangrove wetlands to the west. The buffering function will also extend to some of the interior wetland and upland systems. Residential units within Residential Development Area F shall be located a minimum of 500 feet from the jurisdictional mangrove area, except for the RPD Area F located at the site of the former CPD Area B (hotel site). No golf course uses shall be located any closer to the jurisdictional mangrove system than 100 feet. Secondly, the Interface Area will provide habitat and a vegetative corridor which will enable wildlife to safely access the onsite interior wetland systems.

d. All invasive exotic vegetation shall be removed from the Interface Area. The invasive exotic removal process shall coincide with the construction of a surface water management system within the Interface Area.

e. Where necessary, a vegetation restoration program shall commence subsequent to the removal of the invasive exotics. The program should facilitate diversity in wildlife. The revegetation shall commence within six months of invasive exotic removal. Vegetation to facilitate wildlife diversity shall be used in the restorative planting.

f. Where appropriate, and subject to permitting approval, the developer will construct "kidney filter" marshes for additional water quality treatment prior to final outfall. These marshes will most likely be located in areas currently infested with invasive exotic vegetation, and will be replanted with plant species such as juncus and spartina grass, cabbage palms and slash pines.

g. The developer has volunteered to monitor the Interface Area to assess its effectiveness in facilitating wildlife diversity. Information on flora and fauna produced for the DRI shall be the baseline data for the monitoring. The database shall be updated through a program of Winter/ Summer monitoring. The monitoring shall generally consist of looking for, and reporting on, evidence of foraging, nesting, scat, and other territorial markings. This monitoring program shall be for a period of five years from the commencement of development activity in the Interface Area. The information gathered through the monitoring program shall be provided to the Lee County Division of Natural Resources Management and the Lee County Schools, Department of Environmental Education.

h. Subject to permitting approval, the treated stormwater from the Residential and Commercial Development Areas will be conveyed across the Interface Area via a series of excavated lakes and created marsh areas that will emphasize both the water management function and the improvement of wildlife diversity within the Interface Area. The lakes will be designed and located to mimic natural flows and to enhance wildlife values.

i. The access to the southern segmented ridge has been shifted to the south to the location previously approved by the BOCC in Resolution #Z-88-193. There are less wetland impacts with the southerly access.

GENERAL/ADMINISTRATION

15. All conditions relating to the Development of Regional Impact Development Order are hereby incorporated by this action. If conflicting conditions exist between this approval and the DRI Development Order, the more restrictive shall apply.

16. Transportation mitigation shall be provided as outlined in the Development of Regional Impact Development Order. However, site related improvements may be required at the time of local Development Order in accordance with the provisions of the Land Development Code. Also, a Traffic Impact Statement (TIS) shall be submitted with each application for a local Development Order. The TIS must include:

    a. The trip generation data for the type of development being proposed, using the trip generation rates in the latest edition of ITE, Trip Generation or those of the Lee County FSUTMS.

    b. The distribution of traffic at the entrance(s) to that specific area to be developed.

    c. An analysis of the need for turn lanes or other site related improvements at the entrance(s) to that specific area to be developed based upon the projected future volume of traffic on the street being accessed. Projected future volume represents volumes at buildout of the DRI.

    d. An analysis of each intersection of a minor collector with the same or higher functionally classified road internally to Pelican Landing that is influenced by traffic from that proposed development. Influence is measured as project traffic as 5% or more of Level of Service D service volume. That analysis to be based on existing traffic counts, plus traffic from the specific development.

e. A table showing each segment of minor collectors and higher classified roads influenced by the proposed development, traffic volumes with specific development, and the capacity of the road segment at LOS E.

f. A table showing the cumulative development parameters for the entire Pelican Landing DRI. Development parameters to be categorized consistent with the categories identified in the original DRI.

17. The development shall comply with the Lee Plan's 2010 Overlay as it may be amended, and pursuant to DRI Development Order Condition III.14.

18.a. Prior to any development within that area legally described as Pelican Landing RPD/CPD (that property rezoned as a result of this action) the applicant must revise the MCP to reflect the final decision by the Lee County Board of County Commissioners regarding this rezoning and DRI approval.

b. Prior to any local Development Order approval within the land development areas delineated on the MCP as revised, pursuant to the final decision by the Lee County Board of County Commissioners, the developer must receive approval of a Final Zoning Plan.

The following information shall be provided:

- Uses: type and amount, i.e. number of dwelling units or square feet of commercial use
- access
- location and dimensions of internal roadways
- location and dimensions of buildings/structures
- boundary of development tract
- adjacent zoning and land uses
- Master Concept Plan
- A cumulative analysis of the total number of dwelling units, hotel units, commercial square footage and marina development that have received local Development Order approval (to be compared to the amount of development approved pursuant to the DRI and this rezoning).

19. The density of the residential units within both the RPD and CPD districts approved by this rezoning shall be flexible regarding the distribution of the residential dwelling units as long as they do not exceed the following parameters:

a. Those lands located within the Urban Community land use category per the Lee Plan shall be permitted a maximum of 350 residential units.

b. Those lands located within the Outlying Suburban land use category per the Lee Plan shall be permitted a maximum of 2,266 residential units.

20. The maximum amount of commercial square footage within the RPD and CPD districts approved by this rezoning shall be as stated below:

a. Those lands located within the Urban Community land use category per the Lee Plan shall be permitted a maximum of 390,000 square feet of floor area of retail use and 125,000 square feet of office use.

b. Those lands located within the Outlying Suburban land use category per the Lee Plan shall be permitted a maximum of 110,000 square feet of floor area of retail use and 45,000 square feet of office use. Of the retail uses, up to 20,000 square feet may be permitted if ancillary to the marina and up to 30,000 square feet may be permitted if ancillary to the hotel. Up to 60,000 square feet may be developed within CPD Areas E. Prior to approval of any Administrative Amendment for commercial use ancillary to the marina or hotel, the developer shall demonstrate that the retail is in fact ancillary to the principal use.

ENVIRONMENTAL

21. Open space commitments shall be consistent with the open space table on the Master Concept Plan as restated below:

Indigenous Open Space in Preserve:
Upland Preserve 106.13± acres
(Eco-Park, Indian Mound, Northern & Southern Upland "Islands" and Historical Cemetery)
Wetland Preserve 371.19± acres
(Freshwater and Saltwater)

Golf Course Open Space:
Golf Course 100.00± acres minimum
(To include extra indigenous preservation where possible)

Commercial Open Space to be Provided by Percentage:

All Commercial (except Marina Parcel)	20% minimum on each lot, tract or outparcel
Marina Parcel	10% of tract

Residential Private Open Space to be Provided by Percentage:

All Single-Family lots	10% minimum
Multi-Family Parcels	15% minimum

22. If a proposed bald eagle management plan includes development within 750 feet of an eagle's nest, the plan must be submitted to the Lee County Eagle Technical Advisory Committee (ETAC). ETAC will review the plan and forward recommendations to the FGFWFC and USFWS.

23. As a condition of approval, the County and FGFWFC shall review and approve the results of all studies and surveys required for implementation of a Final Management Plan required by the preliminary management plan approved as part of local Development Order 90-10-003.00D. These approvals shall be obtained prior to Certificate of Compliance for local Development Order #90-10-003.00D, or new/amended local Development Orders on the beach park.

24. The area identified as the Pelican Landing Eco-Park on the Master Concept Plan will be set aside as a 78± acre preserve area of xeric scrub and pine flatwoods to mitigate the impacts to gopher tortoise habitat.

25. The developer shall obtain an Incidental Take Permit prior to development within any gopher tortoise habitat areas. The gopher tortoises addressed by the Incidental Take Permit must be relocated to the Eco-Park, or other appropriate open space areas within Pelican Landing.

26. Should any orchids, wild pine air plants, Florida Coontie, Catesby's lilies, leather ferns, royal ferns, or cabbage palms with golden polypody and shoestring ferns be located within development areas, then best efforts must be used to relocate these plants to open space and landscaped areas.

27. All areas designated as Preserve on the adopted Master Concept Plan and the DRI Map H must remain undeveloped and be owned, maintained, and managed by a Uniform Community Improvement District or other similar legal entity. No lot lines shall be allowed within any Preserve area. The following uses are permitted within Preserves: habitat management activities, hiking and nature study, outdoor education, recreational fishing, gates and fencing, and boardwalks. Trimming of mangroves for visual access shall be prohibited in wetland areas #14 and 21 (as identified in DRI ADA) and Bay Cedar Phase II (along Spring Creek).

28. Boardwalk location and alignment within "Preserve Areas" shall be submitted to and approved by the Division of Natural Resources Management prior to construction. The maximum width must be limited to that which

is adequate for pedestrian and handicap access. With the exception of wheelchairs, motorized vehicle use is prohibited. Nothing herein prohibits the developer from seeking permits in the future to establish a tramway via an alignment which proceeds as directly as feasible from the hotel to Coconut Point.

29. As part of local Development Order approval for any phase of the development, an invasive exotic vegetation removal and maintenance plan must be submitted to the Division of Natural Resources Management for approval. At a minimum, this plan must be structured to provide for the phased removal of invasive exotic vegetation and maintenance to control exotic re-invasion within the wetland and upland preserve areas. Removal within preserve areas may be done on a pro rata basis as phased local Development Orders are obtained.

30. The developer must incorporate native vegetation into the design of future golf holes, open space and landscaped areas, where feasible.

31. The developer must design the golf course and conduct maintenance, which includes fertilization and irrigation, in a manner which is sensitive to the water and nutrient needs of the native xeric vegetation in and around the golf course. However, this condition will not be interpreted in a manner which forces the applicant to jeopardize the health and viability of the golf course.

32. Areas identified as saltern (FLUCCS Designation 720) must be preserved and protected from human activity through the installation of signage or other measures. Areas identified as Cabbage Palm Hammock (FLUCCS 428, also included in areas identified as 433) may be developed using techniques designed to avoid impacts and retain the native vegetative community as much as possible.

33. Deviation (9) - Withdrawn. Deviations (3) and (7) are hereby approved. Deviations (1), (2), (4), (5), (6), (8), (10), (11), (12) and (13) are hereby approved, with conditions.

Deviation (1) is a request to deviate from the requirement that properties which exhibit soils, hydrology and vegetation characteristic of saltwater inundation or freshwater ponding be subject to certain additional regulations and ordinances, Zoning Ordinance Section 202.11.B.1.b.1 [LDC Section 34-1574], Development Standards Ordinance Section 7.C.4. [LDC Section 10-253] and Ordinance 86-31 Section 6.03 [LDC Section 14-298], to allow access road crossings. Deviation (1) is hereby APPROVED with the following conditions:

a. A maximum of 1.74± acres of Lee County jurisdictional wetlands may be impacted within the entire Pelican Landing DRI. A mitigation plan, subject to Division of Natural Resources Management approval, must be submitted prior to local Development Order approval for each wetland impact. Each mitigation plan must include the following minimum criteria:

    1) The designated mitigation ratio of 5:1, 5:1 acres of mitigation for each acre of impact.

    2) Replacement plants of like species as those removed.

    3) The number of replacement plants. Ratios shall be determined by the proposed size of the replacement plants (the closer the size of the replacement plant to that of the removed plant, the smaller the replacement ratio).

    4) An exotic removal maintenance plan.

    5) A monitoring plan.

Deviation (2) is a request to deviate from the requirement that all parking lots shall be designed so as to permit vehicles exiting the

parking lot to enter the street right-of-way or easement in a forward motion, Zoning Ordinance Section 202.16.C.1. [LDC Section 34-2013(a)], to allow individual parking spaces to back onto right-of-way easement. Deviation (2) is hereby APPROVED with the following condition:

This deviation shall apply to guest parking internal to the residential development areas.

Deviation (3) is a request to deviate from the minimum setback from a structure to a water body of 25 feet, Zoning Ordinance Section 202.18.B. 4.b. [LDC Section 34-2194(b)] to allow 20 feet. Deviation (3) is hereby APPROVED.

Deviation (4) is a request to deviate from the minimum setback from a structure to a seawalled natural body of water of 25 feet, Zoning Ordinance Section 202.18.B.4.b. [LDC 34-2194(b)], to 0 feet. Deviation (4) is hereby APPROVED with the following condition:

This deviation shall apply to the marina site only.

Deviation (5) is a request to deviate from the requirement that internal roads with drives shall not be closer to the development perimeters than 25 feet, Zoning Ordinance Section 480.04.B.1. [LDC Section 34-935(b)(1)], to 15-foot minimum. Deviation (5) is hereby APPROVED with the following condition:

This deviation shall only apply to development perimeters internal to the Pelican Landing DRI.

Deviation (6) is a request to deviate from the requirement that all buildings shall set back from the development perimeter at a distance of 25 feet, Zoning Ordinance Section 480.04.B.1. [LDC Section 34-935(b)(1)], to 15 feet. Deviation (6) is hereby APPROVED with the following condition:

This deviation shall only apply to development perimeters internal to the Pelican Landing DRI.

Deviation (7) is a request to deviate from the requirement that recreation centers and ancillary facilities shall be located at least 40 feet away from any residential dwelling, Zoning Ordinance Section 526.C.2.c.6. [LDC Section 34-2474 (b)(6)], to allow a minimum of 20 feet. Deviation (7) is hereby APPROVED.

Deviation (8) is a request to deviate from the requirement that a roadway width of 35 feet for two-way closed drainage, rear lot drainage, or inverted crown, Development Standards Ordinance Table 9-3 [LDC Section 10-296(b) Table 3.], to allow roadway width to coincide with back of curb. Deviation (8) is hereby APPROVED with the following condition:

This deviation shall only apply to roads classified as local streets within each of the RPD development areas.

DEVIATION (9) IS WITHDRAWN.

Deviation (10) is a request to deviate from the requirement that no portion of a buffer area that consists of trees and shrubs shall be located in any easement, Development Standards Ordinance Section 13.D.1. [LDC Section 10-414], to allow planted buffers in easements. (The maintenance and replacement responsibility shall rest with the developer or homeowner's association or the improvement district). Deviation (10) is hereby APPROVED with the following condition:

Should any required buffer plantings, which have been planted within an easement, have to be removed, then the property owner shall replace these plantings, at no cost to Lee County, with like size and species of plants.

Deviation (11) is a request to deviate from the Lee County Sign Ordinance 85-26, as amended, Section IV.B.2. [LDC Section 30-152], which requires identification signs to be set back a minimum of 15 feet from any right-of-way or easement, to 0 feet. Deviation (11) is hereby APPROVED with the following conditions:

A minimum sight distance of 200 feet shall be maintained, and this shall only be permitted on a right-of-way internal to the overall Pelican Landing development.

Deviation (12) is a request to deviate from the requirement limiting the height of buildings in the Residential Planned Development zoning category within the Outlying Suburban land use category of 45 feet, Zoning Ordinance Section 480.04.F.3.e. [LDC Section 34-935(f)(3)(e)], to allow 20 stories over parking. Deviation (12) is hereby APPROVED subject to condition 12.

Deviation (13) is a request to deviate from the minimum setback from a non-roofed structure to a seawalled artificial body of water, Zoning Ordinance Section 202.18.B.4. [LDC Section 34-2194], to allow a 0-foot setback. Deviation (13) is hereby APPROVED with the following condition:

The required lake maintenance easement shall be provided.

Site Plan 94-014 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings and conclusions were made in conjunction with this approval of RPD and CPD zoning:

A. That Estero Bay is an aquatic preserve and an Outstanding Florida Water.

B. That the mangrove wetlands on the western edge of Applicant's property are not contained with the aquatic preserve, but are part of the estuarine ecosystem that supplies waters to Estero Bay.

C. That the proposed development constitutes a Development of Regional Impact (DRI) under the provisions of Section 380.06, Florida Statutes, and that all adverse impacts are appropriately conditioned in the DRI Development Order.

D. That the eastern portion of the DRI has been developing pursuant to a Preliminary Development Agreement with the Florida Department of Community Affairs.

E. That the westernmost uplands portion of the DRI site lies in a FEMA Zone A Flood Zone, and is susceptible to being flooded in a minimal tropical storm or severe coastal storm event.

F. That there is no error or ambiguity which must be corrected by the approval of the DRI or the CPD/RPD rezoning.

G. That the area surrounding the DRI site is being developed with several large mixed residential/commercial developments, which make approval of this DRI and RPD/CPD appropriate.

H. That the RPD/CPD zoning, as conditioned herein, will not have an adverse effect on the intent of the Zoning chapter of the Land Development Code.

I. That the RPD/CPD zoning, as conditioned herein, is consistent with the Goals, Objectives, Policies and intent of the Lee Plan, and with the densities, intensities, and general uses set forth in the Lee Plan.

J. That the RPD/CPD zoning, as conditioned herein, meets or exceeds all performance and locational standards set forth for the proposed uses.

K. That the RPD/CPD zoning, as conditioned herein, will protect, conserve or preserve environmentally critical areas and natural resources.

L. That the RPD/CPD zoning, as conditioned herein, will be compatible with existing or planned uses, and will not cause damage, hazard, nuisance or other detriment to persons or property.

M. That the RPD/CPD zoning, as conditioned herein, will not place an undue burden upon the transportation or other services and facilities, and will be served by streets having the capacity to carry traffic generated by the development.

N. That the RPD/CPD zoning, as conditioned herein, will comply with all other applicable general zoning provisions and supplemental regulations pertaining to the uses, as set forth in the Land Development Code.

O. That the proposed mix of uses, as conditioned herein, is appropriate at the subject location.

P. That the recommended conditions in the DRI Development Order and the RPD/CPD zoning and other applicable Lee County regulations provide sufficient safeguards to the public interests.

Q. That all recommended conditions in the DRI Development Order and the RPD/CPD zoning are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

R. That each approved deviation enhances the achievement of the objectives of the planned development.

S. That each approved deviation preserves and promotes the general intent of the Zoning chapter of the Land Development Code to protect the public health, safety and welfare.

T. That the Lee Plan Amendment of the 2010 Overlay reallocating residential and commercial acreages from the subdistricts containing the Westinghouse/Gateway DRI must be approved prior to the approval of this DRI and CPD/RPD zoning.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Douglas R. St. Cerny and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Nay
Franklin B. Mann	Aye
John E. Albion	Aye

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

DULY PASSED AND ADOPTED this 29th day of August, A.D., 1994.

ATTEST:
CHARLIE GREEN, CLERK

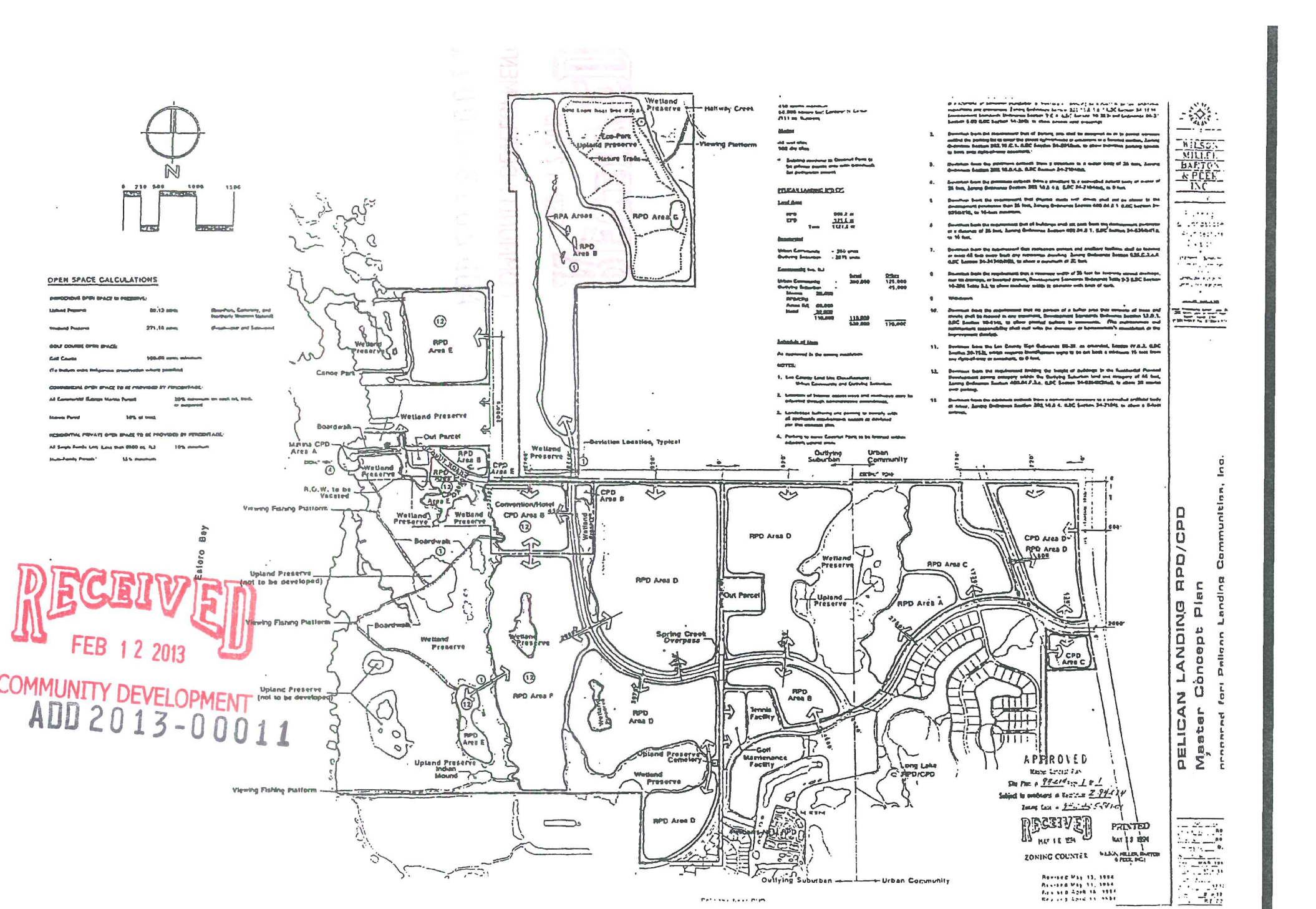
BY: Ruth Traynum
Deputy Clerk

FILED
SEP 28 1994
CLERK CIRCUIT COURT
BY Ruth Traynum D.C.

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY Ray Judah
Chairman

Approved as to form by:
Donna Marie Collins
County Attorney's Office



RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

RECEIVED
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COMMUNITY DEVELOPMENT
ADD 2013-00011

DEVELOPMENT ORDER

FOR

PELICAN LANDING

A DEVELOPMENT OF REGIONAL IMPACT

STATE DRI #1-9293-121

LET IT BE KNOWN, THAT PURSUANT TO SECTION 380.06 OF THE FLORIDA STATUTES, THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, HAS HEARD AT A PUBLIC HEARING CONVENED ON THE 29th DAY OF AUGUST, 1994, THE APPLICATION FOR DEVELOPMENT APPROVAL FOR PELICAN LANDING DRI, A RESIDENTIAL, COMMERCIAL AND MARINA DEVELOPMENT IN LEE COUNTY WHICH INCLUDES APPROXIMATELY 2,100 ACRES TO BE DEVELOPED IN ACCORDANCE WITH THE APPLICATION SUBMITTED TO LEE COUNTY ON OCTOBER 26, 1992, BY THE OWNER/APPLICANT, PELICAN LANDING COMMUNITIES, INC., FORMERLY KNOWN AS WESTINGHOUSE BAYSIDE COMMUNITIES, INC.

WHEREAS, the Board of County Commissioners of Lee County, Florida, has considered the report and recommendations of the Southwest Florida Regional Planning Council, the Lee County Staff, the Lee County Hearing Examiner, the documents and comments upon the record made before the Board in public hearing, and, after full consideration of those reports, recommendations, comments, and documents, the Board of County Commissioners of Lee County, Florida, finds and determines that:

I. FINDINGS OF FACT/CONCLUSIONS OF LAW

A. The "Pelican Landing DRI" is a partially built master planned community on 2,100± acres located approximately three miles north of the Lee/Collier County line. The property is bounded on the west by Estero Bay, on the east by US 41, and on the south by Spring Creek. Coconut Road provides the general northern boundary of Pelican Landing; however, a part of the project is located north of Coconut Road.

The proposal is to construct 4,050 residential units, of which 665 are single-family and 3,385 multi-family, 600,000 square feet of gross floor area of retail commercial, and 210,000 square feet of gross floor area of office commercial. The retail uses will provide up to 2,400 parking spaces and the office uses will provide up to 700 parking spaces. The project will also include 450 hotel rooms, 50,000 square foot conference center, 65 wet boat slips and 150 dry boat slips, various recreational amenities including, but not limited to: golf, tennis, canoe parks, and a beach park for the benefit of the owners in Pelican Landing. There are 87 acres of

upland habitat preserve, 507 acres of salt and freshwater wetlands, 208 acres of water management lakes, 140 acres of public and private rights-of-way, 6 acres of utilities and a .11 acre cemetery site.

Water supply and wastewater treatment, and reclaimed water, when available, will be provided by Bonita Springs Utilities, Inc. The project buildout is the year 2002.

B. LEGAL DESCRIPTION: In Sections 05, 07, 08, 09, 16, 17, 18, 20, and 21, Township 47 South, Range 25 East, and Sections 13 and 24, Township 47 South, Range 24 East, Lee County, Florida:

PARCEL 1

A tract or parcel of land lying in Sections 08, 09, 16, 17, 20 and 21, Township 47 South, Range 25 East, Lee County, Florida, which tract or parcel is described as follows:

BEGINNING at a concrete monument marking the Northeast corner of said Section 20 run S00°35'25"E along the East line of said section for 2,659.47 feet to the Southeast corner of the Northeast Quarter (NE¼) of said section;
THENCE run N88°52'49"E along the North line of the Southwest Quarter (SW¼) of said Section 21 for 2,040.41 feet;
THENCE run S00°51'35"E for 801.04 feet to the waters of Spring Creek;
THENCE run along Spring Creek for 3,630 feet, more or less to an intersection of the East line of said Section 20 and the approximate centerline of Spring Creek;
THENCE run along said centerline the following courses:
S78°50'00"W for 181.31 feet,
N34°24'12"W for 230.22 feet,
N30°59'12"W for 174.93 feet,
N24°25'16"E for 120.83 feet,
S65°47'43"E for 219.32 feet,
N18°24'43"E for 158.11 feet,
N75°11'47"W for 351.71 feet,
N65°09'33"W for 451.88 feet,
N84°18'44"W for 351.75 feet,
N66°54'31"W for 445.79 feet,
S63°24'43"W for 134.16 feet,
S03°23'22"E for 170.29 feet,
S50°30'17"W for 220.23 feet,
N84°49'43"W for 331.36 feet,
S62°13'07"W for 214.71 feet,
S22°08'36"W for 291.55 feet,
S72°15'11"W for 131.22 feet to an intersection with the East line of the Southwest Quarter (SW¼) of said Section 20;
THENCE run N00°50'19"W along said East line for 520.00 feet to the Northeast corner of said fraction;

continued...

THENCE run S89°58'37"W along the North line of said fraction for 290.00 feet to an intersection with the approximate centerline of the most Easterly branch of said Spring Creek;
THENCE run along said centerline the following courses:
N09°13'28"W for 137.34 feet,
N29°08'22"W for 590.59 feet,
N38°31'58"W for 278.03 feet,
N65°16'43"W for 254.95 feet,
N37°18'28"W for 286.01 feet,
N32°51'05"E for 252.39 feet,
N20°11'00"E for 236.69 feet,
N27°23'47"W for 369.25 feet,
N89°15'43"E for 50 feet, more or less to the Easterly shore of said Spring Creek;
THENCE run along said Easterly shore for 1,220 feet, more or less to an intersection with the North line of said Section 20;
THENCE run N89°15'13"E along said North line of said Section for 970 feet, more or less to a concrete monument marking the Northwest corner of the Northeast Quarter (NE¼) of said Section 20;
THENCE run N00°31'30"E along the West line of the Southeast Quarter (SE¼) of said Section 17 for 2,644.38 feet to an intersection with the South line of Spring Creek Road as described in Deed Book 305 at Page 276, Lee County Records;
THENCE run S89°58'35"E along said South line for 739.45 feet;
THENCE run N00°07'58"E for 30.00 feet to an intersection with the North line of the Southeast Quarter (SE¼) of said Section 17;
THENCE run S89°58'35"E along the North line of said fraction for 375.91 feet to the Southeast corner of lands described in Official Record Book 1713 at Page 1188 of said Public Records;
THENCE run N00°41'04"W for 668.20 feet to the Northeast corner of said lands;
THENCE run N89°50'32"W along the North line of said lands for 366.38 feet to the Easterly line of said Spring Creek Road (50 feet wide);
THENCE run N00°07'58"E for 2,007.04 feet to an intersection with the South line of the Southeast Quarter (SE¼) of said Section 08;
THENCE continue N00°07'17"E along said East line for 343.54 feet;
THENCE run S89°38'58"E for 10.00 feet;
THENCE run N00°07'17"E along said East line for 849.27 feet to the Southwest corner of lands described in Official Record Book 2039 at Page 3364 said Public Records;
THENCE run S89°21'02"E along the South line of said lands for 189.98 feet;
THENCE run N00°07'17"E along the East line of said lands for 125.01 feet;

continued...

THENCE run N89°21'02"W along the North line of said lands for 199.98 feet to an intersection with the Easterly line of said Spring Creek Road;
THENCE run N00°07'17"E along said East line for 1,292.76 feet to an intersection with the South line of Coconut Road (50 feet wide);
THENCE run S89°16'14"E along said South line for 1,802.38 feet to an intersection with the West line of said Section 09;
THENCE run N00°39'58"W along said West line for 25.00 feet to a concrete monument marking the Northwest corner of the Southwest Quarter (SW¼) of said Section;
THENCE continue along said West line N00°39'58"W for 5.00 feet to an intersection with the South line of said Coconut Road as described in Official Record Book 1738 at Page 2538, said Public Records;
THENCE run S89°35'50"E along said South line for 3,164.37 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S00°10'56"W along said West line for 621.81 feet to a POINT OF CURVATURE;
THENCE run Southerly and Southeasterly along said West line, along the arc of a curve to the left of radius 5,797.58 feet (chord bearing S04°57'34"E) (chord 1,039.14 feet) (delta 10°17'00") for 1,040.54 feet to a POINT OF TANGENCY;
THENCE run S10°06'04"E along said Westerly line for 938.08 feet to an intersection with the North line of the Northeast Quarter (NE¼) of said Section 16;
THENCE run S89°23'00"W along said North line for 708.94 feet to the Northwest corner of said Northeast Quarter (NE¼) of Section 16;
THENCE run S00°02'54"W along said West line of the Northeast Quarter (NE¼) for 2,643.98 feet to the Southwest corner of the Northeast Quarter (NE¼) of said Section;
THENCE run N89°10'38"E along the South line of said fraction for 538.06 feet;
THENCE run S00°06'43"E for 1,085.91 feet;
THENCE run N89°06'43"E for 744.41 feet to an intersection with the West line of said Tamiami Trail;
THENCE run Southerly along said West line, along the arc of a non-tangent curve to the right of radius 5,619.58 feet (chord bearing S00°22'05"E) (chord 50.21 feet) (delta 00°30'42") for 50.21 feet to a POINT OF TANGENCY;
THENCE run S00°06'43"E along said West line for 49.81 feet;
THENCE run S89°06'43"W for 300.00 feet;
THENCE run S00°06'43"E for 1,445.82 feet to an intersection with the South line of the Southeast Quarter (SE¼) of said Section 16;
THENCE run S89°16'54"W along said South line of said fraction for 989.41 feet to the Southeast corner of the Southwest Quarter (SW¼) of said Section 16;
THENCE run S88°38'34"W along said South line of said Southwest Quarter (SW¼) for 2,627.98 feet to the POINT OF BEGINNING.

continued...

ALSO

PARCEL 2

A tract or parcel of land lying in Sections 07, 08, 17 and 18 which tract or parcel is described as follows:

From a railroad spike marking the Northwest corner of the Southwest Quarter (SW¼) of said Section 08 run S00°23'24"E along the West line of said fraction for 25.00 feet to an intersection with the South line of Coconut Road (50 feet wide) and the POINT OF BEGINNING.
From said POINT OF BEGINNING run S89°16'14"E along said South line for 3,253.00 feet to an intersection with the West line of Spring Creek Road;
THENCE run S00°07'17"W along said West line for 2,610.71 feet to an intersection with the South line of said Section 08;
THENCE run S00°07'58"W along said West line for 2,646.47 feet;
THENCE run N89°58'35"W along the North line of Coconut Road for 689.04 feet to an intersection with the East line of the Northwest Quarter (NW¼) of said Section 17;
THENCE run N89°59'08"W along said North line for 404.79 feet to the Southeast corner of lands described in Official Record Book 411 at Page 759 of said Public Records;
THENCE run N01°31'36"E along the East line of said lands for 960.34 feet;
THENCE run N89°59'08"W along the North line of said lands for 2,200.77 feet to an intersection with the East line of the Northeast Quarter (NE¼) of said Section 18;
THENCE continue N89°59'08"W for 1,840 feet more or less to the waters of Estero Bay;
THENCE run Northerly along the waters of Estero Bay for 8,300 feet more or less to an intersection with the North line of the South Half (S½) of Government Lot 2 of said Section 07;
THENCE run N89°32'15"E along the North line of said Government Lot 2 for 545 feet more or less to the Northwest corner of lands described in Official Record Book 1895 at Page 3817 of said Public Records;
THENCE run S08°50'45"E along the West line of said lands for 199.50 feet;
THENCE run N89°32'15"E along the South line of said lands for 247.50 feet;
THENCE run N89°35'27"E for 666.22 feet;
THENCE run N89°32'15"E for 239.00 feet to an intersection with the West line of Coconut Road;
THENCE run S01°07'45"E along said West line for 488.63 feet;
THENCE run N89°40'05"E along the South line of said Coconut Road for 24.69 feet to the POINT OF BEGINNING.
LESS and EXCEPT lands described in Official Record Book 1677 at Page 3516 of the Public Records of Lee County, Florida.

ALSO

continued...

PARCEL 3

A tract or parcel of land lying in Sections 05 and 08, Township 47 South, Range 25 East, Lee County, Florida, consisting of Lots 8B, 9B, 10B, 11B, 12B, 21B, 22B, 23B, 24B and 25B of FLORIDA GULF LANDCOMPANY SUBDIVISION as recorded in Plat Book 1 at Page 59 of the Public Records of Lee County, also Lot 8, Block 14 of ELDORADO ACRES (an Unrecorded Subdivision), as shown in Deed Book 310 at Page 183 of the Public Records of Lee County, also the East Three-quarters (E-3/4) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of said Section 05, also the East Two-thirds (E-2/3) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section 05, also the East Two-thirds (E-2/3) of the Western Half (W½) of the Northwest Quarter (NW¼) of said Section 08; being more particularly described by metes and bounds as follows:
From the Northwest corner of the Southwest Quarter (SW¼) of said Section 08 run S89°16'14"E along the North line of said Southwest Quarter (SW¼) for 422.61 feet;
THENCE run N01°05'22"W for 40.02 feet to the POINT OF BEGINNING.
From said POINT OF BEGINNING continue N01°05'22"W for 2,610.06 feet;
THENCE run N01°22'23"W for 1,304.41 feet;
THENCE run N89°56'22"W for 107.12 feet;
THENCE run N01°22'55"W for 1,303.87 feet;
THENCE run N89°34'15"E for 2,593.81 feet;
THENCE run S00°26'45"E for 2,655.42 feet;
THENCE run N88°48'50"W along the North line of said Section 08 for 322.66 feet;
THENCE run N89°25'01"W for 587.55 feet;
THENCE run S00°50'16"E for 132.58 feet;
THENCE run N89°11'54"W for 75.00 feet;
THENCE run N00°50'16"W for 132.30 feet;
THENCE run N89°25'01"W for 610.69 feet;
THENCE run S01°00'35"E for 2,612.12 feet to an intersection with the North right-of-way line of Coconut Road;
THENCE run N89°16'14"W along said North right-of-way line for 845.23 feet to the POINT OF BEGINNING.

ALSO

PARCEL 4

All of Government Lot 1, Section 07, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

BEGINNING at a concrete monument marking the Northeast corner of Government Lot 1 of said Section 07, run S01°07'45"E along the East line of said Section 07 for 1,324.52 feet to the

continued...

Southeast corner of said Government Lot 1;
THENCE run S89°33'42"W along the South line of said Government Lot for 1,747.82 feet to a concrete post at the waters of Estero Bay;

THENCE run Northerly and Westerly along the waters of Estero Bay to an intersection with the North line of said Section 07;
THENCE run N89°48'31"E along said North line for 2,575 feet more or less to the POINT OF BEGINNING.

CONTAINING 2,409 acres, more or less.

Bearings hereinabove mentioned are based on the East boundary line of Pelican's Nest Unit No. 1 as recorded in Plat Book 41 at Pages 58 through 60 of the Public Records of Lee County, Florida.

AND

BEACH PARCEL

A tract or parcel of land lying in Government Lot 3, Section 13, and Government Lot 2, Section 24, Township 47 South, Range 24 East, Big Hickory Island, Lee County, Florida, which tract or parcel is described as follows:
From the center of a turnaround on SR 865 (Bonita Beach Road) being S.R.D. Station 19184.75 and N24°28'41"W along the northern prolongation of said centerline of SR 865 for 266.00 feet;
THENCE run S62°26'49"W for 98.40 feet;
THENCE run N27°33'11"W for 1,863.42 feet;
THENCE run N20°00'41"W for 1,403.30 feet;
THENCE run N65°00'00"E for 313.91 feet to the POINT OF BEGINNING.
From said POINT OF BEGINNING run N18°55'11"W for 97.51 feet, N22°26'23"W for 100.53 feet, N23°09'50"W for 100.14 feet, N14°51'19"W for 73.01 feet, N27°40'10"W for 88.01 feet, N29°33'57"W for 46.01 feet, N22°14'53"W for 47.27 feet, N20°39'23"W for 46.98 feet, N11°15'38"W for 29.80 feet, N26°10'46"W for 46.87 feet, N09°09'45"W for 48.26 feet, N17°35'56"W for 46.04 feet, N12°49'07"W for 50.04 feet, N29°20'48"W for 69.12 feet, N20°48'58"W for 63.82 feet;
THENCE run N79°23'51"W for 247 feet more or less to an intersection with the Approximate Mean High Water Line of the Gulf of Mexico;
THENCE run Northerly and Northeasterly along said waters for 1,140 feet more or less to an intersection with the South line of lands described in Official Record Book 198 at Page 188 of the Public Records of Lee County, Florida;
THENCE run along said South line, along the arc of a curve to the right of radius 12,000.00 feet for 783 feet to an intersection with the Waters of New Pass;

continued...

THENCE run Southerly, Easterly, Southwesterly and Southerly along said waters for 4,080 feet more or less to an intersection with a line bearing N65°00'00"E and passing through the POINT OF BEGINNING;
THENCE run S65°00'00"W for 181 feet more or less to the POINT OF BEGINNING.

AND

From said POINT OF BEGINNING run S13°03'59"E for 94.16 feet;
THENCE run S19°13'48"E for 50.64 feet;
THENCE run S04°34'15"E for 54.63 feet;
THENCE run S24°53'12"E for 50.09 feet;
THENCE run S27°10'29"E for 50.01 feet;
THENCE run S31°01'44"E for 42.51 feet to an intersection with the South line of lands described in Official Record Book 2246 at Page 4413 of the Lee County Records;
THENCE run N65°00'00"E along said South line for 134 feet, more or less to the waters of Estero Bay;
THENCE Northerly along said waters for 358 feet, more or less to an intersection with a line bearing N65°00'00"E and passing through the POINT OF BEGINNING;
THENCE run S65°00'00"W for 181 feet, more or less to the POINT OF BEGINNING.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone.

C. The subject parcel is currently zoned AG-2, RS-1, TFC-2, PUD, RPD, CPD, and IM; the property is partially developed.

D. This Application for Development Approval is consistent with the requirements of Section 380.06, Florida Statutes.

E. The development is not located in an area designated as an Area of Critical State Concern under the provisions of Section 380.05, Florida Statutes.

F. The development does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development plan applicable to the area. The development is consistent with the State Comprehensive Plan if developed with the conditions set forth herein.

G. The development has been reviewed by the Southwest Florida Regional Planning Council (SWFRPC) and is the subject of the report and recommendations adopted by that body on January 20, 1994, and subsequently forwarded to Lee County pursuant to the provisions of Section 380.06, Florida Statutes; the development, as proposed in the Application for Development Approval (ADA) and modified by this Development Order, is generally consistent with the report and the recommendations of the SWFRPC pursuant to Section 380.06(11).

H. The development is located in the Urban Community, Outlying Suburban and Resource Protection Areas classifications of the Lee Plan with the Privately Funded Infrastructure Overlay and is consistent with the Lee County Comprehensive Plan and Lee County's Land Development Regulations if subject to the conditions contained in this Development Order.

I. The proposed conditions below meet the criteria found in Section 380.06(15)(d), Florida Statutes.

II. ACTION ON REQUEST AND CONDITIONS OF APPROVAL

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Lee County, Florida, in a public meeting which was duly advertised, constituted and assembled the 29th day of August, 1994, that the Development of Regional Impact Application for Development Approval submitted by Westinghouse Bayside Communities, Inc., now known as Pelican Landing Communities, Inc., hereinafter referred to as "Developer" or "Applicant", is hereby ordered Approved subject to the conditions, restrictions, and limitations which follow. For the purposes of this Development Order, the term "developer" shall include his/her successors or assigns, and all references to County Ordinances and codes include future amendments.

A. Historical/Archaeological Sites

1. The Zenith Mound Archaeological Site (State Master File #8LL1436) and the Johnson Cemetery (State Master File #8111440) will be preserved in perpetuity and will be recorded as "preserve" on all appropriate plats, site plans, and the Master Development Plan for the Pelican Landing DRI.

2. If any additional archaeological/historical sites are uncovered during development activities, all work in the immediate vicinity of such sites will cease. The developer shall immediately contact the Florida Department of State, Division of Historical Resources, the SWFRPC, and Lee County and advise them of the discovery. The developer will have a State-certified archaeologist determine the significance of the findings and recommend appropriate preservation and mitigation actions, if necessary.

B. Housing

1. No mitigation for affordable housing is required as a result of this development. Based on available supply, there is no unmet affordable housing need for either very low or low income households resulting from this development in Planning Horizon I (through December 1997). Utilizing supply data not adjusted to account for the fact that housing sells for less than the listed price, Planning Horizon II (January 1998 through December 2002) would have an unmet need of 99 affordable units for very low income and no unmet need for low income households. Utilizing supply data

adjusted to account for the fact that housing sells for less than the listed price, Planning Horizon II would have an unmet need of only 38 affordable housing units for very low income households and still no unmet need for low income households. This number of needed units for Planning Horizon II, using either the unadjusted or adjusted housing supply data, is below the level of regionally significant impact as determined by DCA and SWFRPC.

These findings are in accordance with applicable DCA and SWFRPC policy. The basis of analysis for determining unmet need is the 1991 DCA agreed upon draft methodology for determining affordable housing demand study, and need. The level of regionally significant impact is SWFRPC policy, based upon DCA rules and guidelines. The supply adjustment figures mentioned above are based on actual sales prices relative to listed prices. Affordability thresholds for owner occupied affordable housing are determined using PITI (Principal, Interest, Taxes, and Insurance) calculations methodology as outlined in the DCA 1991 Draft methodology.

C. Hurricane Preparedness

1. Within six months, after the effective date of this DRI Development Order, the developer shall provide and connect a portable diesel powered generator for the Gateway Elementary School. The generator must be equipped with a fuel tank, capable of generating enough power to handle the demands of ventilation fans, lighting, life safety equipment (alarms and intercom), and refrigeration and cooking equipment. The developer will be responsible for the initial electrical hook-up costs. The selection of the generator will be in coordination with Lee County Emergency Management Staff.

2. The Lee County Emergency Management staff will act as a liaison between the developer and the Lee County School District staff, and will make all of the necessary arrangements for the location of the generator on Lee County School Board property.

3. The provision of the generator serves to mitigate the shelter and evacuation impacts of the project at buildout. Should Lee County ever adopt an impact fee, or other type of levy or assessment to provide funding for shelter space and improvements thereto, the developer will be entitled to a credit against the fee or levy in the amount of the cost of the generator, if eligible under the terms of that impact fee or levy.

4. The developer must notify all purchasers of real property within the residential portions of development, through the restrictive covenants, of the potential for storm surge flooding in feet above the Base Flood Elevation, according to the National Weather Services' storm surge model "SLOSH", and the National Flood Insurance Program.

5. The developer must prepare, in conjunction with Lee County Emergency Management and Division of Natural Resources staff, a brochure which advises all marina owners of the measures that can be taken to minimize damage in the event of a hurricane. This brochure must address how boat owners can minimize damage to their vessels, the marina site, neighboring properties and the environment. The brochure must be provided to all boat owners and users at the marina.

6. Prior to the issuance of a Certificate of Occupancy for the Hotel, the developer or the hotel owner/manager must prepare a written hurricane preparation and evacuation/sheltering plan. This plan will be prepared in conjunction with Lee County Emergency Management Staff and must be coordinated with the hurricane evacuation plan for the overall DRI.

7. The Property Owner's Association must host an educational seminar, and will be responsible for obtaining the place for the seminar and for providing the invitations to the homeowners. The time will be coordinated with the Lee County Emergency Services staff, who will provide the education and information at the seminar and will advise the owners of the risks of natural hazards and the action they should take to mitigate the inherent dangers.

8. The developer must develop a hurricane evacuation plan for the DRI. The hurricane evacuation plan shall address and include: a) operational procedures for the warning and notification of all residents and visitors prior to and during a hurricane watch and warning period; b) the educational program set forth in condition 7 above; c) hurricane evacuation; d) the method of advising residents and visitors of hurricane shelter alternatives including hotels and public hurricane shelter locations; e) identification of the person(s) responsible for implementing the plan; and f) how the private security force will be integrated with the local Sheriff's personnel and the Division of Public Safety. The plan shall be developed in coordination with the Lee County Emergency Management officials and must be found sufficient by those officials within six months after the effective date of the DRI DO.

9. The developer, and any successor landowner, will pay any All Hazards Tax properly levied by Lee County to provide for shelter space, upgrades to shelters, and to address other natural disasters.

D. Marina Facilities

1. The developer must create a conservation easement precluding the construction of additional docking facilities beyond those specifically authorized in this Development Order. This conservation easement will be in addition to the 4,000 foot conservation easement already required in Spring Creek. The location and

extent of the conservation easement will be contingent upon navigability of the waterway, and will be established in association with the Florida Department of Environmental Protection (FDEP) permits.

2. All docking and dry storage facilities must be constructed in accordance with the terms and conditions of any FDEP permit or lease, and in accordance with any Lee County dock permit.

3. The developer has constructed dock and channel markers within Estero Bay. The Lee County Division of Natural Resources Management will be permitted to mount regulatory signs on the docks and channel markers owned by the developer. Lee County will be responsible for insuring that the addition of the regulatory signs does not cause the developer to be in violation of any permit condition or FDEP, Coast Guard, or other agency regulation. The regulatory signs will remain the property and maintenance responsibility of the Lee County Division of Natural Resources Management.

4. The marina operator must dispense manatee awareness brochures to all users of the marina facilities. The brochures must also include information regarding channel locations, proper boating routes, and shallow water habitats to be avoided.

5. The developer and marina operator must insure that the marina lighting is directed away from adjacent mangroves and estuarine systems to reduce any negative impacts to the wildlife using these areas.

6. The marina operator will remove or cause to be removed from the marina any boat operator observed violating the guidelines set forth in the manatee awareness brochures or Lee County regulations regarding the protection of manatees.

7. The developer must designate and reserve one wet slip for the Florida Marine Patrol or the Lee County Sheriff's Special Response Unit, if needed by these agencies.

8. The shuttle boat captain and marina operator must keep a log of all manatee sightings. The log must reflect the locations, time and date of the sighting, the number of manatees, and the nature of their activity if it can be determined. The log should also note the name of the person recording the sighting. This information must be forwarded to Lee County and FDEP on a periodic basis.

9. The developer must construct an educational board on a Kiosk at the Beach Park. The educational board will be created in conjunction with the Lee County Division of Natural Resources Management, Marine Sciences Program and Turtle Time.

10. The developer will comply with all water quality monitoring requirements imposed by the FDEP and the SFWMD.

11. Any boat wash areas must have a closed loop system that captures and recirculates the water through a filtration or other acceptable system. Any boat repair and maintenance facilities must be in an enclosed, roofed, impervious surfaced area to limit the run-off of contaminated water during a storm event.

12. Once a year the marina operator shall host an Educational and Hurricane Preparedness Workshop for all tenants in the wet slip area. The marina operator shall provide the facility for the seminar and must insure that all tenants are invited. The marina operator will establish the date and time for the workshop in conjunction with Lee County Emergency Management and the Lee County Division of Natural Resources Management, Division of Marine Sciences. Lee County will provide a trained representative who will educate the tenants on natural resources awareness, manatees, safe boating practices, and on proper procedures, prior to and during a hurricane.

13. The dry storage facilities must be located in a building or structure which is designed and constructed to meet all requirements of the Standard Building Code, as adopted by Lee County.

E. Vegetation and Wildlife/Wetlands

The developer has conducted Protected Species surveys in accordance with the Florida Game and Fresh Water Fish Commission (FGFWFC) guidelines and the Lee County Land Development Code. These surveys identified the presence of the following protected species: bald eagle, wood stork, little blue heron, tricolored heron, reddish egret, snowy egret, white ibis, piping plover, Southeastern snowy plover, least tern, American oystercatcher, black skimmer, brown pelican, Atlantic loggerhead sea turtle, and gopher tortoise.

1. There were three bald eagles' nests of concern prior to development order adoption. One nest is on the Pelican Landing property. The other nests are within 1,500 to 1,600 feet of Pelican Landing. The buffers that will affect Pelican Landing property will be established in an eagle habitat management plan.

Prior to development within 2,500 feet of any eagle nest, the Developer shall prepare an eagle management plan which shall be reviewed by DCA, SWFRPC, FGFWFC, Lee County, and USFWS. Said groups shall have a thirty day review period and shall provide all comments to Lee County in writing, which shall have the final approval authority. If a proposed management plan includes development within 750 feet of an eagle's nest, the plan must also be submitted to the Lee County Eagle Technical Advisory Committee (ETAC). ETAC will review the plan and forward recommendations to the FGFWFC and USFWS.

The 2,500 foot limitation is intended to be a temporary restriction to insure the submission and approval of a management plan on a timely basis. The final primary and secondary buffer

zones may be less than 2,500 feet. An eagle management plan will be included as part of an upland habitat protection area management plan.

2. A local development order for the Hickory Island beach park has been issued that permits construction of beach park infrastructure. This development order included a protected species survey and phased Preliminary Management Plan (PMP). The PMP incorporated Lee County Division of Natural Resources Management (DNRM) and Florida Game and Fresh Water Fish Commission (FGFWFC) recommendations.

The PMP requires the developer to provide the county with a conservation easement over the entire parcel, except for the active building areas approved through the local development order. The PMP permits a refinement of the conservation easement boundaries after completion of a one year utilization study, the final conservation easement shall be consistent with the provisions of Section 704.06, Florida Statutes.

The objectives of this one year study were: 1) determine shorebird utilization based on detailed surveys and prepare a shorebird management plan, 2) analyze beach vegetation and prepare a maintenance plan, and 3) monitor beach use by Pelican Landing visitors. Additionally, the PMP requires surveys for identification and protection of sea turtle nests, the construction of three osprey platforms, and a review of the elements of the overall plan to be conditioned on the DRI DO.

As a condition of DRI approval the County and FGFWFC shall review and approve the results of all studies and surveys required for implementation of a Final Management Plan required by the PMP approved as part of local development order 90-10-003.00D. These approvals shall be obtained prior to Certificate of Compliance for local development order #90-10-003.00D, or new/amended local development orders on the beach park. The developer shall utilize best efforts to obtain the approval of the final management plan within 18 months of the effective date of this Development Order.

3. The projected gopher tortoise burrow count is 439, based on an estimate of FGFWFC habitat coverages. Using this figure and the FGFWFC habitat protection guidelines, 75 acres of gopher tortoise habitat must be protected.

The developer will set aside a 78± acre area of xeric scrub and pine flatwoods to mitigate the impacts to the upland gopher tortoise habitat. This area will be known as the Pelican Landing Eco-Park. The Eco-Park area contains significant portions of the xeric oak habitat existing on the Pelican Landing DRI site.

A Gopher Tortoise Population Study and Management Plan was submitted to the Florida Game and Fresh Water Fish

Commission on or about December 22, 1993. The Developer shall submit a copy of the management plan to the DCA, SWFRPC, and Lee County for review. The agencies shall have a thirty day review period. The agencies shall provide all comments regarding the management plan to Lee County in writing which shall have the final approval authority. The Developer has submitted for an Incidental Take Permit for the gopher tortoises located outside of the Eco-Park in the undeveloped portion of Pelican Landing. The Developer shall obtain an Incidental Take Permit prior to proceeding with development within gopher tortoise habitat areas.

The gopher tortoises addressed by the Incidental Take Permit shall be relocated to the Eco-Park, or other appropriate open space areas within Pelican Landing. The Eco-Park mitigates for regional impacts to the gopher tortoise population and xeric scrub within the Pelican Landing DRI.

4. All areas designated as Preserve on the adopted Map H must remain undeveloped and be owned, maintained, and managed by an Improvement District or a similar legal entity. No lot lines shall be allowed within any Preserve area. The following uses are permitted within Preserves: habitat management activities, hiking and nature study, outdoor education, recreational fishing, gates and fencing, and boardwalks limited to pedestrian use. Trimming of mangroves for residential visual access to Estero Bay or Spring Creek shall be prohibited in wetland areas #14 and #21 (as identified in DRI ADA) and Bay Cedar Phase II (along Spring Creek).

5. Should any orchids, wild pine air plants, Florida Coonties, Catesby's lilies, leather ferns, royal ferns, or cabbage palms with golden polypody and shoestring ferns be located within development areas, best efforts must be used to relocate these plants to open space and landscaped areas.

6. As part of local development order approval for any phase of the development, an invasive exotic vegetation removal and maintenance plan must be submitted to the Division of Natural Resources Management for approval. At a minimum, this plan must be structured to provide for the phased removal of invasive exotic vegetation and maintenance to control exotic re-invasion within the wetland and upland preserve areas. Removal within preserve areas may be done on a pro rata basis as phased local development orders are obtained.

7. The existing Pelican's Nest golf course includes native vegetation along the rough and between golf holes. The applicant must continue to incorporate the native vegetation into the design of future golf holes, where feasible. Native vegetation has been retained on individual lots and between tracts in the existing developed area of Pelican Landing. Where feasible, the applicant will continue to incorporate native vegetation into the open space and landscaped areas.

8. The applicant must design the golf course and conduct maintenance, which includes fertilization and irrigation, in a manner which is sensitive to the water and nutrient needs of the native xeric vegetation in and around the golf course. However, this condition will not be interpreted in a manner which forces the applicant to jeopardize the health and viability of the golf course.

9. Upon approval of the management plans referenced in the above, the approved management practices shall then be considered a part of this development order for enforcement purposes, and shall be enforceable in the same manner as a condition of this development order.

10. This project may result in the filling of not more than 8 acres of wetlands. The mitigation for the impact to wetlands will be determined at the time of final permitting, but the mitigation should include the removal of exotic invasives, the restoration of historic hydroperiods, and a total of not more than ten acres of littoral zone plantings.

F. Solid/Hazardous/Medical Waste

1. All storage, siting, and disposal of hazardous wastes and/or hazardous materials must be accomplished in accordance with federal, state, and local regulations. The business owner/operator is responsible for compliance with all permitting, reporting, emergency notification provisions and other regulations relating to hazardous materials and hazardous wastes.

2. All business owners and operators must insure that regulated substances are loaded, off-loaded and stored in an area that is curbed and provided with an impervious base. The impervious base must be maintained free of cracks and gaps so as to contain any spills or leaks.

3. Outdoor storage of hazardous waste is prohibited.

4. Restaurants must be outfitted with grease traps or approved equivalent systems. The owner/operators of any restaurant must follow all applicable codes and regulations for cleaning and maintaining grease traps.

5. If any hotel pool utilizes gaseous chlorine, the pool must be equipped with chemical sensors, alarm devices, or other comparable equipment. The hotel owner/operator shall be responsible for compliance with this requirement and notice of this responsibility/obligation must be included on all deed transfers or lease agreements.

6. Any business that generates hazardous waste defined by the Code of Federal Regulations 40 CFR Part 261, shall notify the

Division of Natural Resources Management for an assessment as required by Section 403.7225, Florida Statutes. This assessment will address any deficiencies in the management practices of hazardous waste generated at the facility.

7. The developer, or any subsequent owner of the golf course, must insure that the golf course maintenance equipment is handled in accordance with all federal, state and local regulations. Specifically, the developer will insure that all wash down facilities comply with FDEP rules regarding chemical residue, and insure the continued recycling of motor oil from maintenance equipment, and insure recycling of used motor oil, used oil filters, anti-freeze, lead acid batteries, cleaning solvents, shop rags, and aerosol cans.

8. The developer must investigate the feasibility of mulching trees and brush for on-site needs.

9. The developer/property owner of each commercial parcel which will be used to store, manufacture or use hazardous materials, shall contact the Lee County Office of Emergency Management, Hazardous Material Representative, prior to obtaining a development order, to discuss the proposed development in relation to potential type, use, and storage of hazardous materials which will be located on the premises.

10. If required by federal, state and/or local regulations:

a. The developer/property owner shall prepare or have available material safety data sheets (MSDS) and submit either copies of MSDS or a list of MSDS chemicals to the appropriate fire department or district and to the Lee County Division of Public Safety.

b. The developer/property owner shall establish an emergency notification system to be used in the event of a hazardous material release.

G. Stormwater Management

1. The surface water management system must be designed, constructed and operated in accordance with the pertinent provisions of Chapters 373 and 403, Florida Statutes; Chapter 40E, Florida Administrative Code; and the South Florida Water Management District "Basis of Review", and any pertinent local regulations regarding the design, construction and maintenance of the surface water management system. This condition applies to anyone obtaining a local Development Order within Pelican Landing. The Bayside Improvement District (a district formed pursuant to Chapter 190, Florida Statutes), must insure that the portion of the system under the ownership and control of the district is operated in accordance with the pertinent portion of the regulatory provisions cited above, and any permit

(construction or operation) issued by the SFWMD. Individual lot owners with on-site wetlands or stormwater retention or detention areas under their control must comply with the pertinent portion of the regulatory provisions cited above and any permit issued by the SFWMD.

2. Water Control Structures must be installed as early in the construction process as practicable to prevent over-drainage or flooding of preserved wetland areas. If the SFWMD establishes a construction schedule or scenario that is contrary to this condition, the permit requirement of SFWMD will control.

3. Any shoreline banks created along on-site stormwater wet detention lakes must include littoral zones constructed consistent with SFWMD requirements. The shoreline banks must be planted in native emergent and submergent vegetation. The developer must establish and maintain, by supplemental planting if necessary, 80 percent cover by native aquatic vegetation within the littoral zone for the duration of the project. The littoral zone will include, at a minimum, the area between high water and ordinary low water.

4. The Bayside Improvement District, and/or all property owners, must undertake a regularly scheduled vacuum sweeping of common streets, sidewalks and parking facilities within the development.

5. The developer must implement the best management practices for monitoring and maintenance of the surface water management systems in accordance with Lee County and South Florida Water Management District guidelines.

6. The SFWMD shall establish all internal surface water management and wetland systems. The developer must set aside all internal surface water management and wetland systems as private drainage easements, common areas, or preserves. These areas must also be identified as specific tracts on the recorded final plat or some other legally binding document acceptable to the County Attorney's office.

H. Transportation

1. Significant Impact

a. The traffic impact assessment for this project assumes the development parameters and land uses shown in Attachment B, "Pelican Landing DRI Development Parameters". The assessment indicates that the significantly impacted roadways and intersections described below will be operating below acceptable levels of service at the end of Planning Horizon I (1997) and buildout (2002). Each annual monitoring report, described in Paragraph H.4, must reflect whether the roadways and intersections described below are significantly impacted or are projected to be significantly impacted by this project in the following year.

b. The Pelican Landing DRI is projected to significantly and adversely impact (as defined by Lee County Administrative Code AC-13-16, dated August 8, 1991, see Attachment C) the following roadways and intersections:

Planning Horizon I (1997)	Needed Improvement
US 41/Corkscrew Road	- Signal retiming
US 41/Williams Road	- Signalization, if warranted
US 41/Coconut Road	- Signalization, if warranted
US 41/Pelican Commercial Entrance	- Northbound left turn lane
	- Southbound right turn lane
	- Eastbound right turn lane
US 41/North Pelican Entrance	- Northbound left turn lane
	- Southbound right turn lane
	- Eastbound left and right turn lanes
	- Signalization, if warranted
US 41/Pelican Landing Parkway/ Old 41	- Southbound dual left turns
	- Signal retiming
US 41/Pelican's Nest Drive	- Northbound left and right turn lanes
	- Southbound left and right turn lanes
	- Eastbound left and thru/right lanes
	- Westbound left and thru/right lanes
	- Signalization, if warranted
US 41/Terry Street	- Signal retiming
US 41/Bonita Beach Road	- Signal retiming
Coconut Road/Spring Creek Road	- Separate NB left & right turn lanes
	- Separate EB thru and right turn lanes
	- Separate WB thru and left turn lanes

Buildout (2002)	
Corkscrew Road	
- Three Oaks Parkway to I-75	- Widen to 4 lanes
Old 41	
- Bonita Beach Road to Terry St.	- Constrained (no widening possible; maximum v/c ratio of 1.85 per 1993 Lee Plan Policy 22.1.9)
US 41	
- Immokalee Road to Old 41 (Collier County)	- Widen to 6 lanes

- Bonita Beach Road to West Terry Street	- Widen to 6 lanes
- West Terry Street to Pelican's Nest Drive	- Widen to 6 lanes
- Coconut Road to Williams Rd.	- Widen to 6 lanes
- Constitution Boulevard to Alico Road	- Widen to 6 lanes
US 41/Corkscrew Road	- Separate EB left and thru/right lanes
	- Westbound dual left turn lanes
	- Signal retiming
US 41/Williams Road	- Signalization, if warranted
US 41/Coconut Road	- Separate EB left and right turn lanes
	- Signalization, if warranted
US 41/Pelican Commercial Entrance	- Northbound left turn lanes
	- Southbound right turn lane
	- Eastbound right turn lane
US 41/North Pelican Entrance	- Northbound left turn lane
	- Southbound right turn lane
	- Eastbound left and right turn lanes
	- Signalization, if warranted
US 41/Pelican Landing Parkway/ Old 41	- Southbound dual left turn lanes
	- Northbound dual left turn lanes
	- Eastbound thru/right turn lane
	- Westbound two thru lanes
	- Signal retiming
US 41/Pelican's Nest Drive	- Northbound left and right turn lanes
	- Southbound left and right turn lanes
	- Eastbound left and thru/right lanes
	- Westbound left and thru/right lanes
	- Signalization, if warranted
US 41/Terry Street	- Northbound dual left turn lanes
	- Separate WB thru and right turn lanes
	- Signal retiming
US 41/Bonita Beach Road	- Signal retiming
Coconut Road/Spring Creek Road	- Separate NB left and right turn lanes
	- Separate EB thru and right turn lanes
	- Separate WB thru and left turn lanes

2. Mitigation

a. The developer will pay impact fees as defined in the Lee County Land Development Code to mitigate Pelican Landing's transportation impacts on the non-site related roads and intersections set forth in Section H.1.b. above. Road Impact Fees are estimated to be $8,783,000 for the land uses identified in Attachment B. Road Impact Fee payments represent the DRI's proportionate share payment for all road and intersection improvements identified in Condition H.1.b as significantly impacted by this project and operating below the adopted level of service standard by 2002. Estimated Road Impact Fees from this project exceed the community's estimated proportionate share dollar amount of all significantly impacted roadway improvements.

If the Land Development Code Chapter governing Impact Fees is repealed, reduced, or made unenforceable by court petition, the Pelican Landing DRI will continue to pay, per individual permit, an amount equivalent to Road Impact Fees prior to such repeal, reduction or court petition. If payment is not made consistent with that schedule, then a substantial deviation will be deemed to occur, and the traffic impacts of Pelican Landing DRI must be reanalyzed to determine appropriate alternative mitigation prior to the issuance of further building permits for the Pelican Landing DRI.

All road impact fee monies paid by the Pelican Landing DRI after adoption of this DRI Development Order will be applied by Lee County toward the non-site related improvements included in Transportation Condition H.1.b., provided those improvements are deemed necessary to maintain the adopted level of service standards and are included in the County's Capital Improvement Program. Should the identified improvements be funded through other sources, in whole or in part, or deemed unnecessary to maintain the adopted level of service standards, Lee County may apply any Pelican Landing impact fees not required for those specific improvements to other improvements consistent with the requirements of the Lee County Land Development Code.

b. If through the local development approval process, the developer constructs, with the approval of the Lee County DOT, an intersection or roadway improvement identified in Paragraph H.1.b, those improvements may be eligible for Road Impact Fee credits. The determination of whether such credits will be granted will be made consistent with the procedures outlined in the Land Development Code.

c. The developer must dedicate 60 feet of right-of-way for Burnt Pine Drive North, from Pelican Landing Parkway to Coconut Road, a distance of 6,926 feet; and for Burnt Pine Drive South from Pelican Landing Parkway to Pelican's Nest Drive, a distance of 2,326 feet. The developer must construct, as a two-lane

access road, Burnt Pine Drive North from Pelican Landing Parkway to Coconut Road, and Burnt Pine Drive South from Pelican Landing Parkway to Pelican's Nest Drive. Credits, if any, for the right-of-way dedication and construction identified above will be issued consistent with the procedures outlined in the Land Development Code. Dedication of the roadway right-of-way and construction of Burnt Pine Drive will occur as follows:

1) Burnt Pine Drive South from Pelican Landing Parkway to Pelican's Nest Drive: coincident with the Certificate of Compliance for the commercial parcel located in the northeast quadrant of the intersection of Burnt Pine Drive South and Pelican's Nest Drive.

2) Burnt Pine Drive North from Pelican Landing Parkway to Pelican Landing North Entrance: under construction no later than December 31, 1998.

3) Burnt Pine Drive North from Pelican Landing North Entrance to Coconut Road: should be under construction no later than December 31, 1999.

d. The developer agrees to reserve 25 feet of additional right-of-way along the south side of Coconut Road from US 41 west to Spring Creek Road to ensure that improvements to Coconut Road are not precluded. Such right-of-way will be dedicated to Lee County if and when requested. Credits, if any, for the right-of-way dedication will be granted at the time of dedication, and must be consistent with the Land Development Code in effect at that time.

e. As a mitigation option, the developer may, with the concurrence of Lee County, make an advance payment of a portion of Pelican Landing's total Impact Fees up to 2 million dollars. Lee County would then utilize the advance payment to accelerate the Project Design & Environmental (PD&E) Study for US 41 from the Collier County line to San Carlos Boulevard. The PD&E Study is currently scheduled in FDOT's Tentative Five Year Work Program for fiscal year 1998/99 (WPI #1114700).

3. Access and Site-Related Improvements

a. The developer will be fully responsible for site-related roadway and intersection improvements required within the Pelican Landing DRI. The developer must pay the full cost for any site-related intersection improvements (including but not limited to signalization, turn lanes and additional driveway through lanes) found necessary by Lee County or the Florida Department of Transportation (FDOT) permitting requirements for the Community's access intersections on US 41, Coconut Road and Spring Creek Road.

b. The Pelican Landing DRI site access points will be located and developed consistent with the Florida DOT's access management classification for US 41, unless otherwise approved by

the Florida DOT. Improvements to those access points will be consistent with the Department's permitting requirements.

c. Site-related improvements will be as defined in the Land Development Code.

d. Except for Spring Creek Road and Coconut Road, all roads located within Pelican Landing will be maintained by the Bayside Improvement District (BID), unless subsequently dedicated to and accepted by Lee County.

4. Annual Monitoring Report

a. The developer will submit an annual traffic monitoring report to the following entities for review and approval: Lee County, the Florida Department of Transportation (FDOT), the Florida Department of Community Affairs (FDCA), and the Southwest Florida Regional Planning Council (SWFRPC).

The first monitoring report will be submitted one year after the date of the issuance of this DRI Development Order. Reports must be submitted annually thereafter until buildout of the project.

b. The monitoring report will be designed in cooperation with the Lee County Department of Transportation, FDOT, the SWFRPC and the FDCA prior to the submittal of the first report. The methodology of the annual traffic monitoring report may be revised if agreed upon by all parties.

c. The annual traffic monitoring report must contain the following information:

(1) P.M. peak hour existing volumes and turning movement counts at all site access onto US 41 and Coconut Road, and a comparison to the project trip generation assumed in the DRI analysis.

(2) For existing conditions and a one-year projection, P.M. peak hour peak season turning movement counts, Pelican Landing's estimated share of traffic, and an estimated level of service for the intersections identified in Paragraph H.1.b as impacted by this project.

(3) For existing conditions and a one-year projection, P.M. peak hour peak season traffic counts, Pelican Landing's estimated share of traffic, and an estimated level of service for the roadway links identified in Paragraph H.1.b as impacted by this project through buildout.

(4) An estimate of when the monitored roadways and intersections will exceed adopted levels of service.

(5) A summary of the status of road improvements assumed to be committed in the ADA, including the following:

Roadway	Segment	Improvement	Schedule
Pelican's Nest Dr.	Pelican's Nest to US 41	0 to 2	Planning Horizon I (1997/98)
Corkscrew Road	I-75 to Treeline Ave.	2 to 4	Planning Horizon I (1997/98)
US 41	Alico Rd. to Island Park Rd.	4 to 6	Planning Horizon I (1997/98)
US 41	Island Park Rd. to south of Daniels Parkway	4 to 6	Planning Horizon I (1997/98)
Bonita Beach Road	Hickory Blvd. to Vanderbilt	2 to 4	Planning Horizon I (1997/98)

(6) A summary of the roadway and intersection improvements listed in Paragraph H.1.b that have been constructed, and the program status of the remainder.

d. If the annual monitoring report confirms that the peak season P.M. peak hour traffic on the significantly impacted roadways exceeds the level of service standards adopted by Lee County, or is projected to exceed the adopted level of service standards adopted by Lee County within the forthcoming 12 months, and if the project is utilizing more than 5% of LOS "D" service volume during peak hour peak season traffic conditions, then further local development orders, building permits and certificates of occupancy may not be granted until the standards of the County's concurrency management system have been met. This means that adequate district-wide level of service capacity must be available through 1999. After 1999, significantly impacted individual links must be operating at the adopted level of service, or an improvement to achieve the adopted level of service is scheduled for construction in the first three years of an adopted local government capital improvement program or state work program.

e. If the annual traffic monitoring report confirms that the peak season P.M. peak hour traffic on the segment of US 41 in Collier County from Immokalee Road to Old US 41 exceeds the level of service standard adopted by Collier County and if the project is utilizing more than 5% of level of service D service volume during peak hour, peak season traffic conditions, then further building permits may not be granted until the subject roadway segment is committed for construction by the Florida Department of Transportation and/or Collier County.

f. In the event the developer confirms that no additional development occurred on any portion of the site for the

year, even after the approval of a local development order, they may submit a Letter of "No Further Transportation Impact" in lieu of fulfilling the transportation monitoring portion of the Annual Monitoring Report.

I. Wastewater Management/Water Supply

1. The developer or the Bayside Improvement District must obtain a South Florida Water Management District Water Use Permit, or a Modification to an existing Consumptive Use Permit for any water withdrawals, and for dewatering activities proposed in connection with on-site construction that does not qualify for a No Notice General Permit, under Rule 40E-20.302(4), F.A.C.

2. Builders within Pelican Landing must utilize ultra-low volume plumbing fixtures, self-closing or metered water faucets, and other water conserving devices/methods consistent with the criteria outlined in the water conservation element of the Bonita Springs Utilities, Incorporated, SFWMD Water Use Permit or the water conservation element of any other approved utility provider utilized by the Development.

3. Developers must utilize xeriscape principles in the landscape design of the project to further the conservation of non-potable water.

4. If reclaimed water is available for use within the project to address a portion of the project's irrigation demands, the developer or Bayside Improvement District, as appropriate, must ensure that on-site lakes, wetlands, and the surface water management system are protected in accordance with the requirements of the SFWMD and FDEP.

5. The developer must provide written assurance that any hazardous commercial effluent, generated by the project, will be treated separately from domestic wastewater, and handled in accordance with FDEP regulations.

6. Except for temporary septic tanks for construction trailers or for sales offices/models, septic tanks are prohibited.

7. All potable water facilities, including any on-site potable water treatment system, must be properly sized to supply average and peak day domestic demand, as well as fire flow demand. The facilities shall be constructed and sized in accordance with all pertinent regulations of the FDEP, Lee County, and any Fire Control District with jurisdiction.

8. All irrigation systems constructed for the golf course, landscaped areas and commercial/office portions of the project must designed to accommodate effluent for irrigation use. Reclaimed water, to the extent it is available, must be used to address irrigation needs. The remaining demand will be satisfied

through approved groundwater or surface water withdrawals. Reclaimed water must be used in accordance with all applicable regulations.

J. Police and Fire Protection

1. Construction must comply with the fire protection requirements of all building, development, and life safety codes adopted by Lee County.

2. Facilities qualifying under the Superfund Amendments Reauthorization Act (SARA) Title III and the Florida Hazardous Materials Emergency Response and Community Right to Know Act of 1988, must file hazardous materials reporting applications in accordance with Sections 302 and 312. Each reporting facility must update these applications annually.

3. The developer must provide for the emergency medical service impacts and fire protection impacts generated by the proposed development as defined by Lee County regulations.

4. If access to development is through a security gate or similar device that is not manned 24 hours per day, the developer must install an override switch in a glass-covered box for use by emergency vehicles, or a comparable system that permits emergency vehicles to access the project.

5. The project's impact on fire protection and rescue service delivery will be met by the ad valorem taxes, EMS impact fees and fire impact fees.

III. LEGAL EFFECT AND LIMITATIONS OF THIS DEVELOPMENT ORDER, AND ADMINISTRATIVE REQUIREMENTS

1. This Development Order constitutes a resolution of Lee County, adopted by the Board of County Commissioners in response to the Development of Regional Impact Application for Development Approval filed for the Pelican Landing DRI.

2. All commitments and impact mitigating actions volunteered by the developer in the Application for Development Approval and supplementary documents which are not in conflict with conditions or stipulations specifically enumerated above are incorporated by reference into this Development Order. These documents include, but are not limited to the following:

(a) Pelican Landing Application for Development Approval, stamped Received October 26, 1992;

(b) Pelican Landing DRI sufficiency response, stamped Received February 5, 1993;

(c) Pelican Landing DRI sufficiency response, stamped Received July 6, 1993;

(d) Pelican Landing DRI sufficiency response, dated September 16, 1993; and

(e) Pelican Landing DRI sufficiency response, stamped Received November 22, 1993.

3. Map H, stamped received September 19, 1994, is attached hereto as Attachment A and is incorporated by reference. It is understood that because it is a concept plan it is very general. The boundaries of development areas and location of internal roadways may be modified to accommodate topography, vegetation, market conditions, traffic circulation or other site related conditions as long as they meet local development regulations. This provision may not be used to reduce the acreage of the Eco-Park or other open space or preserve acreages. It is understood that the precise wetland boundaries are determined by the U.S. Army Corps of Engineers, SFWMD, FDEP and Lee County.

4. The Development Order is binding upon the developer(s) and its assignees or successors in interest. Where the Development Order refers to the Bayside Improvement District, lot owners, business owners, or other specific reference, those provisions are binding on the entities or individuals referenced. Those portions of this Development Order which clearly apply only to the project developer are binding upon any builder/developer who acquires any tract of land within Pelican Landing DRI.

5. The terms and conditions set out in this document constitute a basis upon which the developer and the County may rely in future actions necessary to implement fully the final development contemplated by this Resolution and Development Order.

6. All conditions, restrictions, stipulations and safeguards contained in this Development Order may be enforced by either party by action at law or equity. All costs of such proceedings, including reasonable attorney's fees, will be paid by the defaulting party.

7. Any reference to a governmental agency will be construed to mean any future instrumentality which may be created and designated as successors in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Development Order.

8. If any portion or section of this Development Order is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision will in no manner

affect the remaining portions or sections of the Development Order which will remain in full force and effect.

9. This Development Order grants limited approval and does not negate the developer's responsibility to comply with all applicable federal, state, regional and local regulations.

10. Subsequent requests for local development permits will not require further review pursuant to Section 380.06, Florida Statutes, unless the Board of County Commissioners, after due notice and hearing, finds that one or more of the following is present:

(a) A substantial deviation from the terms or conditions of this Development Order, or other changes to the approved development plans which create a reasonable likelihood of adverse regional impacts or other regional impacts which were not evaluated in the review by the Southwest Florida Regional Planning Council; or

(b) An expiration of the period of effectiveness of this Development Order.

Upon a finding that any of the above is present, the Board must order a termination of all development activity in the development affected by a substantial deviation or expiration of time until such time as a new DRI Application for Development Approval has been submitted, reviewed and approved in accordance with Section 380.06, Florida Statutes, and all local approvals have been obtained.

11. The project has a buildout date of 2002, and a termination date of 2005. This term is based on a ten year buildout and the recognition that a local Development Order, which is valid for three years, may be obtained in the tenth year.

12. The developer and the Bayside Improvement District may not exercise any rights of condemnation to acquire land within the development commonly known as Spring Creek Village, El Dorado Acres, Estero Bay Shores, Mound Key Estates and Spring Creek Estates.

13. The Administrative Director of the Lee County Department of Community Development, or his/her designee, will be the local official responsible for assuring compliance with this Development Order.

14. The project will not be subject to down-zoning, unit density reduction, intensity reduction or prohibition of development until 2005 as long as the Lee Plan amendment proposed in association with this DRI to upwardly adjust the 2010 Overlay allocations for Subdistricts 801 and 806 is adopted and effective.

If the County clearly demonstrates that substantial changes have occurred in the conditions underlying the approval of the Development Order through public hearings on an amendment to the zoning and/or this DRI Development Order then a down-zoning, unit density reduction, or prohibition of development may occur. These changes would include, but would not be limited to, such factors as a finding that the Development Order was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety and welfare.

If the companion plan amendment is adopted, Lee County will reserve to this DRI, the appropriate uses from the allocations established for subdistricts (subdistricts 806/801) of the Lee Plan 2010 Overlay until 2005. This reservation has the effect of reserving all of the acreage transferred from Gateway to Pelican Landing for the duration of the Development Order.

15. The developer, or its successor(s) in title to the undeveloped portion of the subject property, will submit a report annually to Lee County, SWFRPC, FDCA and all affected permit agencies. This report must describe the state of development and compliance as of the date of submission. In addition, the report must be consistent with the rules of the FDCA. The first monitoring report must be submitted to the Administrative Director of the DCA not later than one year after the effective date of this Development Order. Further reporting must be submitted not later than one year of subsequent calendar years thereafter, until buildout. Failure to comply with this reporting procedure is governed by Section 380.06 (18), Florida Statutes. The developer must inform successors in title to the undeveloped portion of the real property covered by this Development Order of this reporting requirement. This requirement may not be construed to require reporting from tenants or owners of individual lots or units.

16. Within six months of the effective date of this Development Order, the Developer will apply for an amendment to this Development Order which incorporates the portion of the Spring Creek DRI located west of US Highway 41 into the Pelican Landing DRI. The amendment will contain a description of that portion of the Spring Creek DRI and the conditions of the Spring Creek Development Order which are applicable to the Spring Creek West property. The amendment will not be deemed a substantial deviation under Chapter 380, Florida Statutes. The impacts of the Spring Creek development will not be considered separately or cumulatively in any future change to the Pelican Landing Development Order. A change in the development plan for the Spring Creek property could be a substantial deviation which would require further analysis of Spring Creek West. This amendment is to be adopted solely for the purpose of consolidating Spring Creek West and Pelican Landing under the same Development Order Development Order and none of Spring Creek West's vested rights will be lost because of this amendment.

17. The County will forward certified copies of this Development Order to the SWFRPC, the developer, and appropriate state agencies. This Development Order is rendered as of the date of that transmittal, but will not be effective until the expiration of the statutory appeal period (45 days from rendition) or until the completion of any appellate proceedings, whichever time is greater. Upon this Development Order becoming effective, the developer must record notice of its adoption in the office of the Clerk of the Circuit Court, as provided in Section 380.06(15), Florida Statutes.

THE MOTION TO ADOPT this Resolution approving and adopting this Development Order was offered by Commissioner John Manning, and seconded by Commissioner Douglas St. Cerny and upon poll of the members present, the vote was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Nay
Franklin B. Mann	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 29th day of August, 1994.

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: Ray Judah
(Chairman)

ATTEST:
Charlie Green, Ex - Officio Clerk
Board of County Commissioners
_____, Clerk

By: Ruth Frymier
Deputy Clerk

APPROVED AS TO FORM

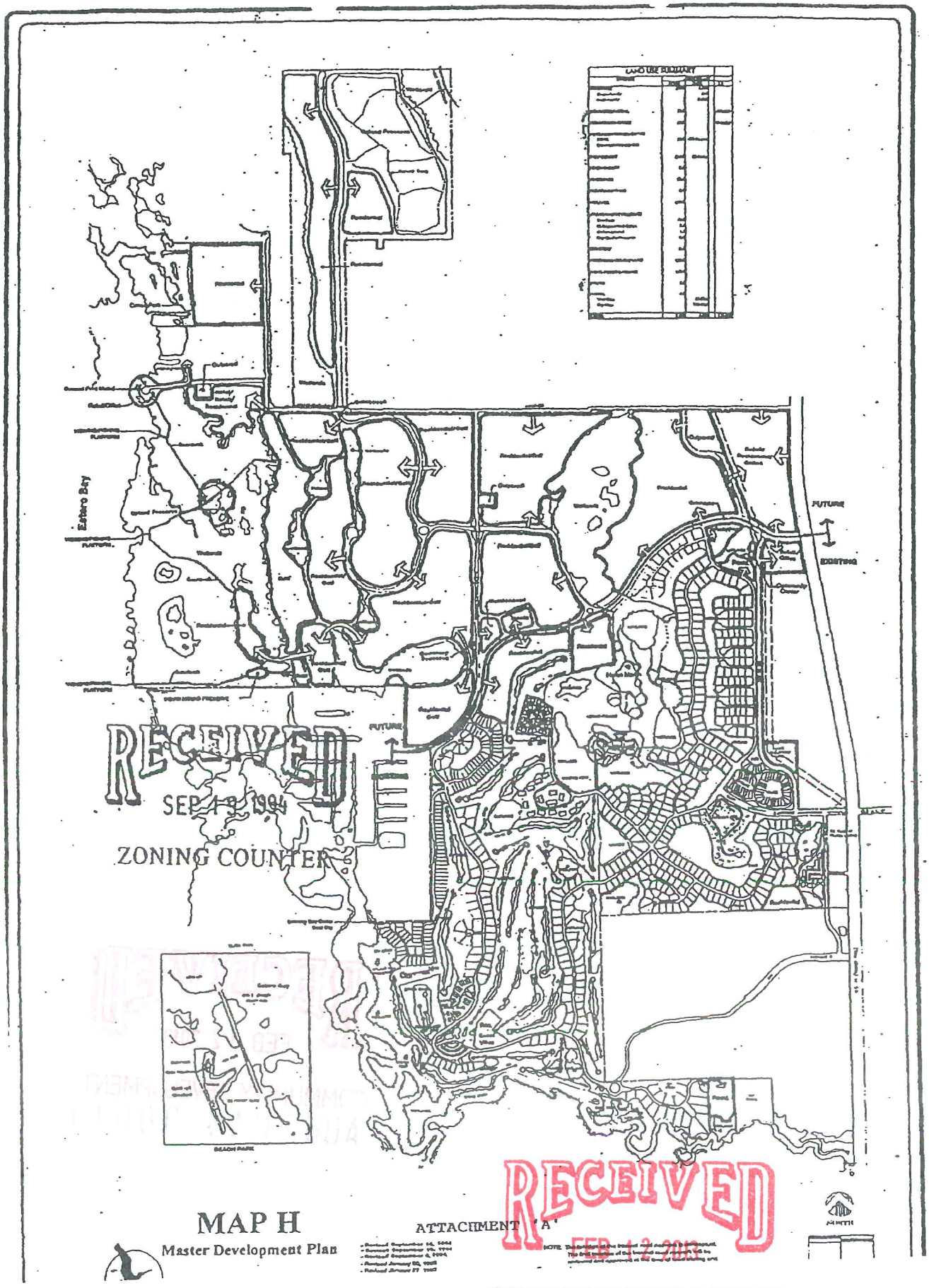
By: Donna Marie Collins
County Attorney's Office

FILED

SEP 26 1994

CLERK CIRCUIT COURT
BY Ruth Frymier D.C.

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011



RECEIVED
SEP 19 1994
ZONING COUNTER

MAP H

Master Development Plan

ATTACHMENT "A"

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD2013-00011

ATTACHMENT "B"

PELICAN LANDING DRI
DEVELOPMENT PARAMETERS

Land Use	Units[1]	Existing (1992	Planning Horizon I (1997)	Buildout Total (2002)
Residential	DU	969	2,433	4,050
Single Family	DU	373	625	665
Multi Family	DU	596	1,808	3,385
Retail[2]	GFA	11,000	291,000	600,000
Office[3]	GFA	40,000	150,000	210,000
Hotel	Rooms	0	450	450
Recreation Uses				
Pelican Nest Golf Course/Clubhouse/ Practice Range	Holes	29	38	38
Range Club Golf Course	Holes	0	9	9
Tennis Center	Courts	0	6	12
Coconut Marina	Boat Slips			
	Wet	24	48	48
	Dry	0	150	150
Redfish Point	GFA	5,000	5,000	5,000
	Boat Slips			
	Wet	15	15	15
Other[4]	Boat Slips			
	Wet	2	2	2

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

Footnotes:

1 Units
DU - Dwelling Units
GFA - Square Feet of Gross Floor Area
2 Includes conference center, community center and clubhouse/marina
3 Includes "Foundations"
4 Ancillary Use

ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS

CATEGORY:	CODE NUMBER:
DEVELOPMENT/PLANNING/ZONING	AC-13-16
TITLE:	ADOPTED:
PROPORTIONATE SHARE CALCULATIONS FOR TRANSPORTATION FACILITY NEEDS RESULTING FROM NEW DEVELOPMENT	AUGUST 21,1991
	ORIGINATOR:
	BILL SPIKOWSKI DEPT. OF GROWTH MANAGEMENT
COUNTY ADMIN:	BOARD CHAIRPERSON:
ROBERT GRAY, ACTING COUNTY ADMINISTRATOR	DOUGLAS ST. CERNY

I. PURPOSE:

This document describes procedures to calculate proportionate share costs for proposed developments. All new development is required to pay road impact fees under the terms of Lee County's Roads Impact Fee Ordinance (No. 85-23, as amended). Some developers/applicants may be required to pay a proportionate share of roadway improvement costs under certain conditions as outlined below. These conditions result from the larger size, use, character, or location of the proposed development. Mitigation of impacts on the county's road system is mandated by the Lee County Comprehensive Plan.

II. SCOPE:

The policies and procedures contained in this code have been prepared to aid the development community and Lee County Commissioners and staff in assessing the impacts of larger new developments on the surrounding road network. This code is supplemental in nature:

A. As to Developments of Regional Impact (DRIs), this code supplements the provisions of Chapter 380, Florida Statutes, and Rule 9J-2.0255, Florida Administrative Code.

B. As to Development Agreements, this code supplements Ordinance No. 90-29.

Traffic analysis methodologies deviating from these procedures must be approved by the Lee County Department of Transportation & Engineering.

III. POLICY/PROCEDURE:

A. Pre-application Meeting
A pre-application meeting between the county and the applicant is encouraged. The purpose of this meeting is to review the methodology and procedures and to determine the study period. This will usually be a PM peak hour analysis; however, other time periods may require analysis. This discussion can be held at the same time as the pre-application meeting for the project's Traffic Impact Statement.

B. Projecting Future Year Total and Development Trips
Two separate methodologies are outlined under this section. The first methodology applies to large projects or developments with build-out periods of longer than five years. For purposes of this analysis, projects generating more than 750 peak hour external trip ends and having build-out periods of 5 years or more are generally considered large, all others are small. This first methodology requires use of the latest Lee County FSUTMS computer model for projecting total and development trips. The second methodology applies to smaller projects and projects with build-out periods of five years or less. For these smaller short-range developments, manual traffic analysis methods should be used in place of the FSUTMS computer model.

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1. Larger or Long-Term Developments

   a. The FSUTMS computer model should be used to develop traffic volumes for build-out and interim phase years.

      (1) The latest zonal data should be gathered from the Lee County Department of Transportation & Engineering.

      (2) The model's base and future year zonal data can be used for data interpolation of extrapolation to the appropriate project years (in the absence of existing zonal data).

   b. Future year traffic assignments should be developed for development trips and total trips using the FSUTMS model. The following methods are the recommended DRI traffic impact analysis methodologies as listed in Florida Department of Transportation FSUTMS training course materials:

      (1) Development trips can be determined by using a two-purpose trip table with the second purpose representing all trips with at least one end in the development zone or zones.

      (2) Development trips can also be isolated with the selected links analysis method.

   c. The "net impact methodology" is an unacceptable method for determining development trips. Under this method, volumes from a traffic assignment with the development land use in place are subtracted from assignment volumes with zero land use assumed on the development site. The net impact methodology significantly underestimates development trips on each link. On links further from the site, this methodology often results in an illogical negative number of development trips; thus the methodology is not appropriate as the basis for proportionate share calculations.

2. Smaller or Short-Term Developments

   a. For these developments, it is acceptable to use historic growth rates for traffic projection and manual distribution techniques to determine project trip loadings.

      (1) Appropriate traffic growth rates should be determined based on an examination of historical counts available for the impact area.

      (2) Current traffic counts must be collected for all arterial segments in the impact area.

      (3) Current traffic volumes should be projected to the build-out year and the end of each development phase.

   b. Trip generation for the project under study should be estimated using the latest edition of the ITE Trip Generation manual or other figures acceptable to the Department of Transportation & Engineering. It may be appropriate to apply internal capture assumptions for mixed-use developments and pass-by capture factors for commercial uses on arterial roadways. These factors may be based on the ITE Trip Generation manual or other sources acceptable to the Department of Transportation and Engineering.

   c. Development trips should be assigned to surrounding roadways based on the relative trip activity and location of surrounding land uses.

      (1) The potential origins and destinations for development trips and turning patterns at key intersections should form the basis for these manual distributions.

      (2) Trip attenuation along assigned roadways can be accomplished through an analysis of average trip length and consideration of intervening opportunities for "intercepting" trips along designated paths.

      (3) Thorough documentation of distribution procedures and justifications of all assumptions must be presented.

   d. The total traffic projection on each roadway segment in the study area is calculated generally by adding the assigned development traffic to the projected future year volume.

Mitigation Due to "Significance" and "Adversity"

1. If a roadway link is projected to carry a significant number of development trips and total traffic adversely affects the roadway by exceeding the service volume (capacity), a proportionate share of the improvement cost for that link shall be calculated.

2. For roadway links in the impact area, service volumes must be determined.

   a. Each roadway has a specific service volume based on its unique characteristics.

   b. These service volumes must be determined using procedures based on 1985 Highway Capacity Manual.

   c. The FDOT statewide Generalized Level of Service Tables are applicable only to the broadest planning applications; a more detailed LOS analysis must be used for mitigation purposes. Generalized service volumes have been developed for Lee County, and may be used. They are contained in Chapter IX of the 1990 Amendments to the Lee Plan (see Volume 1 of the supporting documentation).

   d. The ARTPLAN program developed by FDOT is another acceptable method of replicating the 1985 HCM arterial analysis.

3. Each roadway link must be analyzed to determine if development traffic has a significant impact on the roadway.

   a. A significant impact is said to occur when development traffic exceeds 5% of the LOS D service volume for that link.

   b. This significance analysis will determine which roadways fall within the impact area and must then be tested for adversity.

4. A roadway link is determined to be adversely affected if total traffic exceeds the LOS D service volume for that link.

D. Roadway Improvement Costs

1. A proportionate share shall be calculated for design, right-of-way, and construction costs for all links where traffic levels are both significant and adverse.

   a. Roadway improvement cost calculations should be based on cost figures developed specifically for the roadway being analyzed. These cost figures are often available for roadway projects under design by state or local agencies.

   b. If specific costs are unavailable, average cost per mile figures for the required type of roadway improvement should be used. Statewide average cost per mile values have been developed by FDOT for each type of roadway improvement; often local average cost per mile figures are also available.

E. Proportionate Share Calculations for DRIs

1. Proportionate shares shall be calculated using the formula developed by the Southwest Florida Regional Planning Council. This formula is similar to the DRI proportionate share formula adopted by the Department of Community Affairs as contained in Rule 9J-2.0255, F.A.C. The formula is as follows:

$$\text{Proportionate Share Percentage} = \frac{(\text{Development Trips} - \text{Reserve Capacity on Link})}{\text{Added Capacity With Improvement}}$$

   a. "Reserve Capacity" is determined by subtracting future year non-development traffic from the road's service volume. A reserve capacity of zero is used if this calculation results in a negative number.

b. "Added Capacity With Improvement" is the difference between the service volume after the improvement and the service volume before the improvement.

2. The proportionate share percentage is multiplied by the total cost of the roadway improvement for each road link to determine the developer's proportionate share of that improvement.

3. This proportionate share formula is applied to each link on which the development traffic is significant and levels of service are adverse. The sum of these computations is the development's "proportionate share." If this sum is less than the development would pay in road impact fees, it shall not form the basis for an assessment against the development in the DRI or DCI process. If the sum is greater than the development would pay in road impact fees, it will be used in a DRI development order as the figure required to mitigate the development's long-run impact on transportation facilities.

F. Voluntary Proportionate Share Payments in Development Agreements

1. In order to induce Lee County into entering a Development Agreement pursuant to Ordinance No. 90-29, a prospective developer should use this section as the basis for his/her offer to voluntarily construct road improvements or to pay the cost of such improvements.

2. Sections B, C, and D above shall be used to project future travel patterns, to determine "significance" and "adversity," and to estimate roadway improvement costs.

3. Proportionate share payments in Development Agreements shall be calculated by summing the costs of improving each road segment that meets the previously stated tests for "significance" and "adversity," up to a cap of double the road impact fees at current rates for the entire development. The Development Agreement shall be based on the greater of the total costs of needed improvements (as just described) up to the cap of double impact fees, or the proportionate share as calculated under Section E above, whichever is greater.

State of Florida
County of Lee

I [illegible] Clerk of the Circuit Court for [illegible] County, this [illegible] of the [illegible] Minutes thereof.

Given under my hand and seal this 26th day of September, 1991.

[illegible] Clerk
By [illegible] Deputy Clerk

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COMMUNITY DEVELOPMENT
ADD 2013-00011

RESOLUTION NUMBER Z-95-061

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

WHEREAS, Pelican Landing Communities, Inc. has filed an application for an Amendment to the Pelican Landing CPD/RPD Resolution Z-94-014 and Master Concept Plan; and

WHEREAS, the subject property is located between US 41 and Estero Bay, north of Spring Creek to the north and south of Coconut Road; and

LEGAL DESCRIPTION: In Sections 05, 07, 08, 09, 16, 17, 18, 20, and 21, Township 47 South, Range 25 East, and Sections 13 and 24, Township 47 South, Range 24 East, Lee County, Florida:

DRI PARCEL 1

A tract or parcel of land lying in Sections 08, 09, 16, 17, 20 and 21, Township 47 South, Range 25 East, Lee County, Florida, which tract or parcel is described as follows:

Beginning at a concrete monument marking the Northeast corner of said Section 20, run S00°35'25"E along the East line of said section for 2,659.47 feet to the Southeast corner of the Northeast Quarter (NE¼) of said section;
THENCE run N88°52'49"E along the North line of the Southwest Quarter (SW¼) of said Section 21 for 2,040.41 feet;
THENCE run S00°51'35"E for 801.04 feet to the waters of Spring Creek;
THENCE run along Spring Creek for 3,630 feet, more or less to an intersection of the East line of said Section 20 and the approximate centerline of Spring Creek;
THENCE run along said centerline the following courses:
S78°50'00"W for 181.31 feet,
N34°24'12"W for 230.22 feet,
N30°59'12"W for 174.93 feet,
N24°25'16"E for 120.83 feet,
S65°47'43"E for 219.32 feet,
N18°24'43"E for 158.11 feet,
N75°11'47"W for 351.71 feet,
N65°09'33"W for 451.88 feet,
N84°18'44"W for 351.75 feet,
N66°54'31"W for 445.79 feet,
S63°24'43"W for 134.16 feet,
S03°23'22"E for 170.29 feet,

continued...

S50°30'17"W for 220.23 feet,
N84°49'43"W for 331.36 feet,
S62°13'07"W for 214.71 feet,
S22°08'36"W for 291.55 feet,
S72°15'11"W for 131.22 feet to an intersection with the East line of the Southwest Quarter (SW¼) of said Section 20;
THENCE run N00°50'19"W along said East line for 520.00 feet to the Northeast corner of said fraction;
THENCE run S89°58'37"W along the North line of said fraction for 290.00 feet to an intersection with the approximate centerline of the most Easterly branch of said Spring Creek;
THENCE run along said centerline the following courses:
N09°13'28"W for 137.34 feet,
N29°08'22"W for 590.59 feet,
N38°31'58"W for 278.03 feet,
N65°16'43"W for 254.95 feet,
N37°18'28"W for 286.01 feet,
N32°51'05"E for 252.39 feet,
N20°11'00"E for 236.69 feet,
N27°23'47"W for 369.25 feet,
N89°15'43"E for 50 feet, more or less to the Easterly shore of said Spring Creek;
THENCE run along said Easterly shore for 1,220 feet, more or less to an intersection with the North line of said Section 20;
THENCE run N89°15'13"E along said North line of said Section for 970 feet, more or less to a concrete monument marking the Northwest corner of the Northeast Quarter (NE¼) of said Section 20;
THENCE run N00°31'30"E along the West line of the Southeast Quarter (SE¼) of said Section 17 for 2,644.38 feet to an intersection with the South line of Spring Creek Road as described in Deed Book 305 at Page 276, Lee County Records;
THENCE run S89°58'35"E along said South line for 739.45 feet;
THENCE run N00°07'58"E for 30.00 feet to an intersection with the North line of the Southeast Quarter (SE¼) of said Section 17;
THENCE run S89°58'35"E along the North line of said fraction for 375.91 feet to the Southeast corner of lands described in Official Record Book 1713 at Page 1188 of said Public Records;
THENCE run N00°41'04"W for 668.20 feet to the Northeast corner of said lands;
THENCE run N89°50'32"W along the North line of said lands for 366.38 feet to the Easterly line of said Spring Creek Road (50 feet wide);
THENCE run N00°07'58"E for 2,007.04 feet to an intersection with the South line of the Southeast Quarter (SE¼) of said Section 08;

continued ...

THENCE continue N00°07'17"E along said East line for 343.54 feet;
THENCE run S89°38'58"E for 10.00 feet;
THENCE run N00°07'17"E along said East line for 849.27 feet to the Southwest corner of lands described in Official Record Book 2039 at Page 3364 said Public Records;
THENCE run S89°21'02"E along the South line of said lands for 189.98 feet;
THENCE run N00°07'17"E along the East line of said lands for 125.01 feet;
THENCE run N89°21'02"W along the North line of said lands for 199.98 feet to an intersection with the Easterly line of said Spring Creek Road;
THENCE run N00°07'17"E along said East line for 1,292.76 feet to an intersection with the South line of Coconut Road (50 feet wide);
THENCE run S89°16'14"E along said South line for 1,802.38 feet to an intersection with the West line of said Section 09;
THENCE run N00°39'58"W along said West line for 25.00 feet to a concrete monument marking the Northwest corner of the Southwest Quarter (SW¼) of said Section;
THENCE continue along said West line N00°39'58"W for 5.00 feet to an intersection with the South line of said Coconut Road as described in Official Record Book 1738 at Page 2538, said Public Records;
THENCE run S89°35'50"E along said South line for 3,164.37 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S00°10'56"W along said West line for 621.81 feet to a Point of Curvature;
THENCE run Southerly and Southeasterly along said West line, along the arc of a curve to the left of radius 5,797.58 feet (chord bearing S04°57'34"E) (chord 1,039.14 feet) (delta 10°17'00") for 1,040.54 feet to a Point of Tangency;
THENCE run S10°06'04"E along said Westerly line for 938.08 feet to an intersection with the North line of the Northeast Quarter (NE¼) of said Section 16;
THENCE run S89°23'00"W along said North line for 708.94 feet to the Northwest corner of said Northeast Quarter (NE¼) of Section 16;
THENCE run S00°02'54"W along said West line of the Northeast Quarter (NE¼) for 2,643.98 feet to the Southwest corner of the Northeast Quarter (NE¼) of said Section;
THENCE run N89°10'38"E along the South line of said fraction for 538.06 feet;

continued...

THENCE run S00°06'43"E for 1,085.91 feet;
THENCE run N89°06'43"E for 744.41 feet to an intersection with the West line of said Tamiami Trail;
THENCE run Southerly along said West line, along the arc of a non-tangent curve to the right of radius 5,619.58 feet (chord bearing S00°22'05"E) (chord 50.21 feet) (delta 00°30'42") for 50.21 feet to a Point of Tangency;
THENCE run S00°06'43"E along said West line for 49.81 feet;
THENCE run S89°06'43"W for 300.00 feet;
THENCE run S00°06'43"E for 1,445.82 feet to an intersection with the South line of the Southeast Quarter (SE¼) of said Section 16;
THENCE run S89°16'54"W along said South line of said fraction for 989.41 feet to the Southeast corner of the Southwest Quarter (SW¼) of said Section 16;
THENCE run S88°38'34"W along said South line of said Southwest Quarter (SW¼) for 2,627.98 feet to the POINT OF BEGINNING.

ALSO

DRI PARCEL 2

A tract or parcel of land lying in Sections 07, 08, 17 and 18 which tract or parcel is described as follows:

From a railroad spike marking the Northwest corner of the Southwest Quarter (SW¼) of said Section 08 run S00°23'24"E along the West line of said fraction for 25.00 feet to an intersection with the South line of Coconut Road (50 feet wide) and the POINT OF BEGINNING.
From said POINT OF BEGINNING run S89°16'14"E along said South line for 3,253.00 feet to an intersection with the West line of Spring Creek Road;
THENCE run S00°07'17"W along said West line for 2,610.71 feet to an intersection with the South line of said Section 08;
THENCE run S00°07'58"W along said West line for 2,646.47 feet;
THENCE run N89°58'35"W along the North line of Coconut Road for 689.04 feet to an intersection with the East line of the Northwest Quarter (NW¼) of said Section 17;
THENCE run N89°59'08"W along said North line for 404.79 feet to the Southeast corner of lands described in Official Record Book 411 at Page 759 of said Public Records;
THENCE run N01°31'36"E along the East line of said lands for 960.34 feet;
THENCE run N89°59'08"W along the North line of said lands for 2,200.77 feet to an intersection with the East line of the Northeast Quarter (NE¼) of said Section 18;

continued...

THENCE continue N89°59'08"W for 1,840 feet more or less to the waters of Estero Bay;
THENCE run Northerly along the waters of Estero Bay for 8,300 feet more or less to an intersection with the North line of the South Half (S½) of Government Lot 2 of said Section 07;
THENCE run N89°32'15"E along the North line of said Government Lot 2 for 545 feet more or less to the Northwest corner of lands described in Official Record Book 1895 at Page 3817 of said Public Records;
THENCE run S08°50'45"E along the West line of said lands for 199.50 feet;
THENCE run N89°32'15"E along the South line of said lands for 247.50 feet;
THENCE run N89°35'27"E for 666.22 feet;
THENCE run N89°32'15"E for 239.00 feet to an intersection with the West line of Coconut Road;
THENCE run S01°07'45"E along said West line for 488.63 feet;
THENCE run N89°40'05"E along the South line of said Coconut Road for 24.69 feet to the POINT OF BEGINNING.

LESS and EXCEPT lands described in Official Record Book 1677 at Page 3516 of the Public Records of Lee County, Florida.

ALSO:

DRI PARCEL 3

A tract or parcel of land lying in Sections 05 and 08, Township 47 South, Range 25 East, Lee County, Florida, consisting of Lots 8B, 9B, 10B, 11B, 12B, 21B, 22B, 23B, 24B and 25B of FLORIDA GULF LAND COMPANY SUBDIVISION as recorded in Plat Book 1 at Page 59 of the Public Records of Lee County, also Lot 8, Block 14 of ELDORADO ACRES (an Unrecorded Subdivision), as shown in Deed Book 310 at Page 183 of the Public Records of Lee County;
ALSO the East Three-quarters (E-3/4) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of said Section 05;
ALSO the East Two-thirds (E-2/3) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section 05;
ALSO the East Two-thirds (E-2/3) of the Western Half (W½) of the Northwest Quarter (NW¼) of said Section 08; being more particularly described by metes and bounds as follows:

From the Northwest corner of the Southwest Quarter (SW¼) of said Section 08 run S89°16'14"E along the North line of said Southwest Quarter (SW¼) for 422.61 feet;

continued...

THENCE run N01°05'22"W for 40.02 feet to the POINT OF BEGINNING.
From said POINT OF BEGINNING continue N01°05'22"W for 2,610.06 feet;
THENCE run N01°22'23"W for 1,304.41 feet;
THENCE run N89°56'22"W for 107.12 feet;
THENCE run N01°22'55"W for 1,303.87 feet;
THENCE run N89°34'15"E for 2,593.81 feet;
THENCE run S00°26'45"E for 2,655.42 feet;
THENCE run N88°48'50"W along the North line of said Section 08 for 322.66 feet;
THENCE run N89°25'01"W for 587.55 feet;
THENCE run S00°50'16"E for 132.58 feet;
THENCE run N89°11'54"W for 75.00 feet;
THENCE run N00°50'16"W for 132.30 feet;
THENCE run N89°25'01"W for 610.69 feet;
THENCE run S01°00'35"E for 2,612.12 feet to an intersection with the North right-of-way line of Coconut Road;
THENCE run N89°16'14"W along said North right-of-way line for 845.23 feet to the POINT OF BEGINNING.

ALSO

DRI PARCEL 4

All of Government Lot 1, Section 07, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at a concrete monument marking the Northeast corner of Government Lot 1 of said Section 07, run S01°07'45"E along the East line of said Section 07 for 1,324.52 feet to the Southeast corner of said Government Lot 1;
THENCE run S89°33'42"W along the South line of said Government Lot for 1,747.82 feet to a concrete post at the waters of Estero Bay;
THENCE run Northerly and Westerly along the waters of Estero Bay to an intersection with the North line of said Section 07;
THENCE run N89°48'31"E along said North line for 2,575 feet more or less to the POINT OF BEGINNING.
Containing 2,409 acres, more or less.

Bearings hereinabove mentioned are based on the East boundary line of Pelican's Nest Unit No. 1 as recorded in Plat Book 41 at Pages 58 through 60 of the Public Records of Lee County, Florida.

AND

continued...

DRI BEACH PARCEL

A tract or parcel of land lying in Government Lot 3, Section 13, and Government Lot 2, Section 24, Township 47 South, Range 24 East, Big Hickory Island, Lee County, Florida, which tract or parcel is described as follows:

From the center of a turnaround on SR 865 (Bonita Beach Road) being S.R.D. Station 19184.75 and N24°28'41"W along the northern prolongation of said centerline of SR 865 for 266.00 feet;
THENCE run S62°26'49"W for 98.40 feet;
THENCE run N27°33'11"W for 1,863.42 feet;
THENCE run N20°00'41"W for 1,403.30 feet;
THENCE run N65°00'00"E for 313.91 feet to the POINT OF BEGINNING.
From said POINT OF BEGINNING run N18°55'11"W for 97.51 feet, N22°26'23"W for 100.53 feet,
N23°09'50"W for 100.14 feet,
N14°51'19"W for 73.01 feet,
N27°40'10"W for 88.01 feet,
N29°33'57"W for 46.01 feet,
N22°14'53"W for 47.27 feet,
N20°39'23"W for 46.98 feet,
N11°15'38"W for 29.80 feet,
N26°10'46"W for 46.87 feet,
N09°09'45"W for 48.26 feet,
N17°35'56"W for 46.04 feet,
N12°49'07"W for 50.04 feet,
N29°20'48"W for 69.12 feet,
N20°48'58"W for 63.82 feet;
THENCE run N79°23'51"W for 247 feet more or less to an intersection with the Approximate Mean High Water Line of the Gulf of Mexico;
THENCE run Northerly and Northeasterly along said waters for 1,140 feet more or less to an intersection with the South line of lands described in Official Record Book 198 at Page 188 of the Public Records of Lee County, Florida;
THENCE run along said South line, along the arc of a curve to the right of radius 12,000.00 feet for 783 feet to an intersection with the Waters of New Pass;
THENCE run Southerly, Easterly, Southwesterly and Southerly along said waters for 4,080 feet more or less to an intersection with a line bearing N65°00'00"E and passing through the POINT OF BEGINNING;
THENCE run S65°00'00"W for 181 feet more or less to the POINT OF BEGINNING.

AND

From said POINT OF BEGINNING run S13°03'59"E for 94.16 feet;

continued...

THENCE run S19°13'48"E for 50.64 feet;
THENCE run S04°34'15"E for 54.63 feet;
THENCE run S24°53'12"E for 50.09 feet;
THENCE run S27°10'29"E for 50.01 feet;
THENCE run S31°01'44"E for 42.51 feet to an intersection with the South line of lands described in Official Record Book 2246 at Page 4413 of the Lee County Records;
THENCE run N65°00'00"E along said South line for 134 feet, more or less to the waters of Estero Bay;
THENCE Northerly along said waters for 358 feet, more or less to an intersection with a line bearing N65°00'00"E and passing through the POINT OF BEGINNING;
THENCE run S65°00'00"W for 181 feet, more or less to the POINT OF BEGINNING.

Bearings hereinabove mentioned are Plane Coordinate for the Florida West Zone.

PELICAN LANDING RPD PARCEL 1

Tracts or parcels lying in Section 05 and Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows and all consisting of 203.85 acres, more or less.

Parcels in Section 5:
Lots 8B, 9B, 10B, 11B, 12B, and Lots 21B, 22B, 23B, 24B, and 25B of Florida Gulf Land Company's Subdivision, all in Section 05, Lee County, Florida (recorded in Plat Book 1 at Page 59), consisting of 100 acres more or less.

ALSO:
The East Three-Quarters (E-3/4) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼), of said Section 05, consisting of 30 acres, more or less.

ALSO:
The East Two-Thirds (E-2/3) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼), of said Section 05, consisting of 26.67 acres, more or less.

Parcels in Section 8:
The East Two-Thirds (E-2/3) of the West Half (W½) of the Northwest Quarter (NW¼) of said Section 08, consisting of approximately 53.55 acres, more or less, less the Southerly 40.00 feet for the right-of-way of Coconut Road.

ALSO:
Lot 8, Block 14 of El Dorado Acres, an unrecorded subdivision shown in Deed Book 310 at page 183 of the Public Records of Lee County, Florida.

continued...

PELICAN LANDING RPD PARCEL 2

All of Government Lot 1, Section 07, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at a concrete monument marking the Northeast corner of Government Lot 1 of said Section 07 run S01°07'45"E along the East line of said Section 07 for 1,324.52 feet to the Southeast corner of said Government Lot 1;
THENCE run S89°33'42"W along the South line of said Government Lot 1 for 1,747.82 feet to a concrete post at the waters of Estero Bay;
THENCE run Northerly and Westerly along the waters of Estero Bay to an intersection with the North line of said Section 07;
THENCE run N89°48'31"E along said North line for 2,575 feet, more or less to the POINT OF BEGINNING.
Containing 60 acres, more or less.

PELICAN LANDING RPD PARCEL 3

A tract or parcel of land lying in Sections 07, 08, 17 and 18, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a railroad spike marking the Northwest corner of the Southwest Quarter (SW¼) of said Section 08 run S00°23'24"E along the West line of said fraction for 25.00 feet to an intersection with the South line of Coconut Road (50 feet wide) to the POINT OF BEGINNING;
THENCE run S89°16'14"E along said South line for 3,253.00 feet to an intersection with the West line of Spring Creek Road as described in County Commissioners Minute Book 6 at page 210, Public Records, Lee County, Florida;
THENCE run S00°07'17"W along said West line for 2,610.71 feet to an intersection with the South line of said Section 08;
THENCE run S00°07'58"W along said West line for 1,612.27 feet;
THENCE run N89°52'02"W for 5.00 feet to a Point on a curve;
THENCE along the arc of a non-tangent curve to the right of radius 1,070.00 feet (delta 91°03'07") (chord bearing S45°39'32"W) (chord 1,527.04 feet) for 1,700.40 feet;
THENCE run N01°31'36"E for 33.48 feet to the Southeast corner of lands described in Official Record Book 411 at page 759 of said Public Records;
THENCE continue N01°31'36"E along the East line of said lands for 960.34 feet;

continued...

THENCE run N89°59'08"W along the North line of said lands for 2,200.77 feet to an intersection with the East line of the Northeast Quarter (NE¼) of said Section 18;
THENCE continue N89°59'08"W for 1,840 feet, more or less to the waters of Estero Bay;
THENCE run Northerly along the waters of Estero Bay for 6,490 feet, more or less to an intersection with the South line of Government Lot 2 of said Section 07;
THENCE run N89°40'05"E along said South line for 745 feet, more or less;
THENCE run S00°19'55"E for 650.00 feet;
THENCE run N89°40'05"E for 1,107.21 feet to an intersection with the West line of said Section 08;
THENCE run N00°23'24"W along the West line of said Section for 625.00 feet to an intersection with the South line of said Coconut road and said POINT OF BEGINNING;
Containing 547.4 acres, more or less.

PELICAN LANDING RPD PARCEL 4

A tract or parcel of land lying in Sections 08 and 17, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a concrete monument marking the Northwest corner of the Southwest Quarter (SW¼) of Section 09, Township 47 South, Range 25 East, Lee County, Florida, run S00°41'48"E along the West line of said Section 09 for 5.00 feet to an intersection with the South line of Coconut Road (50 feet wide) as described in Official Record Book 1738 at Page 2538, Public Records, Lee County, Florida, and the POINT OF BEGINNING.
From said POINT OF BEGINNING run S00°39'58"E continuing along said West line for 2,606.06 feet to the Southwest corner of said Section 09;
THENCE run S00°41'04"E along the West line of Section 16, Township 47 South, Range 25 East, Lee County, Florida, for 504.83 feet to a point on a curve;
THENCE run along the arc of a curve to the right of radius 2,760.00 feet (delta 21°21'52") (chord bearing S75°03'10"W) (chord 1,023.20 feet) for 1,029.15 feet;
THENCE N20°00'00"W for 580.12 feet;
THENCE N89°52'02"W for 657.66 feet to an intersection with the East line of Spring Creek Road as described in County Commissioners Minute Book 6 at Page 210, Public Records, Lee County, Florida;
THENCE run N00°07'58"E along said East line for 240.32 feet to an intersection with the South line of the Southeast Quarter (SE¼) of said Section 08;
THENCE continue N00°07'17"E along said East line for 343.49 feet;

continued...

THENCE run S89°38'58"E for 10.00 feet;
THENCE run N00°07'17"E along said East line for 499.94 feet to the Southwest corner of lands described in Official Record Book 428 at Page 349, said public records;
THENCE run S89°21'02"E along the South line of said lands for 536.00 feet;
THENCE run N00°07'17"E along the East line of said lands for 474.33 feet;
THENCE run N89°21'02"W along the North line of said lands for 546.00 feet to an intersection with the Easterly line of said Spring Creek Road;
THENCE run N00°07'17"E along said East line for 1,292.76 feet to an intersection with the South line of said Coconut Road;
THENCE run S89°16'14"E along the South line of said Coconut Road 1,802.38 feet to an intersection with the West line of said Section 09 and the POINT OF BEGINNING.
Containing 124.18 acres, more or less.

PELICAN LANDING RPD/CPD PARCEL 1

A tract or parcel of land lying in Section 08, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

From a railroad spike marking the Northeast corner of the Southeast Quarter (SE¼) of said Section 07 run S00°23'24"E along the East line of said fraction for 25.00 feet to an intersection with the South line of Coconut Road (50 feet wide) and the POINT OF BEGINNING.
From said POINT OF BEGINNING run S00°23'24"E along the East line of Section 07 for 625.00 feet;
THENCE run S89°40'05"W for 1,107.21 feet;
THENCE run N00°19'55"W for 650.00 feet to an intersection with the South line of Government Lot 2 of said Section 07;
THENCE run S89°40'05"W along said South line for 745 feet, more or less to an intersection with the waters of Estero Bay;
THENCE run along the waters of Estero Bay for 1,810 feet, more or less to a Point which intersects the North line of the South One-Half (S½) of said Government Lot 2;
THENCE run N89°32'15"E along said North line of the South One-Half (S½) of said Government Lot 2 for 545 feet, more or less to the Northwest corner of lands described in Official Record Book 1895 at Page 3817, Public Records, Lee County, Florida;
THENCE S08°50'45"E along the West line of said lands for 199.50 feet;
THENCE N89°32'15"E along the South line of said lands for 247.50 feet;
THENCE run N89°35'27"E for 666.22 feet;

continued...

THENCE run N89°32'15"E for 239.00 feet to an intersection with the West line of Coconut Road;
THENCE run S01°07'45"E along said West line for 488.63 feet to an intersection with the South line of said Coconut Road;
THENCE run N89°40'05"E along the South line of said Coconut Road for 24.55 feet to the POINT OF BEGINNING.

LESS and EXCEPT lands described in Official Record Book 1677 at Page 3516, Public Records, Lee County, Florida. Containing 39.1 acres, more or less.

PELICAN LANDING RPD/CPD PARCEL 2

A tract or parcel of land lying in the South Half (S½) of Section 09, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:
From the Northwest corner of the Southwest Quarter (SW¼) of said Section 09 run N00°41'48"W for 5.00 feet to the South right-of-way line of Coconut Road (50 foot right-of-way);
THENCE run S89°35'50"E for 1,863.14 feet to the centerline of a certain Florida Power and Light transmission line easement (100 feet wide) as described in Deed Book 229 at Page 48, Public Records, Lee County, Florida, and the POINT OF BEGINNING.

From said POINT OF BEGINNING continue S89°35'50"E along said South right-of-way line for 1,301.22 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S00°10'56"W along said West line for 621.81 feet to a Point of Curvature;
THENCE run along the arc of a curve to the left of radius 5,797.58 feet (delta 10°17'00") (chord bearing S04°57'34"E) (chord 1,039.14 feet) for 1,040.54 feet to a Point of Tangency;
THENCE run S10°06'04"E along said Westerly line for 230.98 feet;
THENCE run S79°53'56"W for 70.57 feet to a Point of Curvature;
THENCE run along the arc of a curve to the right of radius 650.00 feet (delta 49°49'26") (chord bearing N75°11'21"W) (chord 547.59 feet) for 565.23 feet to a Point of Reverse CURVATURE;
THENCE along the arc of a curve to the left of radius 840.00 feet (delta 22°49'21") (chord bearing N61°41'18"W) (chord 332.39 feet) for 334.60 feet to a point on a non-tangent curve;
THENCE along the arc of a curve to the left of radius 180.00 feet (delta 27°59'03") (chord bearing N06°54'21"W) (chord 87.04 feet) for 87.91 feet to a Point of Tangency on the western line of said Florida Power and Light easement;

continued...

THENCE run N20°53'52"W along said Western easement line for 721.03 feet to a Point of Curvature;
THENCE along the arc of a curve to the left of radius 330.00 feet (delta 68°41'58") (chord bearing N55°14'51"W) (chord 372.40 feet) for 395.68 feet to a Point of Cusp;
THENCE run S89°35'50"E for 56.51 feet to a Point of Curvature;
THENCE run along the arc of a curve to the right of radius 530.00 feet (delta 27°42'00") (chord bearing S75°44'50"E) (chord 253.74 feet) for 256.23 feet to an intersection with said centerline of said easement;
THENCE run N20°53'52"W along said centerline for 748.16 feet to an intersection with the South line of said Coconut Road and the POINT OF BEGINNING.
Containing 42.44 acres, more or less.

PELICAN LANDING CPD PARCEL 3

A tract or parcel of land lying in the Southeast Quarter (SE¼) of Section 09, Township 47 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Beginning at the Southwest corner of the Southeast Quarter (SE¼) of said Section 09 run N01°00'24"W along the West line of said Southeast Quarter (SE¼) for 587.77 feet to a point on a non-tangent curve;
THENCE along the arc of a curve to the left of radius 850.00 feet (delta 39°04'25") (chord bearing S80°33'52"E) (chord 568.50 feet) for 579.67 feet to a Point of Tangency;
THENCE run N79°53'56"E for 70.57 feet to an intersection with the West line of Tamiami Trail (SR 45);
THENCE run S10°06'04"E along said West line for 507.09 feet to an intersection with the South line of said Section 09;
THENCE run S89°23'00"W along said South line for 708.94 feet to the POINT OF BEGINNING.
Containing 7.73 acres, more or less.

WHEREAS, a public hearing was properly advertised and held on August 15, 1995, before the Lee County Hearing Examiner who gave full consideration of all the evidence available; and

WHEREAS, a public hearing was properly advertised and held on September 13, 1995, before the Board of County Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS , that the Board APPROVES with conditions, an Amendment to Pelican Landing CPD/RPD Resolution Z-94-014 and Master Concept Plan as follows:

SECTION A. CONDITIONS:

The zoning Amendment and Master Concept Plan are subject to the following conditions:

1. The development of this project will be in accordance with the one-page Master Concept Plan entitled "Pelican Landing RPD/CPD" stamped received May 24, 1995, and the Pelican Landing DRI Development Order #1-9293-121 and DRI Map H.

2. All deviations and conditions approved by Resolution Z-94-014, except as specifically modified herein and by the amended Master Concept Plan, will remain in full force and effect.

3. RPD Areas A and C are hereby DELETED.

4. The remaining RPD areas, B, D, E, and F are limited to a maximum of 2,266 dwelling units.

5. The indigenous open space in preserve areas must be provided as follows (also enumerated on MCP):

Upland Preserve	86.43± acres
Wetland Preserve	342.89± acres

SECTION B. DEVIATIONS:

No additional deviations have been requested.

SECTION C. MASTER CONCEPT PLAN:

A one-page reduced copy of the Pelican Landing RPD/CPD Master Concept Plan is attached to and incorporated into this Resolution by reference.

SECTION D. FINDINGS AND CONCLUSIONS:

The following findings and conclusions were made in conjunction with the approval of the requested zoning:

2. The RPD zoning, as conditioned:

   a. will not have an adverse impact on the intent of the Land Development Code;

   b. is consistent with the goals, objectives, policies and intent of the Lee Plan, and with the densities, intensities, and general uses set forth for the proposed use;

   c. meets or exceeds all performance and locational standards set forth for the proposed use;

d. will protect, conserve and preserve all protected and endangered species, natural habitat and vegetation, in accordance with the Lee Plan and other County development regulations;

e. will be compatible with existing or planned uses and will not cause damage, hazard, nuisance, or other detriment to persons or property; and

f. will not place an undue burden upon existing transportation or other services and facilities. The development will be served by streets with the capacity to carry traffic generated by the development.

3. There is no ambiguity on the Official Zoning Map which must be corrected.

6. Changed or changing conditions exist which make the approval of the request appropriate.

7. The requests were previously found to be consistent with the goals, objectives, policies and intent of the Lee Plan, in particular Policies 1.1.4, 1.1.6, 1.5.1, 1.5.2, and 1.7.6 and Goals 5, 6, 8, 12, 13, 92 and 98. As proposed, the requests remain consistent with the foregoing goals, objectives, policies and intent of the Lee Plan.

8. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve this development.

9. The Master Concept Plan is consistent with the densities, intensities and general uses set forth in the Lee Plan for the Urban Community, Outlying Suburban, RPA and TZ land use categories.

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

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 13th day of September, A.D., 1995.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

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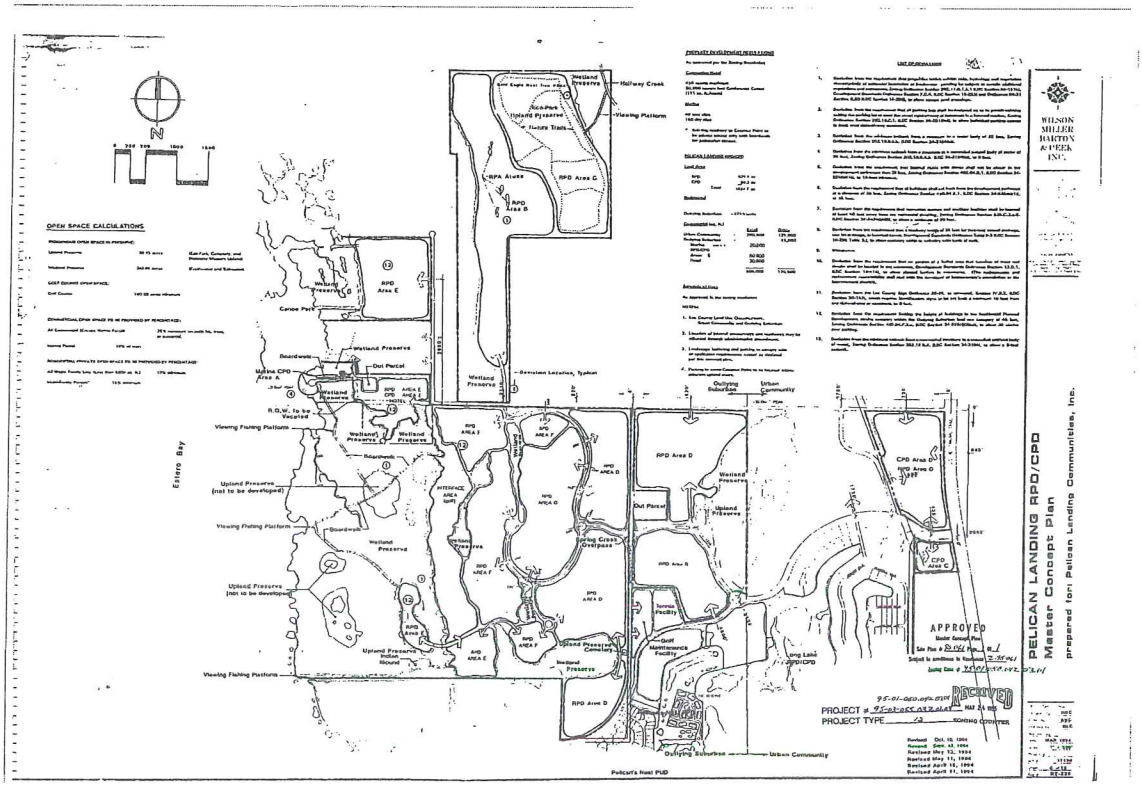
FEB 12 2013
COMMUNITY DEVELOPMENT

ADD2013-00011

FILED
SEP 20 1995
CLERK CIRCUIT COURT
BY: _____ D.C.

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT

ADD 2013-00011



Lee County Property Appraiser

Tax Year

Property Data for Parcel 17-47-25-00-00001.0010

Owner Of Record

WCI COMMUNTIES LLC
24301 WALDEN CENTER DR
BONITA SPRINGS FL 34134

Site Address

VIA DEL CORSO LN
BONITA SPRINGS FL

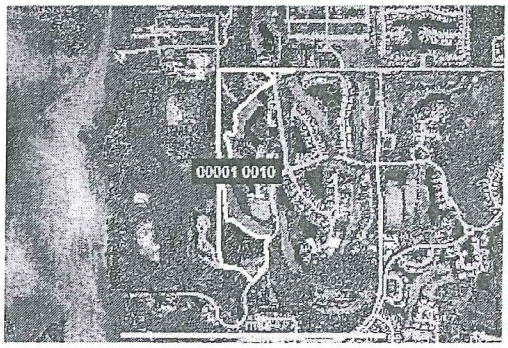
Legal Description

PT OF COLONY AT PELICAN LANDING GOLF COURSE LYING ALONG WEST LINE OF SECTS IN S 1/2 OF 8 + NW 1/4 OF 17 LESS CONDO OR 4447/1384 + LESS CONDO OR 4763/0516 + LESS INST#2006-189682 + 2006-421581 SEE NOTES

Classification / DOR Code

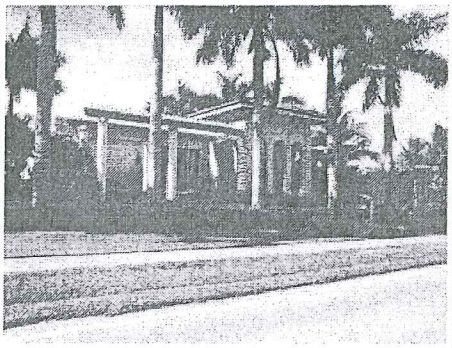
OFFICE, ONE STORY / 17

[Tax Map Viewer]



[Pictometry Aerial Viewer]

Image of Structure



< Photo Date September of 2011 >

Property Values (2012 Tax Roll)

Just	262,817
Assessed	244,097
Portability Applied	0
Cap Assessed	244,097
Taxable	244,097
Cap Difference	0

Exemptions

Homestead / Additional	0 / 0
Widow / Widower	0 / 0
Disability	0
Wholly	0
Senior	0
Agriculture	0

Attributes

Land Units Of Measure	SF
Units	24401.47
Frontage	0
Depth	0
Total Number of Buildings	1
Total Bedrooms / Bathrooms	0 / 2.0
Total Living Area	1,540
1st Year Building on Tax Roll	2002
Historic District	No

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+ Taxing Authorities

+ Sales / Transactions

+ Building/Construction Permit Data

ADD 2013-00011

+ Parcel Numbering History

+ Solid Waste (Garbage) Roll Data

+ Flood and Storm Information

+ Appraisal Details

TRIM (proposed tax) Notices are available for the following tax years
[2007 2008 2009 2010 2011 2012]

INSTR # 2012000126254, Doc Type D, Pages 5, Recorded 06/07/2012 at 11:33 AM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D $0.70 Rec. Fee $44.00 Deputy Clerk WMILLER

This Instrument was Prepared
without Examination or Opinion
of Title By:
WCI Communities, LLC
24301 Walden Center Drive
Bonita Springs, FL 34134

Strap#s: 17-47-25-B2-00001.0000

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COMMUNITY DEVELOPMENT
ADD 2013-00011

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED is executed this 5 day June, 2012 by **2009 REAL ESTATE, LLC, a Delaware limited liability company, successor by conversion of 2009 Real Estate Corporation f/k/a WCI Communities, Inc.,** whose post office address is c/o White & Case LLP, 200 S. Biscayne Blvd., Suite 4900, Miami, Florida 33131, in favor of **WCI COMMUNITIES, LLC,** a Delaware limited liability company (the "Grantee"), whose address is 24301 Walden Center Drive, Bonita Springs, Florida 34134.

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby remises, releases, and quit-claims unto Grantee forever all of the right, title, interest, claim and demand which Grantor has in and to the following real property described on **Exhibit "A"** hereto (the "Property"), situated in the Lee County, State of Florida.

TO HAVE AND HOLD the same together with all and singular the appurtenances thereunto belonging or in any wise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, to the only property use, benefit and behalf of Grantee.

BY ITS ACCEPTANCE HEREOF, Grantee on behalf of itself, its successors in title and all other parties dealing with the Property on behalf or under the authority of Grantee or such successors, acknowledges and agrees that the Property is being conveyed by Grantor "as is, where is with all faults" and without any representations or warranties whatsoever. Accordingly, the acceptance hereof shall constitute a full and complete waiver and release by or on behalf of such parties of any and all claims,

damages or liabilities against or of Grantor and its partners and all of its and their officers, directors, shareholders, parents, subsidiaries, affiliates, managers, agents, successors and assigns.

THE PROPERTY IS CONVEYED PURSUANT TO THE SECOND AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION OF WCI COMMUNITIES, INC. AND ITS AFFILIATED DEBTORS (THE "PLAN") CONFIRMED BY THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE UNDER 11 U.S.C. SECTION 1129 IN THE JOINTLY ADMINISTERED CHAPTER 11 CASE NO. 08-11643 (KJC). THIS CONVEYANCE IS MADE PURSUANT TO THE PLAN, IT IS A PRECONDITION OR ESSENTIAL TO THE CONFIRMATION OF THE PLAN, AND IT IS NECESSARY TO CONSUMMATE OR IMPLEMENT THE CONFIRMED PLAN; THEREFORE, PURSUANT TO 11 U.S.C. SECTION 1146(a) AND FLORIDA ADMINISTRATIVE CODE, RULE 12-B-4.014(15), THIS DEED IS EXEMPT FROM FLORIDA DOCUMENTARY STAMP TAX IMPOSED UNDER FLA. STAT. § 201.02.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Kathleen F. Laidlaw
Print Name: Kathleen F. Laidlaw

Jason Hall
Print Name: Jason Hall

2009 REAL ESTATE, LLC, Delaware limited liability company, successor by conversion of 2009 Real Estate Corporation f/k/a WCI Communities, Inc.

By: 2009 Plan Trust UAD 9/3/09

By: _____
Name: Aurin Primack
Title: Trustee

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FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

STATE OF FLORIDA

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 5 day of June 2012, by Aurin Primack, as Trustee and on behalf of 2009 Plan Trust UAD 9/3/09 for 2009 Real Estate, LLC successor by conversion of 2009 Real Estate Corporation f/k/a WCI Communities, Inc., (X) who is personally known to me or ( ) who has produced _____ as identification.

Kathleen F. Laidlaw
Notary Public, State of Florida

[Notary Seal]

KATHLEEN F. LAIDLAW
MY COMMISSION # DD980094
EXPIRES April 08, 2014
(407) 398-0153 FloridaNotaryService.com

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ADD 2013-00011

EXHIBIT "A"

LEGAL DESCRIPTION

"PARCELS F & G"

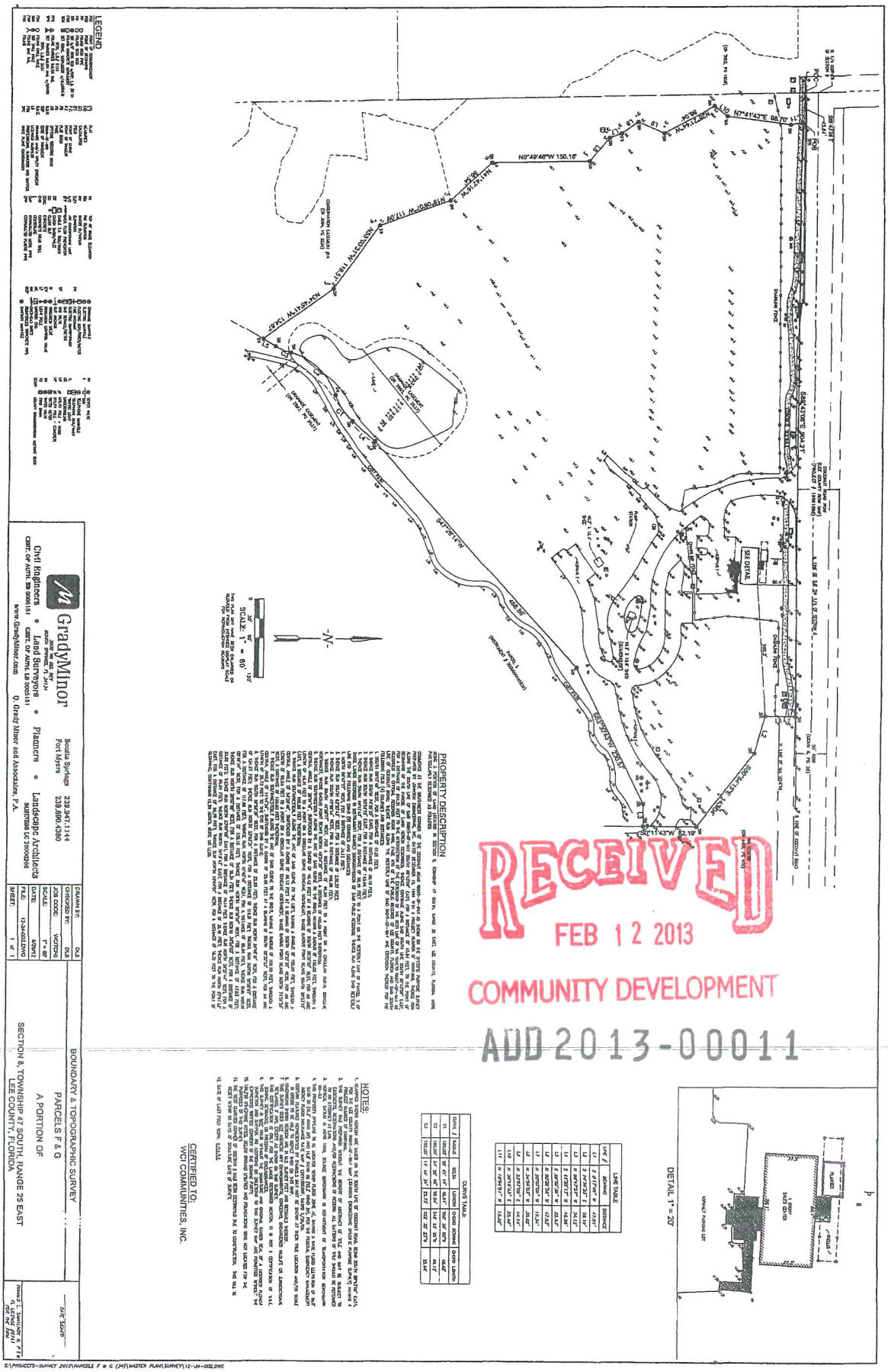
BEING A PORTION OF LAND LOCATED IN SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

1. SOUTH 00°17'49" WEST, FOR A DISTANCE OF 47.01 FEET;
2. THENCE RUN SOUTH 74°36'33" EAST, FOR A DISTANCE OF 58.19 FEET;
3. THENCE RUN SOUTH 50°54'15" EAST, FOR A DISTANCE OF 143.04 FEET;
4. THENCE RUN SOUTH 00°11'43" WEST, FOR A DISTANCE OF 82.19 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 5 OF THOSE LANDS RECORDED IN INSTRUMENT NUMBER 2009000192836 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID WESTERLY LINE FOR THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:

1. NORTH 89°47'57" WEST, FOR A DISTANCE OF 34.12 FEET;
2. THENCE RUN SOUTH 63°30'43" WEST, FOR A DISTANCE OF 230.57 FEET;
3. THENCE RUN SOUTH 47°26'14" WEST, FOR A DISTANCE OF 466.86 FEET;
4. THENCE RUN SOUTH 41°35'17" WEST, FOR A DISTANCE OF 46.90 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 48°24'38" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
5. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 28°01'16", SUBTENDED BY A CHORD OF 48.42 FEET AT A BEARING OF SOUTH 55°36'00" WEST, FOR AN ARC LENGTH OF 48.91 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS SOUTH 20°23'12" EAST, A DISTANCE OF 105.00 FEET THEREFROM;
6. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 105.00 FEET, THROUGH A CENTRAL ANGLE OF 54°28'46", SUBTENDED BY A CHORD OF 96.12 FEET AT A BEARING OF SOUTH 42°22'25" WEST, FOR AN ARC LENGTH OF 99.84 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 74°51'54" WEST, A DISTANCE OF 100.00 FEET THEREFROM;

7. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 14°44'34", SUBTENDED BY A CHORD OF 25.66 FEET AT A BEARING OF SOUTH 22°30'23" WEST, FOR AN ARC LENGTH OF 25.73 FEET TO THE END OF SAID CURVE;
8. THENCE RUN SOUTH 29°52'39" WEST, FOR A DISTANCE OF 22.93 FEET; THENCE RUN NORTH 34°45'41" WEST, FOR A DISTANCE OF 134.67 FEET; THENCE RUN NORTH 53°03'31" WEST, FOR A DISTANCE OF 119.51 FEET; THENCE RUN NORTH 19°08'07" WEST, FOR A DISTANCE OF 117.09 FEET; THENCE RUN NORTH 41°42'16" WEST, FOR A DISTANCE OF 86.54 FEET; THENCE RUN NORTH 00°49'46" WEST, FOR A DISTANCE OF 150.18 FEET; THENCE RUN NORTH 50°28'56" WEST, FOR A DISTANCE OF 47.03 FEET; THENCE RUN NORTH 20°07'09" WEST, FOR A DISTANCE OF 19.34 FEET; THENCE RUN NORTH 34°54'03" WEST, FOR A DISTANCE OF 30.82 FEET; THENCE RUN NORTH 23°07'05" EAST, FOR A DISTANCE OF 44.14 FEET; THENCE RUN NORTH 28°21'44" WEST, FOR A DISTANCE OF 88.04 FEET; THENCE RUN NORTH 39°18'43" EAST, FOR A DISTANCE OF 25.46 FEET; THENCE RUN NORTH 07°41'43" EAST, FOR A DISTANCE OF 98.70 FEET; THENCE RUN NORTH 10°04'01" WEST, FOR A DISTANCE OF 18.32 FEET TO THE POINT OF BEGINNING, CONTAINING 12.26 ACRES, MORE OR LESS.


BOUNDARY & TOPOGRAPHIC SURVEY
PARCELS F & G
A PORTION OF
SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA
GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
CERTIFIED TO:
W/D COMMUNITIES, INC.
PROPERTY DESCRIPTION
NOTES:
DETAIL 1" = 20'
RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

ADMINISTRATIVE AMENDMENT (FPA) ADD2012-00064

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, WCI Communities Inc. filed an application for Final Zoning Plan Approval to a Residential Planned Development (RPD) on a project known as Parcels F & G at The Colony Golf and Bay Club of Pelican Landing for a 96-unit (12 buildings, 8-units each) condominium development with clubhouse, pool, parking and related infrastructure with the following deviation from the Land Development Code (LDC):

1. Section 34-935(e)(4) that requires where there are two or more principal buildings on a development tract, the minimum separation of buildings be one-half the sum of their heights (63 feet) to allow a minimum 50 foot building separation.

WHEREAS, the property is described as:

LEGAL DESCRIPTION: In Section 17, Township 47 South, Range 25 East, Lee County, Florida:

See attached "Exhibit A".

WHEREAS, the subject property is located in the Outlying Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the property was zoned RPD by Resolution Z-94-014 and has been subsequently amended; and

WHEREAS, Condition 1 of Resolution Z-94-014 requires, as a prerequisite to approval of any local Development Order for property located within the RPD, an approved Final Zoning Plan that specifies the type, intensity and configuration of development for the particular site; and

WHEREAS, the objective of a Final Zoning Plan is to ensure compliance with the DRI Development Order, Zoning Resolution, and LDC and to allow detailed review of deviations while allowing development flexibility to respond to changing conditions; and

WHEREAS, Parcel F & G at The Colony Golf and Bay Club of Pelican Landing previously received Final Plan Approval by Administrative Amendment ADD2007-00089 for a 21-story, 280-unit multi-family residential building over one level of parking; and

WHEREAS, the applicant is requesting a new Final Plan Approval for a 96-unit (12 buildings, 8-units each) condominium development with clubhouse, pool, parking and related infrastructure (see Site Plan, Attachment A); and

WHEREAS, as required by Condition 18(b) of Resolution Z-94-014 the applicant has provided a total unit count demonstrating that the proposed 96 units will not exceed the allotted 2,266 dwelling units approved per Resolution Z-94-014 for the Pelican Landing RPD; and

WHEREAS, the Lee County LDC provides for certain administrative changes to planned unit development final development plans; and

WHEREAS, the applicant has requested a deviation from LDC Section 34-935(e)(4) that requires where there are two or more principal buildings on a development tract, the minimum separation of buildings be one-half the sum of their heights, in this case 63 feet, to allow a minimum 50 foot building separation; and

WHEREAS, staff has reviewed the deviation request and finds that the planned development will be enhanced and that the intent of such regulations to protect health, safety and welfare will be served; and

WHEREAS, a letter was provided by the Estero Fire Department stating no objection to a minimum 50 foot separation between buildings; and

WHEREAS, Environmental Sciences staff reviewed the request and had no objection; 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, the subject application and plans have been reviewed for compliance with the MCP and all of the conditions approved by Resolution Z-94-014, as subsequently amended; 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 Final Zoning Plan Approval on a project known as Parcels F & G at The Colony Golf and Bay Club of Pelican Landing for a 96-unit (12 buildings, 8-units each) condominium development with clubhouse, pool, parking and related infrastructure with a deviation from LDC Section 34-935(e)(4) that requires where there are two or more principal buildings on a development tract, the minimum separation of buildings be one-half the sum of their heights (63 feet) to allow a minimum 50 foot building separation is **APPROVED with the following conditions:**

1. Development must be in substantial compliance with the Site Plan stamped RECEIVED AUG 15 2012 COMMUNITY DEVELOPMENT (see Attachment A). Site Plan ADD2012-00064 is hereby Approved and adopted.

2. Approval of the Deviation from LDC Section 34-935(e)(4) is limited to a minimum 50 foot building separation in substantial compliance with the Site Plan (see Attachment A).

3. Approval of this administrative amendment supercedes approval granted by ADD2007-00089. ADD2007-00089 is hereby null and void.

4. The local development order must depict the sales center, ancillary parking lot and access road from Coconut Road to be removed. Prior to obtaining a Certificate of Compliance the sales center, ancillary parking lot and access road from Coconut Road must be removed and the lake infrastructure must be complete and required buffers installed.

5. Prior to local development order approval, the plans must be consistent with all applicable provisions of the Lee County LDC and the terms and conditions of Resolution Z-94-014, as subsequently amended.

DULY SIGNED this 31st day of August, A.D., 2012.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

RECEIVED
FEB 12 2013
COMMUNITY DEVELOPMENT
ADD 2013-00011

PROPERTY DESCRIPTION

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

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

1. SOUTH 00°17'49" WEST, FOR A DISTANCE OF 47.01 FEET;
2. THENCE RUN SOUTH 74°36'33" EAST, FOR A DISTANCE OF 58.19 FEET;
3. THENCE RUN SOUTH 50°54'15" EAST, FOR A DISTANCE OF 143.04 FEET;
4. THENCE RUN SOUTH 00°11'43" WEST, FOR A DISTANCE OF 82.19 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 5 OF THOSE LANDS RECORDED IN INSTRUMENT NUMBER 2009000192836 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID WESTERLY LINE FOR THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:

1. NORTH 89°47'57" WEST, FOR A DISTANCE OF 34.12 FEET;
2. THENCE RUN SOUTH 63°30'43" WEST, FOR A DISTANCE OF 230.57 FEET;
3. THENCE RUN SOUTH 47°26'14" WEST, FOR A DISTANCE OF 466.86 FEET;
4. THENCE RUN SOUTH 41°35'17" WEST, FOR A DISTANCE OF 46.90 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 48°24'36" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
5. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 28°01'16", SUBTENDED BY A CHORD OF 48.42 FEET AT A BEARING OF SOUTH 55°36'00" WEST, FOR AN ARC LENGTH OF 48.91 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS SOUTH 20°23'12" EAST, A DISTANCE OF 105.00 FEET THEREFROM;
6. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 105.00 FEET, THROUGH A CENTRAL ANGLE OF 54°28'46", SUBTENDED BY A CHORD OF 96.12 FEET AT A BEARING OF SOUTH 42°22'25" WEST, FOR AN ARC LENGTH OF 99.84 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 74°51'54" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
7. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 14°44'34", SUBTENDED BY A CHORD OF 25.66 FEET AT A BEARING OF SOUTH 22°30'23" WEST, FOR AN ARC LENGTH OF 25.73 FEET TO THE END OF SAID CURVE;
8. THENCE RUN SOUTH 29°52'39" WEST, FOR A DISTANCE OF 22.93 FEET; THENCE RUN NORTH 34°45'41" WEST, FOR A DISTANCE OF 134.67 FEET; THENCE RUN NORTH 53°03'31" WEST, FOR A DISTANCE OF 119.51 FEET; THENCE RUN NORTH 19°08'07" WEST, FOR A DISTANCE OF 117.09 FEET; THENCE RUN NORTH 41°42'16" WEST, FOR A DISTANCE OF 86.54 FEET; THENCE RUN NORTH 00°49'46" WEST, FOR A DISTANCE OF 150.18 FEET; THENCE RUN NORTH 50°28'56" WEST, FOR A DISTANCE OF 47.03 FEET; THENCE RUN NORTH 20°07'09" WEST, FOR A DISTANCE OF 19.34 FEET; THENCE RUN NORTH 34°54'03" WEST, FOR A DISTANCE OF 30.82 FEET; THENCE RUN NORTH 23°07'05" EAST, FOR A DISTANCE OF 44.14 FEET; THENCE RUN NORTH 28°21'44" WEST, FOR A DISTANCE OF 88.04 FEET; THENCE RUN NORTH 39°18'43" EAST, FOR A DISTANCE OF 25.46 FEET; THENCE RUN NORTH 07°41'43" EAST, FOR A DISTANCE OF 98.70 FEET; THENCE RUN NORTH 10°04'01" WEST, FOR A DISTANCE OF 18.32 FEET TO THE POINT OF BEGINNING, CONTAINING 12.26 ACRES, MORE OR LESS.

NOTES:

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

ADD2013-00011

COMMUNITY DEVELOPMENT

RECEIVED
FEB 12 2013

DCI2012-00064

7-30-12
APPROVED
LEGAL

EXHIBIT A

NOT COMPLETE WITHOUT SHEETS 1-2 OF 2

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

DRAWN BY:	DLS
CHECKED BY:	DLS
JOB CODE:	WCITCFG
SCALE:	N/A
DATE:	5/7/12
FILE:	12-34-002SL2
SHEET:	1 of 2

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SKETCH & DESCRIPTION

PARCELS F & G

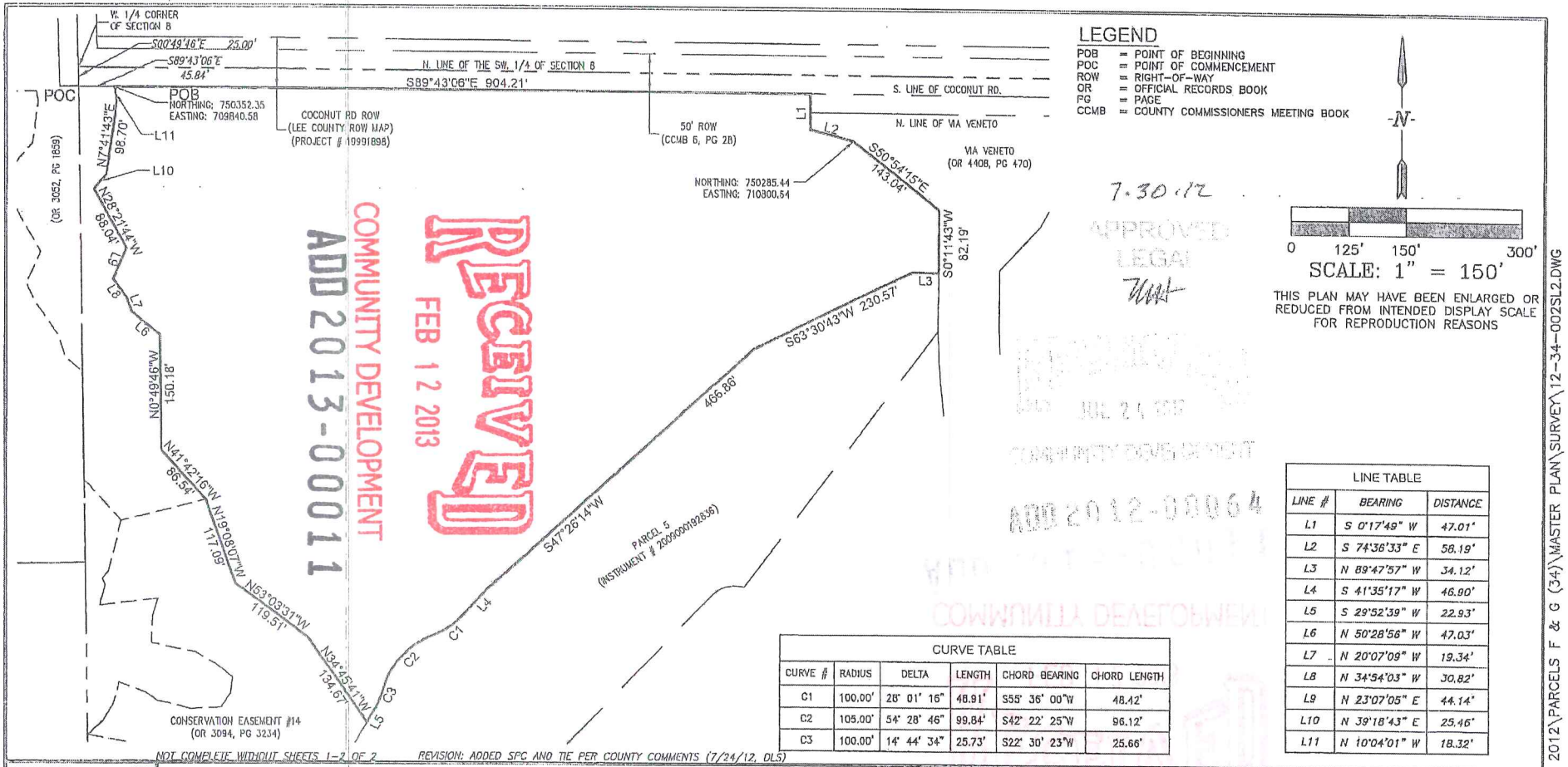
A PORTION OF
SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

NOT A SURVEY

7/24/12
DATE SIGNED

DONALD L. SANTENBY III, P.S.M.
FL LICENSE #6761
FOR THE FIRM

S:\PROJECTS-SURVEY 2012\PARCELS F & G (34)\MASTER PLAN\SURVEY\12-34-002SL2.DWG



CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C1	100.00'	28° 01' 16"	48.91'	S55° 36' 00"W	48.42'
C2	105.00'	54° 28' 46"	99.84'	S42° 22' 25"W	96.12'
C3	100.00'	14° 44' 34"	25.73'	S22° 30' 23"W	25.66'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 0°17'49" W	47.01'
L2	S 74°36'33" E	58.19'
L3	N 89°47'57" W	34.12'
L4	S 41°35'17" W	46.90'
L5	S 29°52'39" W	22.93'
L6	N 50°28'56" W	47.03'
L7	N 20°07'09" W	19.34'
L8	N 34°54'03" W	30.82'
L9	N 23°07'05" E	44.14'
L10	N 39°18'43" E	25.46'
L11	N 10°04'01" W	18.32'

NOT COMPLETE WITHOUT SHEETS 1-2 OF 2

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

DRAWN BY:	DLS
CHECKED BY:	DLS
JOB CODE:	WCITCFG
SCALE:	1" = 150'
DATE:	5/7/12
FILE:	12-34-002SL2
SHEET:	2 of 2

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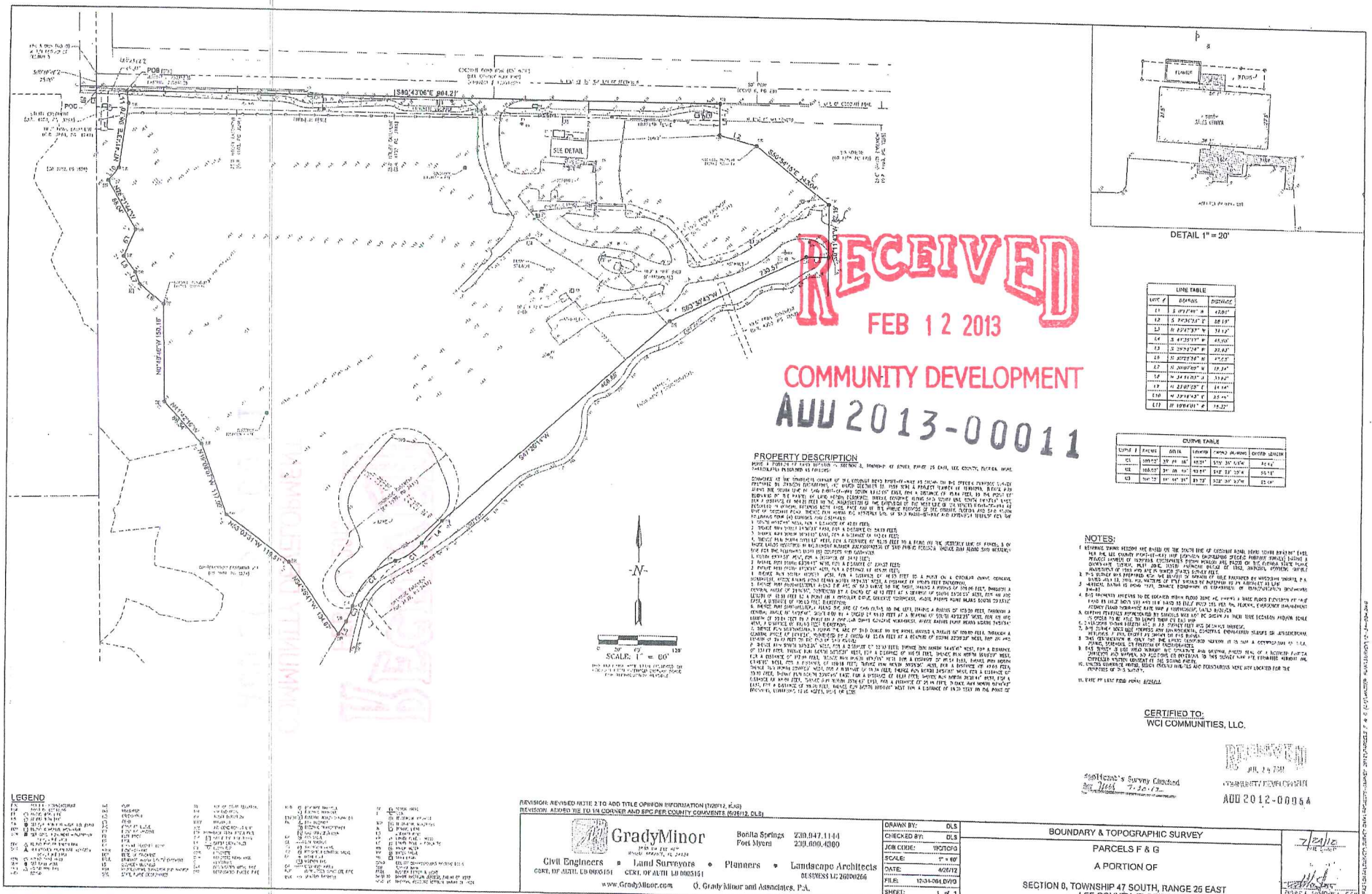
SKETCH & DESCRIPTION

PARCELS F & G

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

NOT A SURVEY

S:\PROJECTS-SURVEY 2012\PARCELS F & G (34)\MASTER PLAN\SURVEY\12-34-002SL2.DWG



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COMMUNITY DEVELOPMENT
AUU 2013-00011

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 01°17'00" W	47.01'
L2	S 74°36'24" E	38.13'
L3	N 12°47'37" W	14.12'
L4	S 41°35'37" W	45.00'
L5	S 29°57'24" W	23.42'
L6	N 30°58'36" W	47.23'
L7	N 20°07'05" W	18.34'
L8	N 34°11'01" E	33.82'
L9	N 23°07'25" E	14.16'
L10	N 32°16'43" E	25.44'
L11	N 10°04'01" E	15.32'

CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C1	1055.92'	3°57'18"	72.91'	S70° 30' 53"W	72.89'
C2	1055.92'	3° 08' 10"	57.85'	S68° 33' 39"W	57.84'
C3	1055.92'	10° 05' 27"	185.93'	S73° 30' 30"W	185.69'

PROPERTY DESCRIPTION

BEING A PORTION OF LAND SITUATED IN SECTION 6, TOWNSHIP 47 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE CORKSCREW ROAD RIGHT-OF-WAY AS SHOWN ON THE PLAT OF CORKSCREW PLANTATION, AS RECORDED IN PLAT BOOK 82, PAGES 1 THROUGH 4, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY SOUTH 89°43'06" EAST, FOR A DISTANCE OF 804.21 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN SOUTH 01°48'45" EAST, FOR A DISTANCE OF 1171.52 FEET; THENCE RUN SOUTH 00°43'51" EAST, FOR A DISTANCE OF 134.67 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE RUNNING SOUTH 00°43'51" EAST, FOR A DISTANCE OF 1,055.92 FEET; THENCE RUN SOUTH 89°30'45" WEST, FOR A DISTANCE OF 739.57 FEET; THENCE RUN SOUTH 01°30'45" WEST, FOR A DISTANCE OF 408.88 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, WHOSE RADIUS POINT BEARS SOUTH 29°33'32" WEST, FROM SAID POINT RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1055.92 FEET, THROUGH A CENTRAL ANGLE OF 03°57'18", SUBTENDED BY A CHORD OF 72.89 FEET AT A BEARING OF SOUTH 70°30'53" WEST, FOR AN ARC LENGTH OF 72.91 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS SOUTH 25°35'14" EAST, FOR A DISTANCE OF 1055.92 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1055.92 FEET, THROUGH A CENTRAL ANGLE OF 03°08'10", SUBTENDED BY A CHORD OF 57.85 FEET AT A BEARING OF SOUTH 68°33'39" WEST, FOR AN ARC LENGTH OF 57.85 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 22°27'32" WEST, FROM SAID POINT RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1055.92 FEET, THROUGH A CENTRAL ANGLE OF 10°05'27", SUBTENDED BY A CHORD OF 185.69 FEET AT A BEARING OF SOUTH 73°30'30" WEST, FOR AN ARC LENGTH OF 185.93 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 12°32'02" WEST, FROM SAID POINT RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1055.92 FEET, THROUGH A CENTRAL ANGLE OF 03°57'18", SUBTENDED BY A CHORD OF 72.89 FEET AT A BEARING OF SOUTH 79°30'53" WEST, FOR AN ARC LENGTH OF 72.91 FEET; THENCE RUN NORTH 01°30'45" EAST, FOR A DISTANCE OF 47.01 FEET; THENCE RUN NORTH 74°36'24" EAST, FOR A DISTANCE OF 38.13 FEET; THENCE RUN NORTH 12°47'37" WEST, FOR A DISTANCE OF 14.12 FEET; THENCE RUN NORTH 41°35'37" EAST, FOR A DISTANCE OF 45.00 FEET; THENCE RUN NORTH 29°57'24" EAST, FOR A DISTANCE OF 23.42 FEET; THENCE RUN NORTH 30°58'36" WEST, FOR A DISTANCE OF 47.23 FEET; THENCE RUN NORTH 20°07'05" WEST, FOR A DISTANCE OF 18.34 FEET; THENCE RUN NORTH 34°11'01" EAST, FOR A DISTANCE OF 33.82 FEET; THENCE RUN NORTH 23°07'25" EAST, FOR A DISTANCE OF 14.16 FEET; THENCE RUN NORTH 32°16'43" EAST, FOR A DISTANCE OF 25.44 FEET; THENCE RUN NORTH 10°04'01" EAST, FOR A DISTANCE OF 15.32 FEET TO THE POINT OF BEGINNING, CONTAINING 12.16 ACRES, MORE OR LESS.

NOTES:

1. BEARING DATUM HEREON ARE BASED ON THE SOUTH LINE OF CORKSCREW ROAD BEING SOUTH 89°43'06" EAST, PER THE LEE COUNTY MONUMENT MAP (CORKSCREW ENGINEERING SPECIFIC PURPOSE SURVEY) BEING A PROJECT CONSISTING OF MONUMENTS CONTROLLED USING WORLDWIDE AND FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983, NATIONAL ADVANCING VERTICAL ADJUSTMENT OF 1988 AND ARE IN UNITED STATES SURVEY FEET.
2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF SEARCH OF TITLE PREPARED BY MITCHELL OSBORNE, P.A. DATED JULY 13, 2012, FILE NO. 12-1276, AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. VERTICAL DATUM IS FOUND CITY, DENOTE ELEVATIONS IS EXPRESSED IN NORTH AMERICAN VERTICAL DATUM OF 1988.
4. BASE MONUMENTS APPEARING TO BE LOCATED WITHIN FLOOD ZONE "AE", ZONE "A" BASE FLOOD ELEVATION OF 14.0 FEET TO 15.0 FEET (NGVD 1929) AND ZONE "X" (OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FLOOD INSURANCE RATE MAP # 12071C0631F, DATED 8/28/08.
5. CERTAIN FEATURES APPEARING BY SYMBOL MAY NOT BE SHOWN AT THEIR TRUE LOCATION HEREON. SCALE IS CHOSEN TO BEST FIT THE LARGEST PARCEL ON THE SHEET.
6. ELEVATIONS SHOWN HEREON ARE +/- 0.1 FOOT AND WERE ESTABLISHED USING STANDARD PROCEDURES.
7. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL, ECOLOGICAL OR JURISDICTIONAL MATTERS. IT WAS SURVEYED AS SHOWN FOR FIELD MARKS.
8. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
9. BASE SURVEY IS LEE WIDE NETWORK RTK SYNAPSE AND ORIGINAL FIELD TIES OF A RECORDED FLORIDA CORNERS AND MARKED AS POSITIONS OR REFERENCE TO THIS SURVEY MAY BE ESTABLISHED HEREON ONLY WITH WRITTEN CONSENT OF THE SIGNING PARTY.
10. UNLESS OTHERWISE NOTED, SURVEY CONTROL POINTS AND MONUMENTS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.
11. DATE OF LAST FIELD WORK: 8/24/12.

CERTIFIED TO:
WCI COMMUNITIES, LLC.

RECEIVED
JUL 24 2013
COMMUNITY DEVELOPMENT
AUU 2012-00054

Southwest's Survey Checked
Jay Wells 7-30-13

LEGEND

REVISION: REVISED NOTE 2 TO ADD TITLE OPINION INFORMATION (7/20/12, KJG)
REVISION: ADDED TIE TO 1/4 CORNER AND SPC PER COUNTY COMMENTS (8/28/12, DLS)

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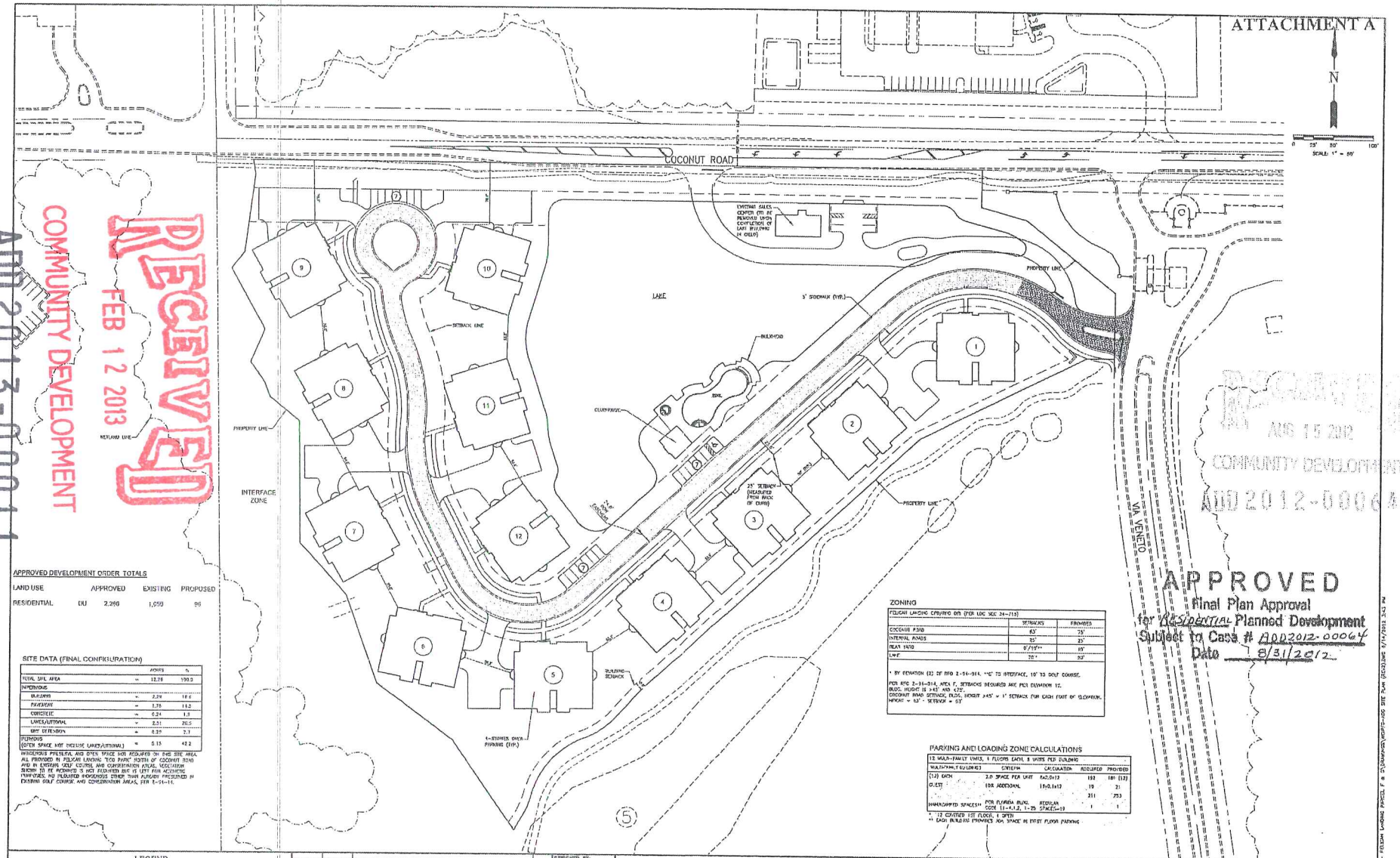
DRAWN BY:	DLS
CHECKED BY:	DLS
JOB CODE:	WCITCFG
SCALE:	1" = 60'
DATE:	4/25/12
FILE:	12-01-084.DWG
SHEET:	1 of 1

BOUNDARY & TOPOGRAPHIC SURVEY
PARCELS F & G
A PORTION OF
SECTION 6, TOWNSHIP 47 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

7/30/13
DATE
DAVID L. SCHWARTZ, P.S.M.
FLORIDA REG. NO. 5749

ATTACHMENT A



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FEB 12 2013
COMMUNITY DEVELOPMENT
ADD2013-00011

RECEIVED
AUG 15 2012
COMMUNITY DEVELOPMENT
ADD2012-00064

APPROVED
Final Plan Approval
for RESIDENTIAL Planned Development
Subject to Case # ADD2012-00064
Date 8/31/2012

APPROVED DEVELOPMENT ORDER TOTALS

LAND USE		APPROVED	EXISTING	PROPOSED
RESIDENTIAL	DU	2,280	1,099	96

SITE DATA (FINAL CONFIGURATION)

		ACRES	%
TOTAL SITE AREA	=	12.76	100.0
IMPERVIOUS			
BUILDING	=	2.29	18.0
PAVEMENT	=	1.78	14.0
CONCRETE	=	0.24	1.9
LAKES/LITTORAL	=	2.51	20.5
DRY DETENTION	=	0.25	2.1
PERVIOUS (OPEN SPACE NOT INCLUDE LAKES/LITTORAL)	=	5.15	42.2

INDIGENOUS PRESERVE AND OPEN SPACE NOT REQUIRED ON THIS SITE AREA. ALL PROVIDED IN PELICAN LANDING TYPO POINT NORTH OF COCONUT ROAD AND IN EXISTING GOLF COURSE AND CONSERVATION AREAS. VEGETATION SHOWN TO BE REMOVED IS NOT FLOW-WAY BUT IS LEFT FOR AESTHETIC PURPOSES. NO REQUIRED INDIGENOUS OTHER THAN ALREADY PRESERVED IN EXISTING GOLF COURSE AND CONSERVATION AREAS, PER 6-94-14.

ZONING

PELICAN LANDING CPD/PRD DEV (PER LDC SEC 34-713)		
	SETBACKS	PROVIDED
COCONUT ROAD	25'	25'
INTERNAL ROADS	25'	25'
MAX. HEIGHT	0'/10'*	10'
LAKE	20'	20'

* BY DEVIATION (2) OF RPD 6-94-014, "C" TO INTERFACE, 10' TO GOLF COURSE.

PER RPD 6-94-014, AREA F, SETBACKS REQUIRED ARE PER DEVIATION 12.
BLDG. HEIGHT IS >45' AND <75'.
COCONUT ROAD SETBACK, BLDG. HEIGHT >45' = 1' SETBACK FOR EACH FOOT OF ELEVATION.
HEIGHT = 53' - SETBACK = 53'

PARKING AND LOADING ZONE CALCULATIONS

12 MULTI-FAMILY UNITS, 4 FLOORS EACH, 3 UNITS PER BUILDING

MULTI-FAMILY BUILDINGS	CRITERIA	CALCULATION	REQUIRED	PROVIDED
(12) EACH	2.0 SPACE PER UNIT	12x2.0x12	192	181 (12)
GUEST	10% ADDITIONAL	19.0.1x12	19	21
			211	253
HANDICAPPED SPACES**	PER FLORIDA BLDG. REGULAR CODE 11-4.1.2, 1-25 SPACES=19		1	1

* 12 CENTER 1ST FLOOR, 1 OPEN
** EACH BUILDING PROVIDES ADA SPACE IN FIRST FLOOR PARKING

LEGEND

Revision	Date	Description	By
2	8/12	REVISE PER COUNTY REVIEW COMMENTS	GU
1	7/12	REVISE PER COUNTY REVIEW COMMENTS	MD

DESIGNED BY: M.J.D.
DRAFT BY: S.U.
APPROVED: M.J.D.
JOB CODE: W07FG
SCALE: 1" = 30'

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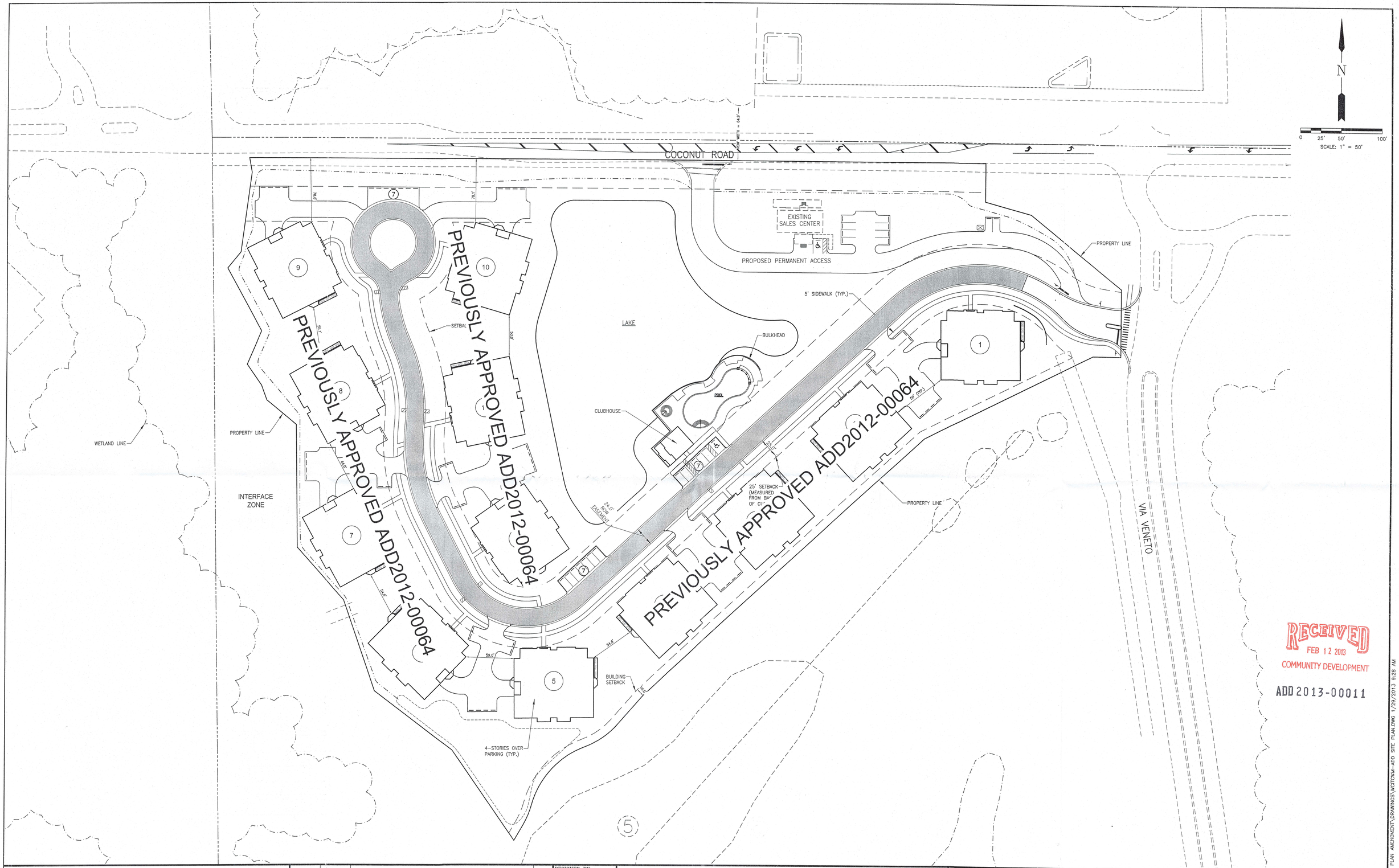
PARCELS F & G

EXHIBIT H-2.8.2
SITE PLAN

MICHAEL J. DELATE, P.E.
G. GRADY MINOR & ASSOC., P.A.
3800 VIA DEL REY
BONITA SPRINGS, FL 34134
FLORIDA P.E. LICENSE NO. 49442
EB/LB 0005151

MUNICIPALITY: LEE COUNTY
SEC/TWN/RNG: 09/47S/25E
DATE: MAY 2012
FILE NAME: W07FG-ADD SITE PLAN (REZ)
SHEET 1 OF 1

S:\PROJ - PLANNING\W07FG - PELICAN LANDING PARCEL F & G\DRAWINGS\W07FG-ADD SITE PLAN (REZ).DWG 5/14/2012 3:43 PM



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ADD 2013-00011

LEGEND

Revision	Date	Description	By
?	?	?	?

DESIGNED BY: M.J.D.
DRAWN BY: S.U.
APPROVED: M.J.D.
JOB CODE: WCITCFG
SCALE: 1" = 50'

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
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EXHIBIT H-2.B.2
SITE PLAN

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BONITA SPRINGS, FL 34134
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EB/LB 0005151

MUNICIPALITY: LEE COUNTY
SEC/TWNSHP/RNG: 08/47S/25E
DATE: MAY 2012
FILE NAME: WCITCWM-ADD SITE PLAN
SHEET 1 OF 1

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