

Lee County Board of County Commissioners Department of Community Development Division of Planning Post Office Box 398 Fort Myers, FL 33902-0398

Fort Myers, FL 33902-0398 Telephone: (239) 533-8585 FAX: (239) 485-8319

# APPLICATION FOR A CPA 2011-00019 COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)		
DATE REC'D:	REC'D BY:	
APPLICATION FEE:	TIDEMARK NO:	
THE FOLLOWING VERIFIED: Zoning	Commissioner District	
Designation on FLUM		
(To be compl	leted by Planning Staff)	
Plan Amendment Cycle: 🗌 Normal	Small Scale DRI Emergency	
Request No:		
additional space is needed, number and sheets in your application is:	9-28-11	
Signature of Owner or Authorized Represent Rich Galvano Printed Name of Owner or Authorized Repres	MECENVIEW	

## I. APPLICANT/AGENT/OWNER INFORMATION

Applica :	nt Rich Galvano	
Address		#104
City, Zip:	State, Bonita Spring, FL	
Phone Number	239.498.0000	Fax Number: 239.992.0700
Email: r	ichgalvano@hotmail.co	
Agent* :	Jon Hagan, Banks Engine	eering
Address	s 10511 Six Mile Cypress	Pkwy
City, Zip:	State, Fort Myers, FL 33	
Phone Number	239.939.5490	Fax Number: 239.939.2523
Email: j	hagan@bankseng.com	
Owner(s Record:	John D. Back	e ·
Address :	s 27680 Marina Isle Ct.	
City, Zip:	State, Bonita Springs, F	L 34134
Phone Number	;	Fax Number:
Email:		
•	tal consultants, and othe	of additional planners, architects, engineers, er professionals providing information contained in
* This will be	the person contacted for	all business relative to the application.
II. REQUES	STED CHANGE (Please se	ee Item 1 for Fee Schedule)
A. TYPI	E: (Check appropriate typ	pe)
<i>X</i> 7	ext Amendment	☐ Future Land Use Map Series Amendment (Maps 1 thru 24)

II.

1. Future Land Use Map amendments require the submittal of a complete list, map, and two sets of mailing labels of all property owners and their mailing addresses, for all property within 500 feet of the perimeter of the subject parcel. An additional set of mailing labels is required if your request includes a change to the Future Land Use Map (Map 1, page 1). The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names of the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

At least 15 days before the Local Planning Agency (LPA) hearing, the applicant will be responsible for posting signs on the subject property, supplied by the Division of Planning, indicating the action requested, the date of the LPA hearing, and the case number. An affidavit of compliance with the posting requirements must be submitted to the Division of Planning prior to the LPA hearing. The signs must be maintained until after the final Board adoption hearing when a final decision is rendered.

B.	SUMMARY	OF	REQUEST	(Brief	explanation	):
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A text amendment to the Lee County Comprehensive Plan to allow multi-family in the Tradeport future land use category east of Airport Haul Rd. and south of Airport Rd.

- III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)
  - A. Property Location:

Site

1. Address:

12451 Alico Rd., Fort Myers, FL 33913

2. STRAP(s):

06-46-26-00-00001.0030

B. Property Information:

Total

Acreage

of

Property:

240.96

Total Acreage

included in

Request:

240.96 acres

Total

Uplands:

144.43 acres

Total

ı otar Wetlands:

96.53 acres

Current

Zoning:

Industrial Planned Development

	Current Future Land Use Designation: Tradeport
	Area of each Existing Future Land Use Category: 240.96
	Existing Land Use: Vacant
C.	State if the subject property is located in one of the following areas and if so how does the proposed change affect the area:
	Lehigh Acres Commercial Overlay: N/A
	Airport Noise Zone 2 or 3: N/A
	Acquisition Area: N/A
	Joint Planning Agreement Area (adjoining other jurisdictional lands):  N/A
	Community Redevelopment Area: N/A
D.	Proposed change for the subject property:
	Text amendment to add multi-family to the Tradeport FLUC.

#### E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density

N/A

Commercial intensity

240,000 s.f.

Industrial intensity

960,000 s.f.

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density

800 dwelling units

Commercial intensity

240,000 s.f.

Industrial intensity

960,000 s.f.

#### IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats.)

#### A. General Information and Maps

NOTE: For <u>each</u> map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

- 1. Provide any proposed text changes.
- 2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
- 3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
- 4. Map and describe existing land uses (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
- 5. Map and describe existing zoning of the subject property and surrounding properties.
- 6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal

description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

- 7. A copy of the deed(s) for the property subject to the requested change.
- 8. An aerial map showing the subject property and surrounding properties.
- 9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

#### B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an\_applicant must submit the following information:

#### Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;



#### Short Range - 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
- b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program; Projected 2030 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting

changes to the projected LOS);

- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology:
- d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
- 2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
  - a. Sanitary Sewer
  - b. Potable Water
  - c. Surface Water/Drainage Basins
  - d. Parks, Recreation, and Open Space
  - e. Public Schools.

Analysis should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
- Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.

- Include any other water conservation measures that will be applied to the site (see Goal 54).
- 3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
  - a. Fire protection with adequate response times;
  - b. Emergency medical service (EMS) provisions;
  - c. Law enforcement;
  - d. Solid Waste;
  - e. Mass Transit; and
  - f. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

#### C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

- 1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
- 2. A map and description of the soils found on the property (identify the source of the information).
- 3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
- 4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
- 5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
- 6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

#### D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

- 1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
- 2. A map showing the subject property location on the archeological sensitivity map for Lee County.

## E. Internal Consistency with the Lee Plan

- 1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
- 2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
- 3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
- 4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

## F. Additional Requirements for Specific Future Land Use Amendments

- 1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
  - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
  - b. Provide data and analysis required by Policy 2.4.4,
  - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
- 2. Requests moving lands from a Non-Urban Area to a Future Urban Area
  - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
- 3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
- 4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

#### Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

#### **AFFIDAVIT**

representative of the property described herein, at this application and any sketches, data, or other made a part of this application, are honest and belief. I also authorize the staff of Lee County of the property during normal working hours for evaluating the request made through this application.	nd that all answers to the questions in supplementary matter attached to and true to the best of my knowledge and community Development to enter upon the purpose of investigating and
evaluating the request made through the approach	<u> </u>
1/ 1/4.	9-28-11
Signature of Applicant	Date
RICH GAWAND	
Printed Name of Applicant	
STATE OF FLORIDA	
COUNTY OF LEE	
The foregoing instrument was sworn to (or affirmed) a (date) by Rich Gamano affirmation), who is personally known to (type of identification) as identification.	me or who has produced
	may burpall
JENNIFER M. SHEPPARD MY COMMISSION # DD 908267 MY COMMISSION # DD 908267	Jennifer M. Suppartine typed, printed or stamped)
Salver Bounge Harry	## A Company

### LETTER OF AUTHORIZATION

## TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they a of property commonly known as FGCU IN legally described in Exhibit A attached hereto.	ne the fee simple title holders and owners of record
The property described herein is the subject of an a designate TANK'S ENGINEE IN the property and as such, this individual is authorized course of seeking the necessary approvals to develophing and authorizing of agents to assist in the preparecessary to obtain zoning and development approval only entity to authorize development activity on the authorization is delivered to Lee County.	as the legal representative of the legally bind all owners of the property in the property. This authority includes but is not limited to the aration of applications, plans, surveys, and studies all on the site. This representative will remain the
Owner (signature)	Owner (signature)
Printed Name	Printed Name
Printed Name	Filling Wante
Owner (signature)	Owner (signature)
Printed Name	Printed Name
Owner (signature)	Owner (signature)
Printed Name	Printed Name
STATE OF FLORIDA COUNTY OF LEE	
The foregoing instrument was sworn to (or affirmed) a by Rich Galvano who is personally known to me or who has produced of identification) as identification.	nd subscribed before me on 928 11 (date) (name of person providing oath or affirmation), (type
JENNIFER M. SHEPPARD MY COMMISSION # DD 908267 EXPIRES: November 16, 2013 Bonded Thru Netary Public Underwriters  (Updated 10/2004) P. WEBPAGEN, VAULUALIZATION LINES, 1994	Signature of Notary Public  Jennifer M. Shepau  (Name typed, printed or stamped)
	CPA 2011-00019

COMMUNITY DEVELOPMENT

# Banks Engineering

Professional Engineers, Planners & Land Surveyors FORT MYERS • PORT CHARLOTTE • SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTIONS 6 & 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

#### **EXHIBIT "A"**

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 6 AND 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6 THE SAME BEING THE NORTHWEST CORNER OF SECTION 7 OF SAID TOWNSHIP 46 SOUTH, RANGE 26 EAST; THENCE S.00°49'01"E. ALONG THE WESTERLY LINE OF SAID SECTION 7 FOR 622.26 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD (100' WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 399 AT PAGE 334 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°00'24"E. ALONG SAID NORTHERLY LINE FOR 915.00 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF A ROADWAY AND PUBLIC UTILITY RIGHT-OF-WAY (100' WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1398 AT PAGE 2147 OF SAID PUBLIC RECORDS OF LEE COUNTY AND THE POINT OF BEGINNING; THENCE N.00°49'01"W. ALONG SAID EASTERLY LINE FOR 620.17 FEET; THENCE N.00°54'31"W. ALONG SAID EASTERLY LINE FOR 3306.61 FEET; THENCE N.00°55'18"W. ALONG SAID EASTERLY LINE FOR 2641.21 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID SECTION 6; THENCE N.89°22'23"E. ALONG SAID NORTHERLY LINE FOR 1591.45 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF THE WEST 1/2 OF SAID SECTION 6; THENCE S.01°03'15"E. ALONG SAID EASTERLY LINE AND THE SOUTHERLY PROLONGATION THEREOF FOR 6557.81 FEET PASSING THROUGH THE NORTH QUARTER CORNER OF SAID SECTION 7 AT 6032.36 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID ALICO ROAD; THENCE S.89°00'24"W. ALONG SAID NORTHERLY LINE FOR 1608.48 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 240.96 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

ASSUMED NORTH BASED ON THE WEST LINE OF SECTION 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST AS BEARING S.00°49'01"E.

**DESCRIPTION PREPARED 01-18-10** 

RICHARD M. RITZ

REGISTERED LAND SÚRVEYOR FLORIDA CERTIFICATION NO. 4009

nave m. Rits

DATE SIGNED: 9-28-11

SEIOBS/14xx/1480SC/SURVEYING/DESCRIPTIONS/1480/R-1/R-2/SK/1/EXB-A,doc SEIOBS/14xx/1480SC/SURVEYING/DESCRIPTIONS/1480/R-1/R-2/SKT/FXB-A,dwg

SHEET 1 OF 2



#### Professional Engineers, Planners & Land Surveyors

GOAL 2: GROWTH MANAGEMENT. To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.

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

There is sufficient infrastructure in place to serve the proposed development and the development will create a contiguous and compact growth pattern that was promoted through the rezoning process. The proposed text amendment will provide for additional housing types for students, staff and visitors of Florida Gulf Coast University and the Florida Gulf Coast University Innovation Hub.

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

The rezoning is consistent with this policy because the site location's proximity to the existing road network, water and wastewater lines, community facilities, EMS, fire and policy protection. The site is also compatible with the existing and proposed land uses along the northern side of Alico Road. The project will not have an adverse affect upon the public health, safety and welfare.

The development ties into existing roadways systems utilizing an arterial street, Alico Road, and Airport Haul Road, a public right of way, as recorded in O.R. Book 1398, Page 2147, as recorded in the Official Records of Lee County. Sewer and water services will be provided by Lee County Utilities. The proposed development will be compatible with the existing and proposed land uses in the surrounding area.

CPA 2 0 1 1 - 0 0 0 1 9

• SERVING THE STATE OF FLORIDA •

SEP 2 8 2011

GOAL 4: SUSTAINABLE DEVELOPMENT DESIGN. To pursue or maintain land development regulations which encourage creative site designs and mixed use developments. Using an overlay, locate appropriate areas for Mixed Use, Traditional Neighborhood Development, and Transit Oriented Development. (Amended by Ordinance No. 94-30, 07-15)

The subject property is currently zone Mixed Use Planned Development and will use creative site designs.

GOAL 5: RESIDENTIAL LAND USES. To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types. (Amended by Ordinance No. 94-30, 07-12)

The proposed text amendment will provide for additional housing types for students and staff of Florida Gulf Coast University.

#### STANDARD 11.1: WATER.

The development shall connect to an existing public water system provided by Lee County Utilities.

#### STANDARD 11.2: SEWER.

The development shall connect to an existing sanitary sewer system provided by Lee County Utilities.

#### STANDARD 11.3: TRAFFIC.

The traffic impacts created by the development will not create an adverse impact on existing roadways. No site specific turn lane improvements are warranted. The area is predominately commercial and industrial uses. Therefore the traffic generated by this development will not create and adverse affect upon surrounding land uses or predominately residential uses.

#### STANDARD 11.4: ENVIRONMENTAL REVIEW FACTORS.

Environmental assessment and preservation analysis provided in report by Passarella and Associates. The MCP identifies Wetland Preservation areas within the development.



Professional Engineers, Planners & Land Surveyors

# Impact on Adjacent Local Governments

There are no local governments adjacent to the subject property. The intent of the amendment is to provide housing for students, staff and visitors of Florida Gulf Coast University and the Florida Gulf Coast University Innovation Hub. The nearest local government would be the City of Bonita Spring and the proposed amendment will not have any impact to this jurisdiction.



CPA 2011-00019

INSTR # 2008000048032, Doc Type D, Pages 3, Recorded 02/22/2008 at 12:07 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D \$148400.00 Rec. Fee \$27.00 Deputy Clerk VBADKE

This instrument prepared by and after recording, return to:

Leo J. Salvatori, Esq. Salvatori & Wood, P.L. 4001 Tamiami Trail N. Suite 330 Naples, Florida 34103

#### **WARRANTY DEED**

THIS WARRANTY DEED, made this 21<sup>st</sup> day of February, 2008, between **ALICO AIRPARK, LLC**, a Florida limited liability company, whose post office address is 5659 Strand Court, Suite 101, Naples, Florida 34110, ("Grantor"), and **JOHN D. BACKE**, whose post office address is 27680 Marina Isle Court, Bonita Springs, FL 34134, ("Grantee").

WITNESSETH that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, and Grantee's heirs and assigns forever, a tract or parcel of land situated in the State of Florida, County of Lee, lying in Sections 6 and 7, Township 46 South, Range 26 East, being further bound and described as follows:

COMMENCING at the Southwest corner of said Section 6 the same being the Northwest corner of Section 7 of said Township 46 South, Range 26 East; THENCE S.00°49'01"E. along the Westerly line of said Section 7 for 622.26 feet to an intersection with the Northerly right-of-way line of Alico Road (100' wide) as described in Official Records Book 399, Page 334 of the Public Records of Lee County, Florida; THENCE N.89°00'24"E. along said Northerly line for 915.00 feet to an intersection with the Easterly line of a roadway and public utility right-of-way (100' wide) as described in Official Records Book 1398, Page 2147 of said Public Records of Lee County and the Point of Beginning; THENCE N.00°49'01"W. along said Easterly line for 620.17 feet; THENCE N.00°54'31"W. along said Easterly line for 3306.61 feet; THENCE N.00°55'18"W. along said Easterly line for 2641.21 feet to an intersection with the Northerly line of said Section 6; THENCE N.89°22'23"E. along said Northerly line for 1591.45 feet to an intersection with the Easterly line of the West 1/2 of said Section 6; THENCE S.01°03'15"E. along said Easterly line for 6557.81 feet to an intersection with the Northerly right-of-way line of said Alico Road; THENCE S.89°00'24"W. along said Northerly line for 1608.48 feet to the Point of Beginning.

Subject to those items set forth on Exhibit B attached hereto and incorporated herein by virtue of this reference.

and Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

COMMUNITY DEVELOPMENT

CPA 2011-00019

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered

in the presence of:

Witness No. 1 Signature

Debra K. Blackwell

Witness No. **Printed Name** 

Witness No. 2 Signature

LEO'J. SALVATORI

Witness No. 2 Printed Name

(Company Seal)

ALICO AIRPARK, LLC, a Florida

liability company

By:

Røbert Paul Hardy, as Manager

STATE OF FLORIDA **COUNTY OF COLLIER** 

The foregoing instrument was acknowledged before me this the day of February, 2008 by ROBERT PAUL HARDY, in his capacity as Manager of ALICO AIRPARK, LLC, a Florida limited liability company, who is personally known to me.

Motary Public

DEBRA K. BLACKWELL MY COMMISSION # DD 444253

EXPIRES: August 26, 2009
Bonded Trun Notary Public Underwiters

TYPED, PRINTED OR STAMPED NAME OF NOTARY PUBLIC

My Commission Expires:

#### **EXHIBIT B**

#### **Permitted Exceptions**

- 1. Real estate taxes for the year 2008 and all subsequent years, bearing tax identification number 07-46-26-00-0001.0030.
- Right of Way Easement Agreement to Florida Cities Water Company recorded in Official Records Book 1532, Page 1016, of the Public Records of Lee County, Florida.
- 3. Right of Way Easement Agreement to Florida Cities Water Company recorded in Official Records Book 1532, Page 1020, of the Public Records of Lee County, Florida.
- 4. Easement to Florida Power & Light Company recorded in Official Records Book 1590, Page 130, of the Public Records of Lee County, Florida.
- 5. Resolution of the Zoning Board of Lee County, Florida recorded in Official Records Book 1844, Page 1272, of the Public Records of Lee County, Florida.
- 6. Resolution Number ZAB-86-62 recorded in Official Records Book 1912, Page 4396, of the Public Records of Lee County, Florida.
- 7. Environmental Resource Permit Notice recorded in Official Records Book 4719, Page 2922, of the Public Records of Lee County, Florida.
- 8. Grazing Permit between Haul Ventures, LLC and Tim Spiller dated November 30, 2001, as assigned to Jimmy Giles by Assignment of Grazing Permit dated May 7, 2003, as assigned to Alico Airpark, LLC by Assignment of Grazing Permit dated Feburary 10, 2005.
- 9. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book 2189, Page 3281; and amended by Ordinance No. 86-38 in Official Records Book 2189, Page 3334, of the Public Records of Lee County, Florida.

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

WHEREAS, Paul Scoggins, filed an application on behalf of the property owner, Haul Ventures, LLC, to rezone a 240.96± acre parcel from Agriculture (AG-2) to Industrial Planned Development (IPD) in reference to Alico Airpark Center; and

WHEREAS, a public hearing was advertised and held on March 24, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2003-00033; and

WHEREAS, a second public hearing was advertised and held on May 3, 2004, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

#### SECTION A. REQUEST

The applicant filed a request to rezone a 240.96± acre parcel from AG-2 to IPD, to allow 1,200,000 square feet of industrial uses; 240,000 square feet of ancillary retail uses of which 50,000 square feet will be stand alone retail uses, not to exceed 45 feet in height (2 habitable floors). The property is located in the Airport commerce/Wetlands Land Use Category and is legally described in attached Exhibit A. The request to rezone AG-2 to IPD is DENIED. The request to AG-2 to Mixed Use Planned Development (MPD) is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

#### SECTION B. CONDITIONS:

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

The development of this project must be consistent with the one-page Master Concept Plan entitled "Master Concept Plan, ALICO AIRPARK CENTER, Lee County, Florida," dated 03-13-2003, last revised 04-21-2004, and stamped "Received Apr 21 2004, Community Development," except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

CASE NO: DCI2003-00033

COPY

Z-04-025 Page 1 of 8

- 2. The following limits apply to the project and uses:
  - a. Schedule of Uses
    - 1. LOTS 1 115:

**ADMINISTRATIVE OFFICES** 

ACCESSORY USES AND STRUCTURE

AGRICULTURAL SERVICES: Office/base operation

ANIMALS, CLINIC, KENNEL OR CONTROL CENTER, all

runs on lots abutting Alico Road or Airport Haul Road,

must be within a fully enclosed building

ATM (AUTOMATIC TELLER MACHINE)

AUTOMOBILE REPAIR AND SERVICE; Groups I and II,

excluding lots abutting Alico Road or Airport Haul Road

for Group II uses

**BOATS**: boat repair and service

BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION

**BUILDING MATERIAL SALES** 

BUSINESS SERVICES, GROUP I and II

**CLEANING AND MAINTENANCE SERVICES** 

COLD STORAGE, WAREHOUSE AND PROCESSING PLANT,

including precooling

COMPUTER AND DATA PROCESSING SERVICES

CONTRACTORS AND BUILDERS: Groups I, II, and III

DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE

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

**EMERGENCY OPERATIONS CENTER** 

**ENTRANCE GATES AND GATEHOUSE** 

**ESSENTIAL SERVICES** 

ESSENTIAL SERVICE FACILITIES: Groups I and II

EXCAVATION, water retention, oil and gas

FACTORY OUTLETS (point of manufacture only)

FENCES, WALLS

FREIGHT AND CARGO HANDLING ESTABLISHMENTS

GASOLINE DISPENSING SYSTEM, SPECIAL

HELIPORT OR HELISTOP (See Condition #II.A.9., below)

LAUNDRY OR DRY CLEANING, Group II

MANUFACTURING, REPAIR OR WHOLESALE SALES OF:

APPAREL

**BOATS** 

CASE NO: DCI2003-00033

CHEMICAL AND ALLIED PRODUCTS: Group II, limited to cosmetics, perfumes, drugs, soaps, detergents, and similar chemical products

- (1) ELECTRICAL MACHINERY AND EQUIPMENT
- (1) FABRICATED METAL PRODUCTS, Group II FOOD AND KINDRED PRODUCTS, Group III
- (1) FURNITURE AND FIXTURES

Z-04-025 Page 2 of 8 LEATHER PRODUCTS, Group II

(1) LUMBER AND WOOD PRODUCTS: Groups II and IV

(1) MACHINERY, Groups I and II

RUBBER AND PLASTIC PRODUCTS: Group II

(1) STONE, CLAY, GLASS AND CONCRETE PRODUCTS:
Groups I, II, and III

TEXTILE MILL PRODUCTS, Groups I and II

(1) TRANSPORTATION EQUIPMENT Group II

MOBILE HOME DEALERS

MOTION PICTURE PRODUCTION STUDIOS

NON-STORE RETAILERS, Groups I, II and III

PARCEL AND EXPRESS SERVICE

PARKING LOTS, accessory, public garage, and temporary

PHOTO FINISHING LABORATORIES

POST OFFICE

PRINTING AND PUBLISHING SERVICES

PROCESSING AND WAREHOUSING

**RECREATIONAL FACILITIES: Personal** 

REPAIR SHOPS, Groups I, II, III (1), and IV(1)

RESEARCH AND DEVELOPMENT LABORATORIES, Groups I, II, and IV

RETAIL AND WHOLESALE SALES, WHEN CLEARLY INCIDENTAL

AND SUBORDINATE TO A PERMITTED PRINCIPAL USE ON

THE SAME PREMISES

SCHOOLS, COMMERCIAL

SIGNS. IN ACCORDANCE WITH CHAPTER 30

SOCIAL SERVICES, Group II

STORAGE, INDOOR, per §34-3001 et seq.

STORAGE, OPEN, per §34-3001 et seq.

TRANSPORTATION SERVICES, Groups III and IV

TRUCKING TERMINAL

VEHICLE AND EQUIPMENT DEALERS: Groups III, IV and V

WAREHOUSE, Mini-warehouse, private and public

WHOLESALE ESTABLISHMENTS, Groups I, III and IV (1)

NOTE: (1) All operations on lots abutting Alico Road or Airport Haul Road must be conducted within a fully enclosed building.

#### 2. Commercial uses permitted only on lots 1-9:

**AUTOMOBILE SERVICE STATION** 

**CAR WASH** 

CONSUMPTION ON PREMISES, in accordance with §34-1264 et. seq. of the LDC, in conjunction with a restaurant

CONVENIENCE FOOD AND BEVERAGE STORE, limited to one

FINANCIAL INSTITUTION

FOOD STORES: Group I

HARDWARE STORE

# RESTAURANTS, Groups I and II SELF-SERVICE FUEL PUMPS, limited to a maximum of eight (8) pumps

#### b. Site Development Regulations

#### Minimum Lot Area and Dimensions:

Area:

20,000 square feet

Width:

100 feet

Depth:

100 feet

#### Minimum Setbacks:

Street:

In accordance with §34-2192(a)

Side:

10 feet

Rear:

20 feet

Water Body:

25 feet

#### Maximum Building Height:

All uses limited to a maximum height of 45 feet, with not more than three (3) habitable floors.

#### Minimum Building Separation:

One-half the sum of the heights of both buildings, or 20 feet, whichever is greater.

Maximum Lot Coverage:

60 percent

#### 3. Development parameter:

- a. A maximum of 1,200,000 square feet of industrial/commercial uses will be permitted on 240.96± acres of land, of which a maximum of 240,000 square feet will be commercial uses, of which a maximum of 50,000 square feet of the commercial uses will be stand alone retail commercial uses located on Lots 1-9; and
- b. The developer must provide a cumulative land development summary table indicating the square footage and acreage of commercial, and industrial uses to ensure DRI compliance with the above. A cumulative land development summary table must be included on development order submittal documents; and
- c. Under no circumstances will the land use totals exceed the applicable mixed use DRI thresholds as outlined in Chapter 380, F.S., and Rule 9J-2, F.A.C., as each may be amended.

CASE NO: DCI2003-00033 Z-04-025 Page 4 of 8

- 4. Environmental Conditions: Prior to the issuance of a Vegetation Removal Permit, the wetland areas must be surveyed specifically for Lee County listed wading bird species nests. If an active nest is located, then appropriate buffer areas must be provided until the nest is no longer active.
- 5. The ability to blast is not guaranteed. If blasting is approved, it is limited to the excavation of material for on-site use only (water retention and water management), subject to being performed in accordance with all applicable Lee County ordinances in effect at the time the activity is sought to be commenced. Construction materials mining as defined under §552.30, Florida Statutes, is prohibited. Applicant must notify Port Authority Planning Department at least 48 hours before any blasting occurs on the subject property.
- 6. Traffic Condition: At the time of local development order approval, any portion of Airport Haul Road needed to access the internal roadways must be constructed or improved to the LDC standards for a Category "A" road, in accordance with §10-296, Table 4, Minimum Specification for Street Improvements.
- 7. Buildings exceeding 35 feet in height must maintain additional building setbacks as regulated by §34-2174(a).
- 8. The development must comply with §34-1008 for tall structures, including permanent buildings, antenna, towers, and temporary construction cranes.
- 9. The location and development of heliports or helistops must be coordinated and approved by the Florida Department of Transportation Aviation Office and the Lee County Port Authority.
- 10. An enhanced 15-foot-wide right-of-way buffer will be required adjacent to Airport Haul Road and Alico Road consisting of a three foot high berm (3:I slope) with a flat planting area on top, and buffer Type "F" plantings. Required plantings must be located on the top of the berm or near the top of the berm on the Airport Haul Road and Alico Road side of the berm. Also, no use or other easement(s) can overlap into the 15-foot-wide easement and the entire width of the easement must be used for the required plantings.
- 11. All buildings or structures located on Lots 1-9, either industrial or commercial, must be in compliance with Chapter 10, Article IV, Design Standards and Guidelines for Commercial Buildings and Development, of the LDC.
- 12. Agriculture is not a permitted use within this Planned Development.
- 13. The cul-de-sacs, at the end of each roadway, must be in compliance with §10-296(k)(l) of the LDC to ensure that San Carlos Park Fire Protection and Rescue Service District vehicles can maneuver the circular turnarounds.
- 14. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

CASE NO: DCI2003-00033 Z-04-025

15. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table I(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.

#### SECTION C. DEVIATIONS:

- 1. Deviation (1) seeks relief from the §34-414(c) requirement to provide 10 percent open space per lot, to allow a minimum of 5 percent open space per lot. This deviation is APPROVED, SUBJECT TO the following conditions:
  - a. Prior to local development order approval, the landscape plans must include:
    - (1) A structural barrier between any lot and preserve area. The structural barrier may be a double staggered hedge of native shrubs no less than 48 inches in height at time of planting within a 10-foot wide planting area or a chainlink type fence no less than 48 inches in height within a five-foot wide open space area.
    - (2) The 6.92 acres of Melaleuca wetland surrounding the one-acre marsh in the 7.92-acre preserve located in the southwest portion of the site must be planted with a minimum of 700 native wetland trees with a minimum 10-foot height and two-inch caliper. These trees may be used to meet the general tree requirement for the overall development.
  - b. Prior to issuance of a Certificate of Compliance for the infrastructure:
    - (1) The structural barrier between any lot and preserve area must be installed.
    - (2) The 700 native wetland trees must be installed in the 7.92-acre wetland preserve located in the southeast corner of the site.
    - (3) All invasive exotic vegetation must be removed or killed in place.
    - (4) All right-of-way buffers must be installed.
- 2. Deviation (2) seeks relief from the §10-329 requirement which limits lake depth to a maximum 20-feet, to allow a maximum lake depth of 32 feet. This deviation is DENIED.
- 3. Deviation (3) WITHDRAWN BY APPLICANT.

#### SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: Legal description of the property

Exhibit B: Zoning Map (with the subject parcel indicated)

Exhibit C: The Master Concept Plan

The applicant has indicated that the STRAP numbers for the subject property are: 06-46-26-00-00001.0030; 06-46-26-00-00001.0040; 06-46-26-00-00001.0050 & 07-46-26-00001.0030

#### SECTION E. FINDINGS AND CONCLUSIONS:

- 1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
- 2. The rezoning, as approved:
  - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and
  - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and
  - c. is compatible with existing or planned uses in the surrounding area; and
  - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and
  - e. will not adversely affect environmentally critical areas or natural resources.
- 3. The rezoning satisfies the following criteria:
  - a. the proposed use or mix of uses is appropriate at the subject location; and
  - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
  - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
- 4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

CASE NO: DCI2003-00033

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

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

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 3rd day of May, 2004.

ATTEST:

CHARLIE GREEN, CLERK

**BOARD OF COUNTY COMMISSIONERS** OF LEE COUNTY, FLORIDA

Chairman

Approved as to form by:

John J. Fredyma

County Attorney's Office

RECEIVED MINUTES OFFICE

2004 MAY 18 AM 11: 06

CASE NO: DCI2003-00033

Z-04-025 Page 8 of 8

# Dord alog

# Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors FORT MYERS ♦ NAPLES ♦ SARASOTA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 6 AND 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6 THE SAME BEING THE NORTHWEST CORNER OF SECTION 7 OF SAID TOWNSHIP 46 SOUTH, RANGE 26 EAST; THENCE S.00°49'01"E. ALONG THE WESTERLY LINE OF SAID SECTION 7 FOR 622.26 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD (100' WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 399 AT PAGE 334 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°00'24"E. ALONG SAID NORTHERLY LINE FOR 915.00 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF A ROADWAY AND PUBLIC UTILITY RIGHT-OF-WAY (100' WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1398 AT PAGE 2147 OF SAID PUBLIC RECORDS OF LEE COUNTY AND THE *POINT OF BEGINNING*; THENCE N.00°49'01"W. ALONG SAID EASTERLY LINE FOR 620.17 FEET; THENCE N.00°54'31"W. ALONG SAID EASTERLY LINE FOR 3306.61 FEET; THENCE N.00°55'18"W. ALONG SAID EASTERLY LINE FOR 2641.21 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID SECTION 6; THENCE N.89°22'23"E. ALONG SAID NORTHERLY LINE FOR 1591.45 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF THE WEST 1/2 OF SAID SECTION 6; THENCE S.01°03'15"E. ALONG SAID EASTERLY LINE FOR 6557.81 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID ALICO ROAD; THENCE S.89°00'24"W. ALONG SAID NORTHERLY LINE FOR 1608.48 FEET TO THE *POINT OF BEGINNING*.

PARCEL CONTAINS 240,96 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

4/30/03

ASSUMED MORTH BASED ON THE WESTERLY LINE OF SECTION 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST AS BEARING S.00°49'01"E.

DESCRIPTION PREPARED 04-28-03.

THOMAS R. LEHNERT. JR., P.S.M. FLORIDA CERTIFICATION NO. 5541

DCI 2003-00033

MAY 02 2003

COMMUNITY DEVELOPMENT

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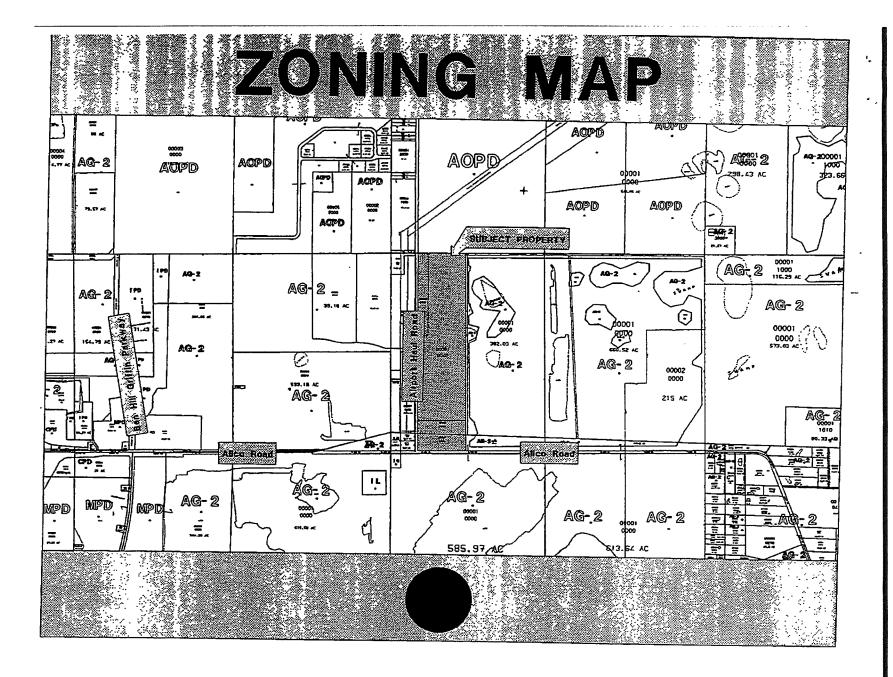
Applicant's Legal Checked

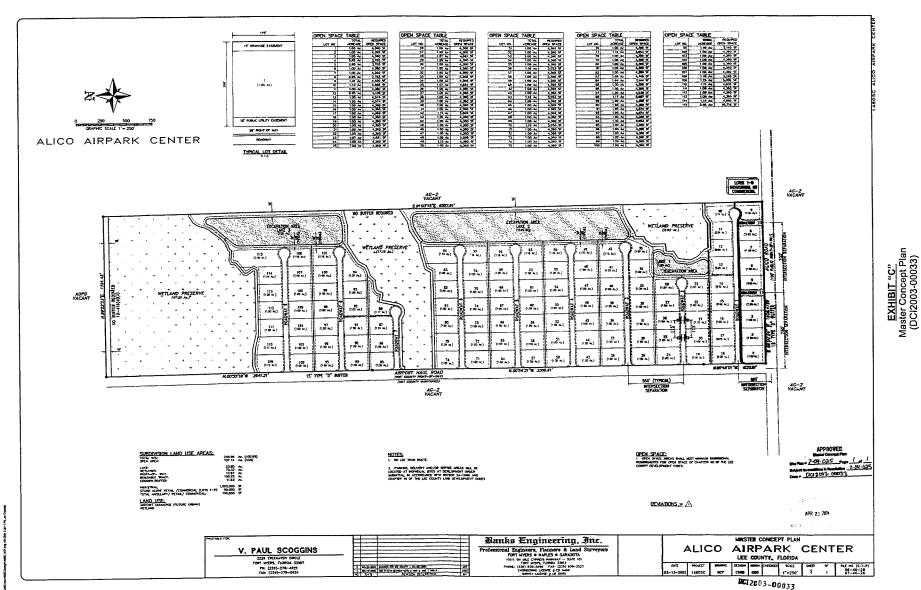
by on 10/09/2003

SHEET 1 OF 2

EXHIBIT "A" (Page 2 of 3)

EXHIBIT "A" (Page 3 of 3)





,



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

LOWER WEST COAST REGIONAL SERVICE CENTER 2301 McGregor Boulevard, Fort Myers, FL 33901 (239) 338-2929 • FL WATS 1-800-248-1201 • Suncom 748-2929 • Fax (239) 338-2936 • www.sfwmd.gov/lwc/

January 5, 2010 Environmental Resource Regulation Department

Mr. John D. Backe 27680 Marina Isle Court Bonita Springs, Florida 34134

SUBJECT: Alico Airpark Center

Permit No. 36-05188-P / Application No. 030520-18

Application No: 091218-22

Lee County, Sections 6 and 7, Township 46S, Range 26E

Dear Mr. Backe:

This letter is to confirm your request to use the provisions of Section 14 of Chapter 2009-96 Laws of Florida for an extension of the permit duration of the Construction Authorization of Application Number 030520-18 under Permit Number 36-05188-P. This statute went into effect on July 1, 2009 and authorizes a time extension of up to two (2) years for permits that have an expiration date of September 1, 2008 through January 1, 2012 with certain exceptions.

The District received your timely request on December 18, 2009. The request indicates that the anticipated timeframes for acting on the activities authorized by the permit are delayed due to economic reasons. The applicant therefore meets the provisions of the statute and the extension of the expiration date of the permit is granted.

The new expiration date for the Construction Authorization is March 9, 2012. All other terms and conditions of the permit are still in effect. However, any work schedule dates for required submittal of documents are hereby extended concurrently with the permit duration.

If you have any questions, please call Mr. William Foley at 239-338-2929, extension 7728.

Sincerely,

CPA 2011-00019

Rieardo A. Valera, P.E., Division Director Lower West Coast Regulatory Division

RV/ja

cc: Matt Dubois, Banks Engineering, Inc.





Professional Engineers, Planners & Land Surveyors

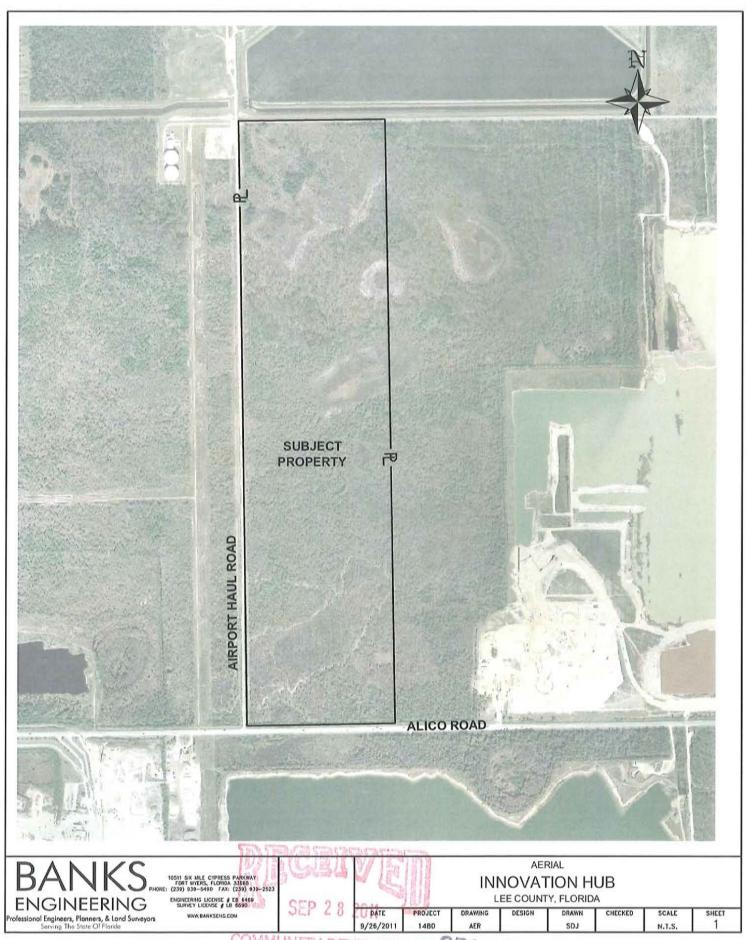
## Tradeport Future Land Use Category

Policy 1.2.2: The Tradeport areas are commercial and industrial lands adjacent to the airport needed to accommodate projected growth through the year 2030. These areas will include developments consisting of light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport-related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. Stand alone retail commercial uses intended to support and compliment the surrounding business and industrial land uses are permitted if they are as part of a Development of Regional impact (DRI) or Planned Development rezoning. Stand alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres within the project. To provide an incentive to preserve upland habitat, Developments of Regional Impact or Planned Developments may also receive additional stand alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and stand alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and enhanced upland within the project that protect wetlands, flowways or occupied listed species habitat. Ancillary retail commercial uses, related directly to the sale of products manufactured or services provided in the Tradeport, are allowed if they are part of a Planned Development. Future development in this category is encouraged to include a mixture of land uses as described in Policy 2.12.2. Residential uses, other thank bona fide caretaker residences and multi-family dwelling units east of Airport Haul Road and south of Airport Road, are not permitted in this category except to the extent provided in Chapter XIII of the Plan. Caretaker residences are not permitted in the Airport Noise Zone B. Because this area is located within the Six Mile Cypress Basin and is also a primary point of entry into Lee County, special environmental and design review guidelines will be applied to its development to maintain the appearance of this area as a primary point of entry into Lee County. Property in Section 1 and the east 1/2 of Section 2, Township 46 South, Range 25 East, and in Section 6, Township 46 South, Range 26 East, must be rezoned to a planned development zoning category prior to any development other than the construction of essential public services. During the rezoning process, the best environmental management practices identified on pages 43 and 44 of the July 28, 2993 Henigar & Ray study entitled, "Groundwater Resource Protection Study" will be rebuttably presumed to be necessary to protect potential groundwater resources in the area.

CPA 2011-00019



SERVING THE STATE OF FLORIDAM UNITY DEVELOPMENT

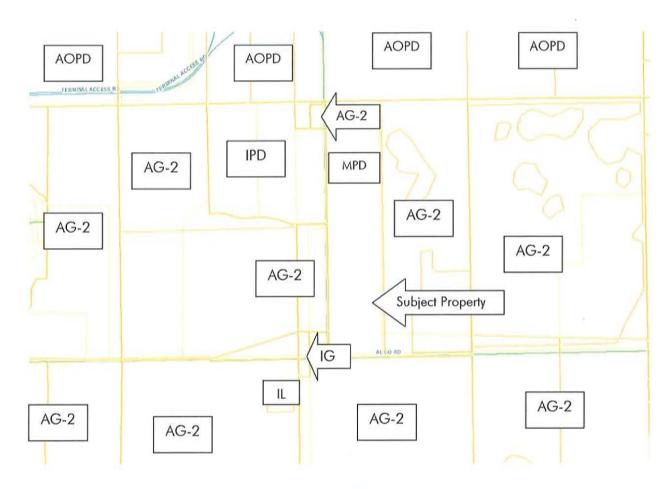


COMMUNITY DEVELOPMENT CPA 2011-00019



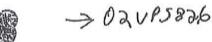
Professional Engineers, Planners & Land Surveyors

# **Zoning Map**





CPA 2011 00019





#### FLORIDA DEPARTMENT OF STATE Glenda E. Hood

Secretary of State DIVISION OF HISTORICAL RESOURCES



JUN 2 3 2003

PASSARELLA AND ASSOCIATES, INC.

June 12, 2003

Mr. Harry Spotts Passarella and Associates, Inc. 9110 College Pointe Court Fort Myers, Florida 33919

DHR No.: 2003-4244 RE:

Received by DHR: May 16, 2003 246 6/12/03

Alico Airpark Center

Passarella Project No.: 02VPS826

Lee County

APPLICATION NUMBER

030520-18#

Dear Mr. Spotts:

Our office received and reviewed the above referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665), as amended in 1992, and 36 C.F.R., Part 800: Protection of Historic Properties, Chapter 267, Florida Statutes, Florida's Coastal Management Program, and implementing state regulations, for possible impact to historic properties listed, or eligible for listing, in the National Register of Historic Places, or otherwise of historical, architectural or archaeological value. The State Historic Preservation Officer is to advise and assist state and federal agencies when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or minimize adverse effects.

Our review of the Florida Master Site File indicates that no significant archaeological or UN historical sites are recorded for, or likely to be present within, the area of potential effect for this project. Furthermore, because of the project's location it is unlikely that any such sites will be affected.

If there are any questions concerning our comments or recommendations, please contact Sarah Jalving, Historic Sites Specialist, at sjalving@dos.state.fl.us or at 850-245-6333 or 800-847-7278. Thank you for your interest in protecting Florida's historic properties.

Sincerely,

induick P. Goobs, Depoty SHPO

Janet Snyder Matthews, Ph.D., Director, and State Historic Preservation Officer

GPA 2011-00019

ADDL/REVISED SUBMITTAL

MAR 16 277

FORT MYERS SERVICE CENTER

500 S. Bronough Street . Tallahassee, FL 32399-0250 . http://www.fiheritage.com

Director's Office (850) 245-6300 \* FAX: 245-6435

☐ Archaeological Research (850) 245-6444 · FAX: 245-6436

M Historic Preservation (850) 245-6333 · FAX: 245-6437

☐ Historical Museums (850) 245-6400 · FAX: 245-6433

☐ Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476

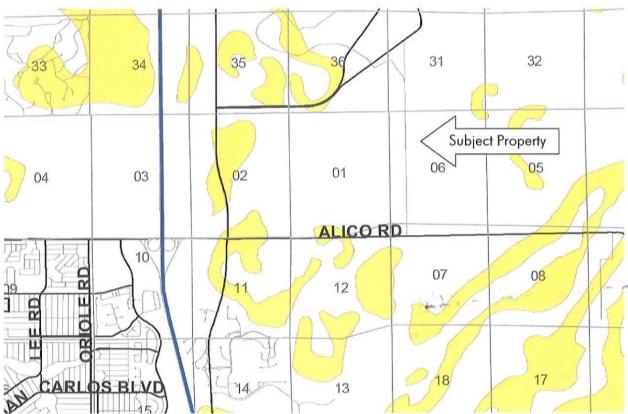
☐ St. Augustine Regional Office (904) 825-5045 • FAX: 825-5044

☐ Tampa Regional Office (813) 272-3843 • FAX; 272-2340



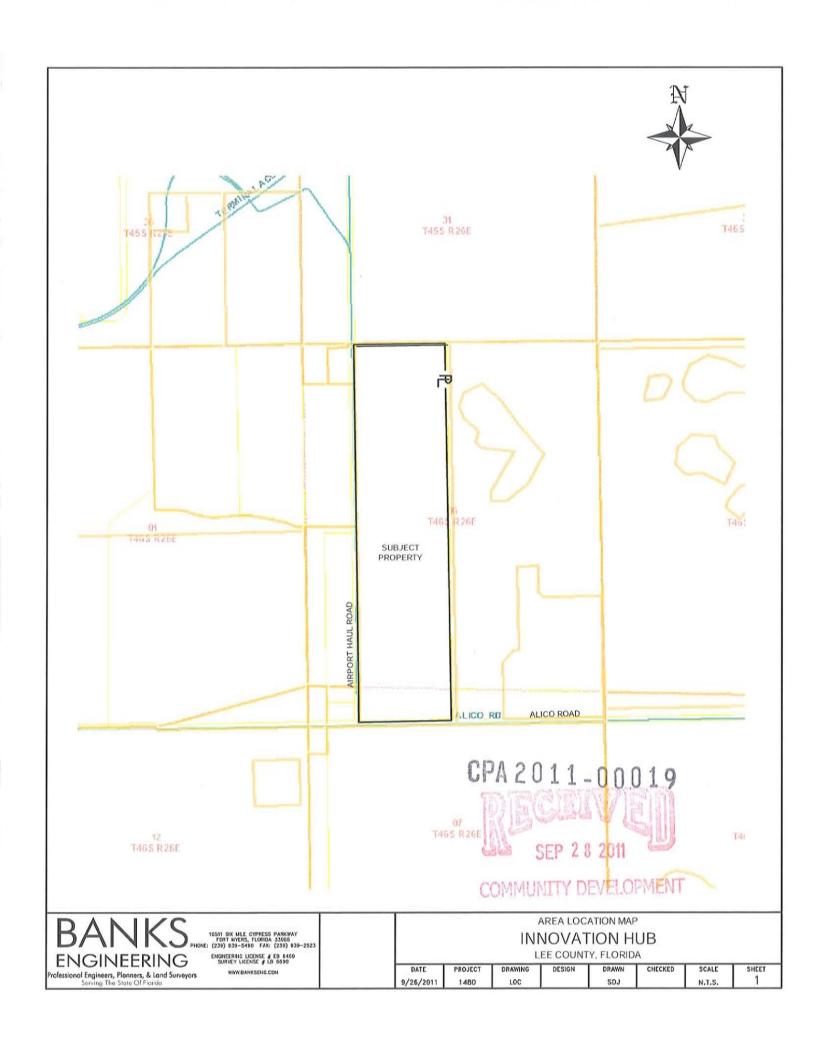
Professional Engineers, Planners & Land Surveyors

# Lee County Archaeological Sensitivity Map Sensitivity Level 1 Sensitivity Level 2 Previously Surveyed





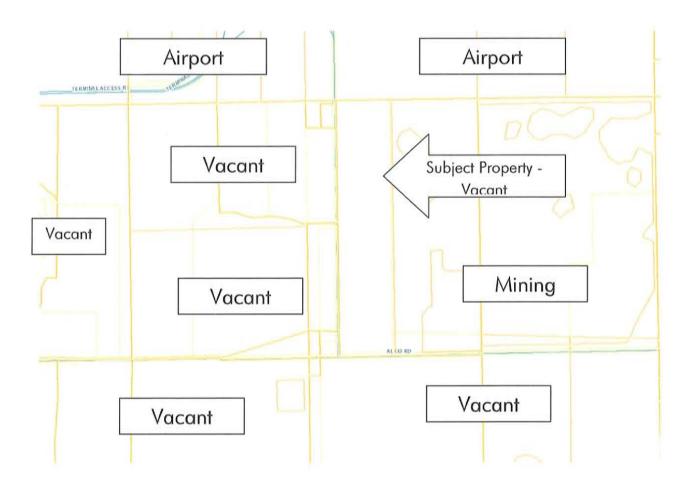
• SERVING THE STATE OF FLORIDA • 11-00019





Professional Engineers, Planners & Land Surveyors

# Existing Land Uses



CPA 2 U 1 1 - 0 0 0 1 9



COMMUNITY DEVELOPMENT

#### SERVING THE STATE OF FLORIDA



Professional Engineers, Planners & Land Surveyors

# Future Land Use Map





COMMUNITY DEVELOPMENT

SERVING THE STATE OF FLORIDA

# ALICO AIRPARK CENTER LEE COUNTY PROTECTED SPECIES SURVEY

April 2003

CPA 2011-00019

Prepared For:

Banks Engineering, Inc. 10511 Six Mile Cypress Parkway Suite 101 Fort Myers, Florida 33912 (239) 939-5490 SEP 2 8 2011 COMMUNITY DEVELOPMENT

Prepared By:

Passarella and Associates, Inc. 9110 College Pointe Court Fort Myers, Florida 33919 (239) 274-0067

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#### INTRODUCTION

Passarella and Associates, Inc. conducted a Lee County protected species survey on the Alico Airpark Center on January 9, 2003. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards.

The Alico Airpark Center parcel totals 239.21± acres and is located in Section 6, Township 46 South, Range 26 East, Lee County (Figure 1). Haul Road runs along the west property boundary. The access road to the Green Meadows water treatment plant runs along the north property boundary. The site is currently undeveloped. The surrounding land uses consist of undeveloped land to the east and west, the Southwest Florida International Airport to the north, and the Rinker Materials Ft. Myers Mine to the south.

#### LAND USES AND VEGETATION ASSOCIATIONS

The vegetation associations for the property were delineated using 1999 unrectified Lee County blueline aerials (scale 1" = 200') and on-site field surveys conducted on March 12, 2002. During the surveys, lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (Florida Department of Transportation 1999). The FLUCFCS lines were then transferred to a November 2002 rectified aerial photograph. The FLUCFCS map is provided in Figure 2. Table 1 outlines the various cover types delineated on-site and their associated acreages, while a brief description of each of the FLUCFCS classifications follows. The FLUCFCS delineations depicted on a 2002 aerial photograph are provided as Appendix A.

Table 1. Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage	Percent of Total
4119 E1	Pine Flatwoods, Disturbed (0 - 24% Exotics)	5.53	2.3
4119 E2	Pine Flatwoods, Disturbed (25 - 49% Exotics)	80.49	33.6
4119 E3	Pine Flatwoods, Disturbed (50 - 75% Exotics)	14.84	6.2
4119 E4	Pine Flatwoods, Disturbed (76 - 100% Exotics)	2.80	1.2
4241	Melaleuca, Hydric	21.40	8.9
4291 E1	Wax-Myrtle/Willow (0 - 24% Exotics)	0.24	0.1
4291 E2	Wax-Myrtle/Willow (25 - 49% Exotics)	5.58	2.3
4349 E2	Hardwood/Conifer, Disturbed (25 - 49% Exotics)	2.92	1.2
514	Ditch	0.26	0.1
6219 E1	Cypress, Disturbed (0 - 24 % Exotics)	4.81	2.0
6219 E2	Cypress, Disturbed (25 - 49% Exotics)	1.46	0.6
6219 E3	Cypress, Disturbed (50 - 75 % Exotics)	0.51	0.2
6249 E2	Pine-Cypress Disturbed (25 - 49% Exotics)	5.41	2.3
6249 E3	Pine-Cypress Disturbed (50 - 75% Exotics)	1.14	0.5
6259 E2	Hydric Pine Flatwoods, Disturbed (25 - 49% Exotics)	54.50	22.8





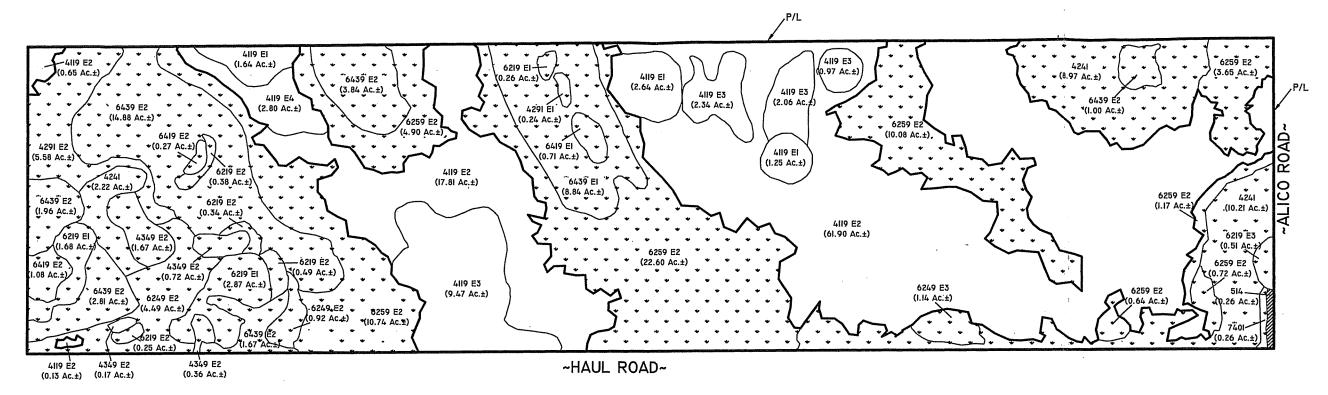
			R 25	E			R 26	E			
	DANI 20	ELS RD.	22	23	24	19	20	21	22	23	2
T 45 S	29	28	27	26	25	30 <b>PRC</b>	29 )JE <b>C</b> T	<sup>28</sup> LOC	27 ATIC	26 <b>N</b>	2
	32	33	34	35	36	31	SEC 6, 32	7 T46S, R2 33	6E 34	35	
	5	4	3	1	1 LICO_RD.	6	5	4	3	2	
	8	9	10	11	12	7	8	3	10	11	1
T 46 S	17 7 c	16	BLVD.	1 4	13	18	17	16	15	14	1
	20 %	21	228	23	24	19	20 corksc	21 REW RD.	22	23	
	20		J. THREE		25	/20	20	28	27	26	2

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: P.F. DATE: 4/24/03

FIGURE 1. PROJECT LOCATION MAP





LEGEND

SURVEYED WETLAND LINES

SFWMD WETLANDS (135.29± Ac.)

SFWMD "OTHER SURFACE WATERS" (0.26± Ac.)

FLUCFCS			% OF
CODES	DESCRIPTIONS	ACREAGES	TOTAL
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	5.53 Ac.±	2.3%
4119 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	80.49 Ac.±	33.6%
4119 E3	PINE FLATWOODS, DISTURBED (50-75% EXOTICS)	14.84 Ac.±	6.2%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	2.80 Ac.±	1.2%
4241	MELALEUCA, HYDRIC	21.40 Ac.±	8.9%
4291 E1	WAX MYRTLE-WILLOW, HYDRIC (0-24% EXOTICS)	0.24 Ac.±	0.1%
4291 E2	WAX MYRTLE-WILLOW, HYDRIC (25-49% EXOTICS)	5.58 Ac.±	2.3%
4349 E2	HARDWOOD\CONIFER, DISTURBED (25-49% EXOTICS)	2.92 Ac.±	1.2%
514	DITCH	0.26 Ac.±	0.1%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	4.81 Ac.±	2.0%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	1.46 Ac.±	0.6%
6219 E3	CYPRESS, DISTURBED (50-75% EXOTICS)	0.51 Ac.±	0.2%
6249 E2	PINE-CYPRESS, DISTURBED (25-49% EXOTICS)	5.41 Ac.±	2.3%
6249 E3	PINE-CYPRESS, DISTURBED (50-75% EXOTICS)	1.14 Ac.±	0.5%
6259 E2	HYDRIC PINE FLATWOOD, DISTURBED (25-49% EXOTICS)	54.50 Ac.±	22.8%
6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	0.71 Ac.±	0.3%
6419 E2	FRESHWATER MARSH, DISTURBED (25-49% EXOTICS)	1.35 Ac.±	0.6%
6439 E1	WET PRAIRE, DISTURBED (0-24% EXOTICS)	8.84 Ac.±	3.7%
6439 E2	WET PRAIRE, DISTURBED (25-49% EXOTICS)	26.16 Ac.±	10.9%
7401	DISTURBED LAND, HYDRIC	0.26 Ac.±	0.1%
	TOTAL	239.21 Ac.±	100.0%

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROJECT BOUNDARY AND WETLAND LINES PER BANKS ENGINEERING, INC. DRAWING No. 1480\_HAUL\_WET2.dwg DATED 5/23/02.

SFWMD WETLAND LINES SHOWN HAVE BEEN FIELD VERIFIED BY CRAIG SCHMITTLER ON MARCH 19, 2002 AND LINES HAVE BEEN SURVEY LOCATED.

REVISIONS	K.C.P.	DATE 4/24/03	HORIZONTAL SCALE  1"=500"
	K.C.P.	DATE 4/24/03	VERTICAL SCALE N/A
	C.C. P.F.	DATE 4/24/03	SEC./TWP./RNG.

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

ALICO AIRPARK CENTER FLUCFCS AND WETLANDS MAP

02VPS826

FIGURE 2

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
6419 E1	Freshwater Marsh, Disturbed (0 - 24% Exotics)	0.71	0.3
6419 E2	Freshwater Marsh, Disturbed (25 - 49% Exotics)	1.35	0.6
6439 E1	Wet Prairie, Disturbed (0 - 24% Exotics)	8.84	3.7
6439 E2	Wet Prairie, Disturbed (25 - 49% Exotics)	26.16	10.9
7401	Disturbed Land, Hydric	0.26	0.1
	TOTALS	239.21	100.0

#### Pine Flatwoods, Disturbed (0 - 24% Exotics) (FLUCFCS Code 4119 E1)

This upland habitat type occupies 5.53± acres or 2.3 percent of the property. The canopy is dominated by slash pine (*Pinus elliottii*) with widely scattered melaleuca (*Melaleuca quinquenervia*). The sub-canopy consists of melaleuea, wax-myrtle (*Myrica cerifera*), myrsine (*Rapanea punctata*), and dahoon holly (*Ilex cassine*). The ground cover includes gulf muhly (*Muhlenbergia capillaris*), rosy camphorweed (*Pluchea rosea*), and saw palmetto (*Serenoa repens*).

#### Pine Flatwoods, Disturbed (25 - 49% Exotics) (FLUCFCS Code 4119 E2)

This upland habitat type occupies  $80.49\pm$  acres or 33.6 percent of the property. The canopy is dominated by melaleuca and slash pine. The sub-canopy consists of melaleuca, wax-myrtle, myrsine, and dahoon holly. The ground cover includes gulf muhly, rosy camphorweed, and saw palmetto.

#### Pine Flatwoods, Disturbed (50 - 75% Exotics) (FLUCFCS Code 4119 E3)

This upland habitat type occupies 14.84± acres or 6.2 percent of the property. The canopy is dominated by melaleuca and scattered slash pine. The sub-canopy consists of melaleuca and scattered wax-myrtle. The ground cover includes rosy camphorweed and scattered saw palmetto.

#### Pine Flatwoods, Disturbed (76 - 100% Exotics) (FLUCFCS Code 4119 E4)

This upland habitat type occupies 2.80± acres or 1.2 percent of the property. Canopy vegetation is dominated by melaleuca. The sub-canopy consists of melaleuca and Brazilian pepper (*Schinus terebinthifolius*). Ground cover includes scattered rosy camphorweed and saw palmetto.

#### Melaleuca, Hydric (FLUCFCS Code 4241)

This wetland habitat makes up 21.40± acres or 8.9 percent of the property. The canopy is dominated by greater than 75 percent melaleuca with widely scattered slash pine. The sub-canopy contains melaleuca. The ground cover consists of bare ground with melaleuca, yellow-eyed grass (*Xyris* sp.), hatpins (*Eriocaulon decangulare*), rush fuirena (*Fuirena scirpoidea*), little blue maidencane (*Amphicarpum muhlenbergianum*), and sandweed (*Hypericum fasiculatum*).

#### Wax-Myrtle/Willow, Hydric (0 - 24% Exotics) (FLUCFCS Code 4291 E1)

This wetland community type occupies 0.24± acre or 0.1 percent of the property. The canopy is open with scattered cypress (*Taxodium distichum*). The sub-canopy contains wax-myrtle, willow

(Salix caroliniana), buttonbush (Cephalanthus occidentalis), flowering dogwood (Cornus florida), Brazilian pepper, and swamp laurel oak (Quercus laurifolia). The ground cover includes pepper vine (Ampelcpsis arborea), grapevine (Vitis rotundifolia), iris (Iris sp.), sawgrass (Cladium jamaicense), and asiatic pennywort (Centella asiatica).

#### Wax-Myrtle/Willow, Hydric (25 - 49% Exotics) (FLUCFCS Code 4291 E2)

This wetland community type occupies 5.58± acres or 2.3 percent of the property. The canopy is open with scattered cypress. The sub-canopy contains wax-myrtle, willow, buttonbush, flowering dogwood, and Brazilian pepper. The ground cover includes pepper vine, grapevine, iris, sawgrass, and asiatic pennywort.

#### Hardwood/Conifer, Disturbed (25 - 49% Exotics) (FLUCFCS Code 4349 E2)

This wetland habitat type occupies 2.92± acres or 1.2 percent of the property. The canopy contains slash pine, live oak (*Quercus virginiana*), and cabbage palm (*Sabal palmetto*). The subcanopy contains cabbage palm. The ground cover includes bahia grass (*Paspalum notatum*), ceasar weed (*Urena lobata*), Brazilian pepper, and cabbage palm.

#### Ditch (FLUCFCS Code 514)

This habitat type occupies 0.26± acre or 0.1 percent of the property. The canopy is open. The sub-canopy contains Brazilian pepper, wax-myrtle, and willow. The ground cover contains dotted smartweed (*Polygonum punctatum*) and cattail (*Typha* sp.).

#### Cypress, Disturbed (0 - 24% Exotics) (FLUCFCS Code 6219 E1)

This wetland community type occupies  $4.81\pm$  acres or 2.0 percent of the property. The canopy contains cypress and cabbage palm. The sub-canopy contains Brazilian pepper, cabbage palm, myrsine, and wax-myrtle. The ground cover includes swamp fern (*Blechnum serrulatum*).

#### Cypress, Disturbed (25 - 49% Exotics) (FLUCFCS Code 6219 E2)

This wetland community type occupies 1.46± acres or 0.6 percent of the property. The canopy contains cypress. The sub-canopy contains Brazilian pepper. The ground cover includes saw grass, dahoon holly, and willow.

#### Cypress, Disturbed (50 - 75% Exotics) (FLUCFCS Code 6219 E3)

This wetland community type occupies  $0.51\pm$  acre or 0.2 percent of the property. The canopy contains cypress and Brazilian pepper. The sub-canopy is dominated by Brazilian pepper. The ground cover includes swamp fern and chain fern (*Woodwardia* sp.).

#### Pine-Cypress, Disturbed (25 - 49% Exotics) (FLUCFCS Code 6249 E2)

This wetland habitat type occupies 5.41± acres or 2.3 percent of the property. The canopy contains slash pine, cypress, and melalueca. The sub-canopy contains Brazilian pepper and cabbage palm. The ground cover includes swamp fern and cabbage palm.

#### Pine-Cypress, Disturbed (50 - 75% Exotics) (FLUCFCS Code 6249 E3)

This wetland habitat type occupies 1.14± acres or 0.5 percent of the property. The canopy contains Brazilian pepper, cypress, slash pine, and melaleuca. The sub-canopy contains swamp

bay (Persea palustris) and wild coffee (Psychotria sp.). The ground cover includes chain fern and poison ivy (Toxicodendron radicans).

#### Hydric Pine Flatwoods, Disturbed (25 - 49% Exotics) (FLUCFCS Code 6259 E2)

This wetland habitat makes up 54.50± acres or 22.8 percent of the property. The canopy is dominated by slash pine and melaleuca. The sub-canopy contains swamp laurel oak and wax-myrtle. The ground cover consists of bare ground with melaleuca, yellow-eyed grass, hatpins, rush fuirena, little blue maidencane, and sandweed.

#### Freshwater Marsh, Disturbed (0 - 24% Exotics) (FLUCFCS Code 6419 E1)

This wetland habitat occupies  $0.71\pm$  acre or 0.3 percent of the property. The canopy contains widely scattered willow. The sub-canopy is open. The ground cover includes wax-myrtle, Brazilian pepper, dahoon holly, swamp fern, and fireflag (*Thalia geniculata*).

#### Freshwater Marsh, Disturbed (25 - 49% Exotics) (FLUCFCS Code 6419 E2)

This wetland habitat occupies 1.35± acres or 0.6 percent of the property. The canopy is open with widely scattered cabbage palm. The sub-canopy is open with scattered Brazilian pepper. The ground cover includes iris, water dropwort (Oxypolis sp.), torpedo grass (Panicum repens), asiatic pennywort, frog fruit (Phyla nodiflora), mock bishop's weed (Ptilimnium capillaceum), and smart weed (Polygonum punctatum).

#### Wet Prarie, Disturbed (0 - 24% Exotics) (FLUCFCS Code 6439 E1)

This wetland area occupies 8.84± acres or 3.7 percent of the property. The canopy is open with widely scattered slash pine, melaleuca, and cypress. The sub-canopy is scattered with myrsine. The ground cover includes maidencane (*Panicum hemitomon*), marsh fleabane (*Pluchea rosea*), rush fuirena, pineland heliotrope (*Heliotropium polyphyllum*), gulfdune paspalum, (*Paspalum monostachyum*), and dog fennel (*Eupatorium capillifolium*).

#### Wet Prarie, Disturbed (25 - 49% Exotics) (FLUCFCS Code 6439 E2)

This wetland area occupies 26.16± acres or 10.9 percent of the property. The canopy is open with widely scattered slash pine, melaleuca, and cypress. The sub-canopy is scattered with melaleuca and myrsine. The ground cover includes maidencane, marsh fleabane, rush fuirena, pineland heliotrope, gulfdune paspalum, and dog fennel.

#### Disturbed Land, Hydric (FLUCFCS Code 7401)

This wetland area occupies  $0.26\pm$  acre or 0.1 percent of the property. The canopy contains melaleuca. The sub-canopy contains melaleuca. The ground cover includes melaleuca, frog fruit, maindencane, sawgrass, swamp fern, rosy camphorweed, chain fern, yellow-eyed grass, asiatic pennywort, bushy bluestem (*Andropogon glomeratus*), goldenrod (*Solidago* sp.), poison ivy, and St. John's wort (*Hypericum* sp.).

#### METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site, as outlined in the LDC. The frequency of transects

performed in these habitats, unless otherwise discussed, were designed to meet the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Environmental Sciences staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FL	UCFCS Code and Description	Potential Protected Species
		Eastern indigo snake (Drymarchon corais couperi)
		Gopher tortoise (Gopherus polyphemus)
		Gopher frog (Rana areolata)
4119 E1	Pine Flatwoods	Southeastern American kestrel (Falco sparverius paulus)
4119 61	(0 - 24% Exotics)	Red-cockaded woodpecker (Picoides borealis)
4110 F2	Pine Flatwoods	Florida panther (Felis concolor coryi)
4119152	(25 - 49% Exotics)	Big Cypress fox squirrel (Sciurus niger avicennia)
4119 E3	Pine Flatwoods	Florida black bear (Ursus americanus floridanus)
4117 L3	(50 - 75% Exotics)	Fakahatchee burmannia (Burmannia flava)
	(30 7370 Exolles)	Satinleaf (Chrysophyllum divaeforme)
		Beautiful pawpaw (Deeringothamnus pulchellus)
		Florida coontie (Zamia floridana)
4241	Melaleuca, Hydric**	Big Cypress fox squirrel (Sciurus niger avicennia)
4291 E1	Wax-Myrtle/Willow	Little blue heron (Egretta caerula)
	(0-24%  Exotics)	Snowy Egret (Egretta thula)
4291 E2 Wax Myrtle/Willow (25 – 49% Exotics)		Tricolored heron (Egretta tricolor)
		Little blue heron (Egretta caerula)
		Snowy egret (Egretta thula)
	O D' 1 1	Tricolored heron (Egretta tricolor)
6219 E1	Cypress, Disturbed	Gopher frog (Rana areolata)
	(0 – 24% Exotics)	Arctic peregrine falcon (Falco peregrinus tundrius)
6219 E2	Cypress, Disturbed (25 – 49% Exotics)	Everglades mink (Mustela vison evergladensis)
C046 ===	Cypress, Disturbed	Big Cypress fox squirrel (Sciurus niger avicennia)
6219 E3	(50 – 75% Exotics)	American alligator (Alligator mississippiensis)
	(50 /5/0 EAGGOS)	Limpkin (Aramus Guarana)
		Wood stork (Mycteria mericana)
		Florida panther (Felis concolor coryi)
***		Florida black bear (Ursus Americana floridanus)

Table 2. (Continued)

FL	UCFCS Code and Description	Potential Protected Species
		Little blue heron (Egretta caerulea)
	TT 1 1/0 10	Snowy egret (Egretta thula)
4349 E2	Hardwood/Conifer,	Tricolored heron (Egretta tricolor)
	Disturbed	Gopher frog (Rana areolata)
	(25 – 49% Exotics)	Gopher tortoise (Gopherus polyphemus)
6249 E2	Pine-Cypress, Disturbed	Arctic peregrine falcon (Falco peregrinus tundrius)
	(25 – 49% Exotics)	Everglades mink (Mustela vison evergladensis)
60 40 TO	Pine-Cypress,	Big Cypress fox squirrel (Scurius niger avicennia)
6249 E3	Disturbed	Florida black bear (Ursus americanus floridanus)
	(50 – 75% Exotics)	Florida panther (Felis concolor coryi)
6259 E2	Hydric Pine Flatwoods,	Fakahatchee burmania (Burmania flava)
0239 EZ	Disturbed	Satinleaf (Chrysophyllum olivaeforme)
	(25-49%  Exotics)	Beautiful pawpaw (Deeringothamnus pulchellus)
	(	Florida coontie (Zamia floridana)
		Eastern indigo snake (Drymarchon corais couperi)
		Southeastern American kestrel (Falco sparverius paulus)
	Freshwater Marsh,	Red-cockaded woodpecker (Picoides Borealis)
6419 E1	Disturbed	Little blue heron (Egretta caerulea)
	(0 – 24% Exotics)	Snowy egret (Egretta thula)
	Freshwater Marsh,	Tricolored heron (Egretta Tricolor)
6419 E2	Disturbed	Wood stork (Myceteria Americana)
	(25 – 49% Exotics)	Reddish egret (Egretta rufescens)
C420 E1	Wet Prairie, Disturbed	American alligator (Alligator mississippiensis)
6439 E1	(0-24%  Exotics)	Limpkin (Aramus guarana)
6439 E2	Wet Prairie, Disturbed	Florida sandhill crane (Grus Canadensis pratensis)
ひサンプ 丘ム	(25 – 49% Exotics)	Snail kite (Rostrhamus sociabilis)
· · · · · · · · · · · · · · · · · · ·	,	Everglades mink (Mustela vison evergladensis)

<sup>\*</sup>Habitat surveyed for the species noted as a precautionary measure although not required per the LDC.

The protected species survey was conducted by Passarella and Associates, Inc. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS methodology previously approved by Lee County. The survey was conducted January 9, 2003. The weather was sunny and clear in the mid 60's with light winds out of the southwest.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 3.

Table 3. **Summary of Habitat Coverage** 

FLUCFCS Code and Description	Total Area (Acres)	Transect Length (Feet)	Average Visibility (Feet)*	Percent Coverage
4119 E1 Pine Flatwoods, Disturbed (0 – 24% Exotics)	5.53	2,559	40	85
4119 E2 Pine Flatwoods, Disturbed (25 – 49% Exotics)	80.49	37,252	40	85
4119 E3 Pine Flatwoods, Disturbed (50 – 75% Exotics)	14.84	6,868	40	85
4119 E4 Pine Flatwoods, Disturbed (76 – 100% Exotics)	2.80	1,220	25	50
4241 Melaleuca, Hydric**	21.40	9,322	25	50
4291 E1 Wax-Myrtle/Willow (0 – 24% Exotics)	0.24 -	111	40	85
4291 E2 Wax-Myrtle/Willow (25 – 49% Exotics)	5.58	2,583	40	85
4349 E2 Hardwood/Conifer, Disturbed (25 – 49% Exotics)	2.92	1351	40	85
514 Ditch	0.26	2,945	40	85
6219 E1 Cypress, Disturbed (0 – 24 % Exotics)	4.81	2,095	40	80
6219 E2 Cypress, Disturbed (25 – 49% Exotics)	1.46	636	40	80
6219 E3 Cypress, Disturbed (50 – 75 % Exotics)	0.51	222	40	80
6249 E2 Pine-Cypress Disturbed (25 – 49% Exotics)	5.41	2,504	40	85
6249 E3 Pine-Cypress Disturbed (50 – 75% Exotics)	1.14	497	40	80
6259 E2 Hydric Pine Flatwoods, Disturbed (25 – 49% Exotics)	54.50	25,224	40	85
6419 E1 Freshwater Marsh, Disturbed (0 – 24% Exotics)	0.71	309	40	80
6419 E2 Freshwater Marsh, Disturbed (0 – 24% Exotics)	26.16	14,244	40	80
6439 E1 Wet Prairie, Disturbed (0 – 24% Exotics)	8.84	3,851	40	80
6439 E2 Wet Prairie, Disturbed (25 – 49% Exotics)	26.16	11,395	40	80

<sup>\*</sup> Average visibility to one side of transect
\*\* Habitat surveyed as a precautionary measure although not required per the LDC

#### **SURVEY RESULTS**

No listed plant or wildlife species were identified on the Alico Airpark Center parcel. The protected species survey did identify eight squirrel nests on the site; however, no squirrels were observed. The nests were also very small in size, which is a good indication the nests are utilized by gray squirrels rather than Big Cypress fox squirrels. Table 4 summarizes the protected species survey findings. A copy of a 2002 aerial with the survey transects is provided in Appendix A.

Table 4. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
		Reptiles		· · · · · · · · · · · · · · · · · · ·	
American Allicator	6219 E2			X	
American Alligator	6419 E1			X	
	4119 E2			X	
Dankam Indian Conta	4119 E3			X	
Eastern Indigo Snake	6259 E2			X	
	6259 E3			X	
	4119 E2			X	
	4119 E3			X	
Gopher Frog	6219 E2			X	
	6259 E2			X	
	6259 E3			X	
	4119 E2			X	
O cotto o move to	4119 E3			X	
Gopher Tortoise	6259 E2			X	
	6259 E3			X	
		Birds			
T :1-:	6219 E2			X	
Limpkin	6419 E1			X	
	6219 E2			X	
Little Blue Heron	6259 E2			X	
Little Blue Heron	6259 E3			X	
	6419 E1			X	
100 (alan 100 alan 10	4119 E2			X	
Red-cockaded	4119 E3			X	
Woodpecker	6259 E2			X	
•	6259 E3			X	
Reddish Egret	6419 E1			X	
<u> </u>	6219 E2			X	
G F :	6259 E2			X	
Snowy Egret	6259 E3			X	
	6419 E1			X	

Table 4. (Continued)

Protected Species	FLUCFCS Code/Area	% Area	Individuals Present	Individuals	Density
	4119 E2	Surveyed	Present	Absent X	(Acre)
Southeastern American	4119 E2 4119 E3			X	
Kestrel	6259 E2			X	
Restrei	6259 E3				
	6219 E2			X	
	6259 E2			X	-
Tricolored Heron	6259 E2			X	
	6419 E1			X	
Snail Kite	6419 E1			X	
Shan Kite	6219 E2			X	
Anatia Danamina Estada	6219 E2 6259 E2			X	
Arctic Peregrine Falcon		<u> </u>			
	6259 E3			X	
Wood Stork	6219 E2			X	
<u> </u>	6419 E1		L	X	
· · · · · · · · · · · · · · · · · · ·		Mammals	1		
	6219 E2			X	
Everglades Mink	6259 E2			X	
_,	6259 E3			X	
	6419 E1			X	
	4119 E2			X	
	4119 E3			X	
Big Cypress Fox Squirrel	4241			X	
Big Cypicss I ox Squiitei	6219 E2			X	
	6259 E2			X	
	6259 E3			X	
	4119 E2			X	
	4119 E3			X	
Florida Black Bear	6219 E2			X	
	6259 E2			X	
	6259 E3			X	
	4119 E2			X	
	4119 E3			X	
Florida Panther	6219 E2			X	
	6259 E2			X	
	6259 E3			X	
		Plants			
	4119 E2			X	
	4119 E3			X	
Fakahatchee Burmannia	6259 E2			X	
	6259 E3			X	

Table 4. (Continued)

Protected Species	FLUCFCS Code/Area	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
	4119 E2			X	
Satinleaf	4119 E3			X	
	6259 E2			X	
	6259 E3			X	
	4119 E2			X	<u> </u>
Beautiful Paw-Paw	4119 E3	,		X	
Deautiful Faw-Faw	6259 E2			X	
	6259 E3			X	
	4119 E2			X	
Florida Coontie	4119 E3			X	
rionua Coonne	6259 E2	-		X	
	6259 E3			X	

#### MANAGEMENT PLAN

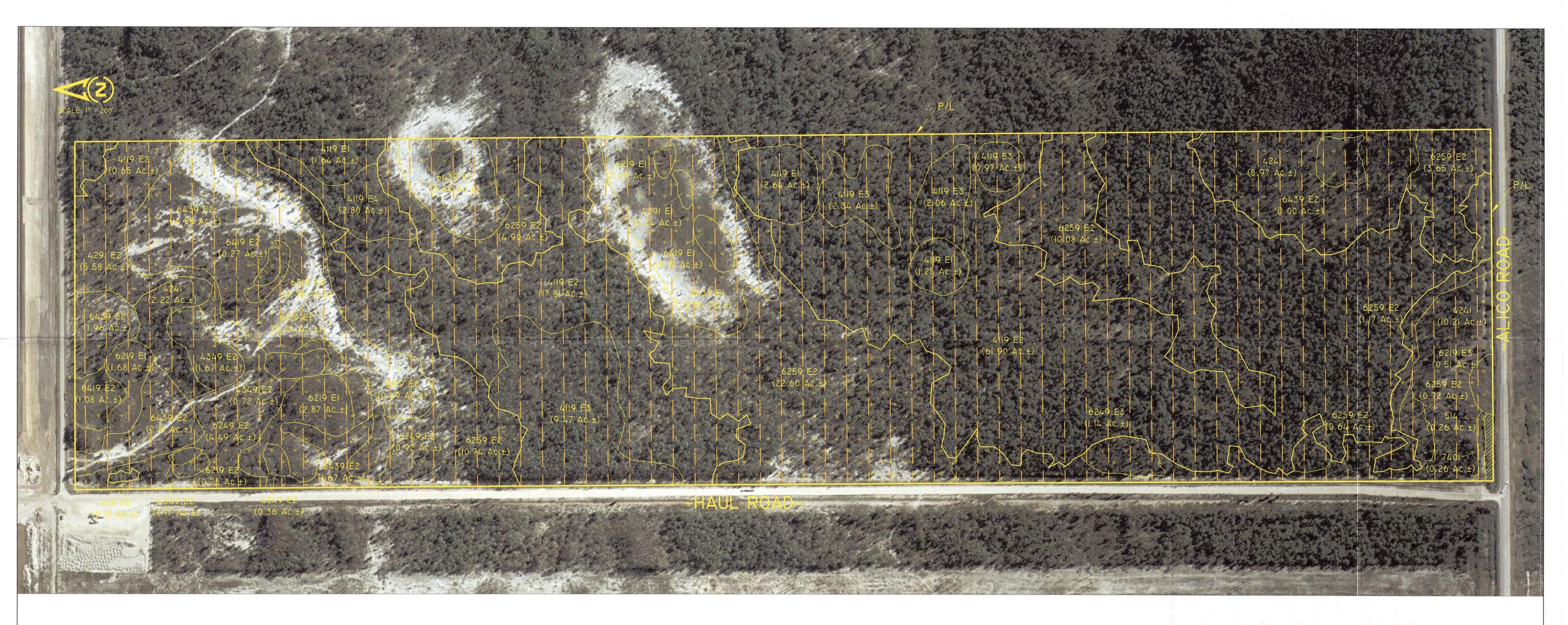
A management plan is not required since no Lee County protected species were identified on the site.

#### **REFERENCES**

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

#### APPENDIX A

# AERIAL PHOTOGRAPH WITH FLUCFCS MAPPING AND SURVEY TRANSECTS



LEGEND

--- APPROXIMATE WALKED TRANSECT



SFWMD WETLANDS (135.29± Ac.)



SFWMD "OTHER SURFACE WATERS" (0.26± Ac.)

FLUCFCS			% OF
CODES	DESCRIPTIONS	ACREAGES	TOTAL
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	5.53 Ac.±	2.3%
4119 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	80.49 Ac.±	33.6%
4119 E3	PINE FLATWOODS, DISTURBED (50-75% EXOTICS)	14.84 Ac.±	6.2%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	2.80 Ac.±	1.2%
4241	MELALEUCA, HYDRIC	21.40 Ac.±	8.9%
4291 E1	WAX MYRTLE-WILLOW, HYDRIC (0-24% EXOTICS)	0.24 Ac.±	0.1%
4291 E2	WAX MYRTLE-WILLOW, HYDRIC (25-49% EXOTICS)	5.58 Ac.±	2.3%
4349 E2	HARDWOOD\CONIFER, DISTURBED (25-49% EXOTICS)	2.92 Ac.±	1.2%
514	DITCH	0.26 Ac.±	0.1%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	4.81 Ac.±	2.0%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	1.46 Ac.±	0.6%
6219 E3	CYPRESS, DISTURBED (50-75% EXOTICS)	0.51 Ac.±	0.2%
6249 E2	PINE-CYPRESS, DISTURBED (25-49% EXOTICS)	5.41 Ac.±	2.3%
6249 E3	PINE-CYPRESS, DISTURBED (50-75% EXOTICS)	1.14 Ac.±	0.5%
6259 E2	HYDRIC PINE FLATWOOD, DISTURBED (25-49% EXOTICS)	54.50 Ac.±	22.8%
6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	0.71 Ac.±	0.3%
6419 E2	FRESHWATER MARSH, DISTURBED (25-49% EXOTICS)	1.35 Ac.±	0.6%
6439 E1	WET PRAIRE, DISTURBED (0-24% EXOTICS)	8.84 Ac.±	3.7%
6439 E2	WET PRAIRE, DISTURBED (25-49% EXOTICS)	26.16 Ac.±	10.9%
7401	DISTURBED LAND, HYDRIC	0.26 Ac.±	0.1%
48	TOTAL	239.21 Ac.±	100.0%

AERIAL PHOTOGRAPHS WERE OBTAINED FROM AERIALS EXPRESS, Inc. WITH A FLIGHT DATE OF NOVEMBER 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROJECT BOUNDARY AND WETLAND LINES PER BANKS ENGINEERING, INC. DRAWING No. 1480\_HAUL\_WET2.dwg DATED 5/23/02.

SFWMD WETLAND LINES SHOWN HAVE BEEN FIELD VERIFIED BY CRAIG SCHMITTLER ON MARCH 19, 2002 AND LINES HAVE BEEN SURVEY LOCATED.

REVISIONS	DESIGNED BY K.C.P.	DATE 4/24/03	HORIZONTAL SCALE  1"=200'
	CHECKED BY K.C.P.	DATE 4/24/03	VERTICAL SCALE  N/A
	C.C., P.F.	DATE 4/24/03	SEC./TWP./RNG.

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

ALICO AIRPARK CENTER

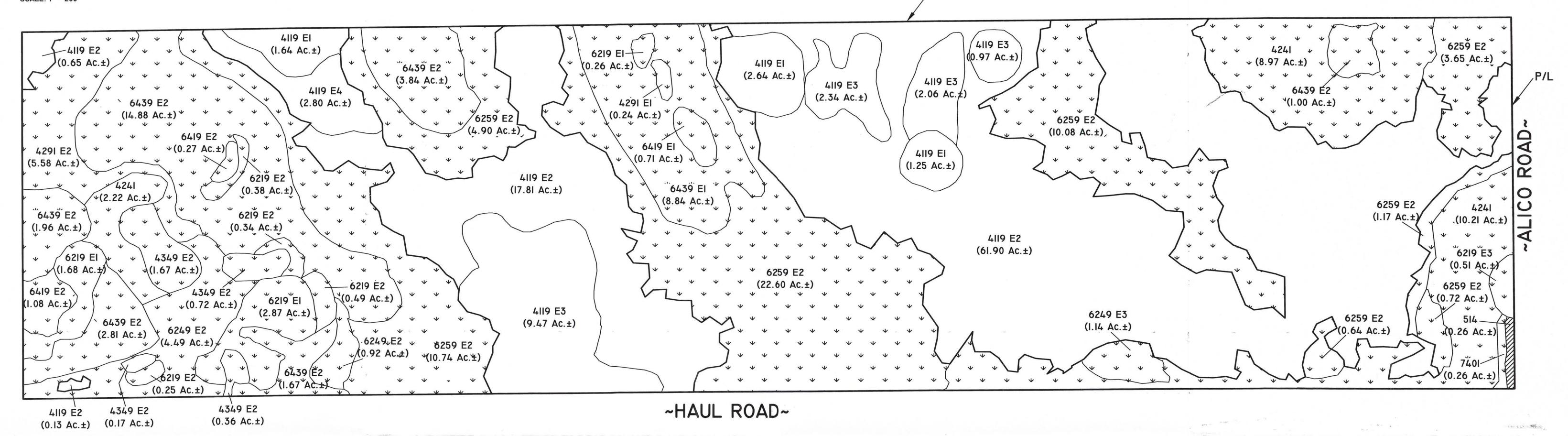
AERIAL PHOTOGRAPH WITH FLUCFCS MAPPING AND SURVEY TRANSECTS

DRAWING No.:

02VPS826

EXHIBIT No.:

APPENDIX A



LEGEND

SURVEYED WETLAND LINES

\* \*

SFWMD WETLANDS (135.29± Ac.)

SFWMD "OTHER SURFACE WATERS"

<b>FLUCFCS</b>			% OF
CODES	DESCRIPTIONS	ACREAGES	TOTAL
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	5.53 Ac.±	2.3%
4119 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	80.49 Ac.±	33.6%
4119 E3	PINE FLATWOODS, DISTURBED (50-75% EXOTICS)	14.84 Ac.±	6.2%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	2.80 Ac.±	1.2%
4241	MELALEUCA, HYDRIC	21.40 Ac.±	8.9%
4291 E1	WAX MYRTLE-WILLOW, HYDRIC (0-24% EXOTICS)	0.24 Ac.±	0.1%
4291 E2	WAX MYRTLE-WILLOW, HYDRIC (25-49% EXOTICS)	5.58 Ac.±	2.3%
4349 E2	HARDWOOD\CONIFER, DISTURBED (25-49% EXOTICS)	2.92 Ac.±	1.2%
514	DITCH	0.26 Ac.±	0.1%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	4.81 Ac.±	2.0%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	1.46 Ac.±	0.6%
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6439 E2	WET PRAIRE, DISTURBED (25-49% EXOTICS)	26.16 Ac.±	10.9%
7401	DISTURBED LAND, HYDRIC	0.26 Ac.±	0.1%

239.21 Ac.± 100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROJECT BOUNDARY AND WETLAND LINES PER BANKS ENGINEERING, INC. DRAWING No. 1480\_HAUL\_WET2.dwg DATED 5/23/02.

SFWMD WETLAND LINES SHOWN HAVE BEEN FIELD VERIFIED BY CRAIG SCHMITTLER ON MARCH 19, 2002 AND LINES HAVE BEEN SURVEY LOCATED.

CPA 2011-00019



REVISIONS	DESIGNED BY K.C.P.	DATE 4/24/03	HORIZONTAL SCALE 1"=200'
	CHECKED BY K.C.P.	DATE 4/24/03	VERTICAL SCALE  N/A
	DRAWN BY	DATE 4/24/03	SEC./TWP./RNG.

PASSARELLA and ASSOCIATES, INC.

Consulting Ecologists

9110 College Pointe Court, Fort Myers, Florida 33919

TOTAL

ALICO AIRPARK CENTER
FLUCFCS AND WETLANDS MAP

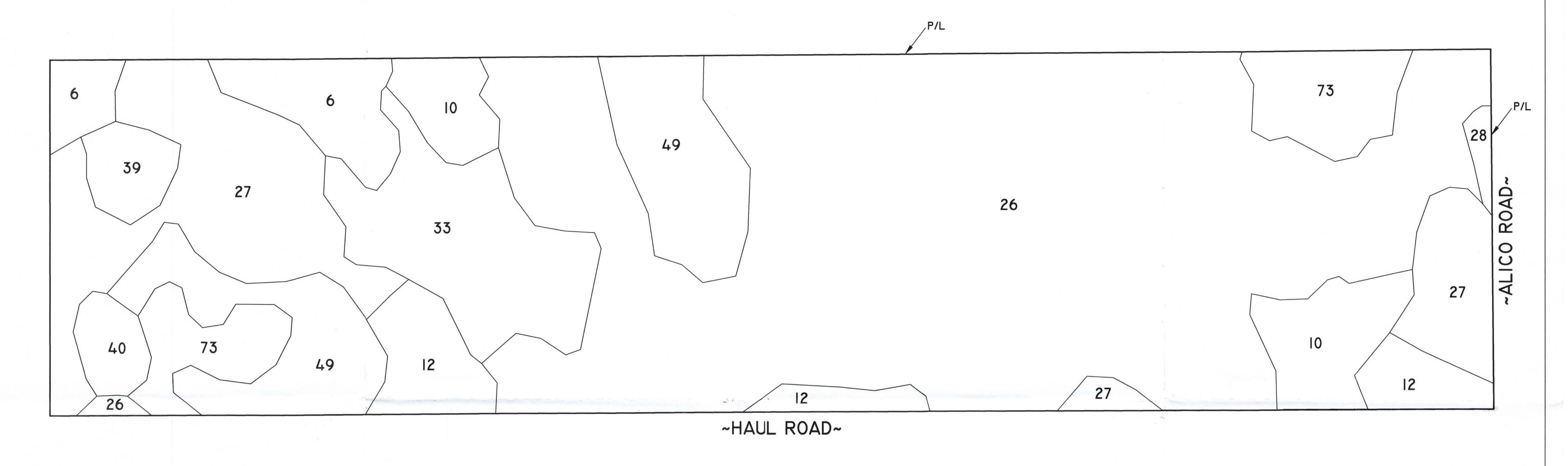
DRAWING No.:

02VPS826

EXHIBIT No.:

EXHIBIT III-C-6





Soil Unit	Description
6	HALLANDALE FINE SAND
10	POMPANO FINE SAND
12	FELDA FINE SAND
26	PINEDA FINE SAND
27	POMPANO FINE SAND, DEPRESSIONAL
28	IMMOKALEE SAND
33	OLDSMAR SAND
39	ISLES FINE SAND, DEPRESSIONAL
40	ANCLOTE SAND, DEPRESSIONAL
49	FELDA FINE SAND, DEPRESSIONAL
73	PINEDA FINE SAND, DEPRESSIONAL

NOTES:

SOILS MAP SCANNED FROM NRCS LEE COUNTY SOIL SURVEY.

PROJECT BOUNDARY PER BANKS ENGINEERING, INC. DRAWING No. 1480\_HAUL\_WET2.dwg DATED 5/23/02.



REVISIONS	DESIGNED BY K.C.P.	DATE 4/24/03	HORIZONTAL SCALE  1"=200'
	K.C.P.	DATE 4/24/03	VERTICAL SCALE  N/A
6	DRAWN BY P.F.	DATE 4/24/03	SEC./TWP./RNG.

PASSARELLA and ASSOCIATES, INC.

Consulting Ecologists

9110 College Pointe Court, Fort Myers, Florida 33919

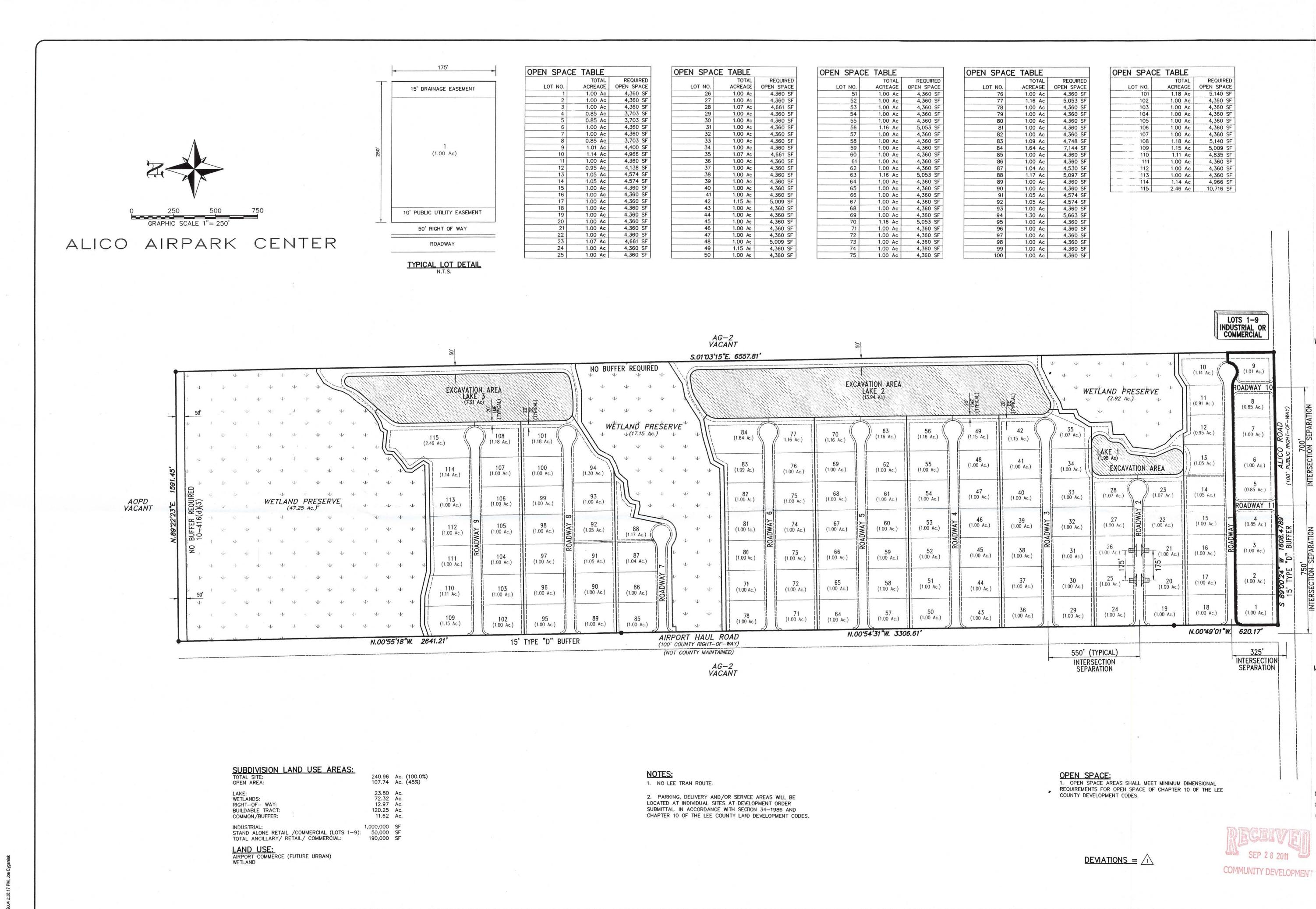
ALICO AIRPARK CENTER
SOILS MAP

DRAWING No.:

02VPS826

EXHIBIT No.:

EXHIBIT III-C-5



2 04-21-2004 CHANGES PER LEE COUNTY - 04-08-2004
1 08-13-2003 ADD R-O-W BETWEEN LOTS 3 AND 4, AND 7 AND 8
NO. DATE REVISION DESCRIPTION

V. PAUL SCOGGINS

2228 TREEHAVEN CIRCLE

FORT MYERS, FLORIDA 33907

PH: (239)-278-4625

FAX: (239)-278-0639

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

10511 SIX MILE CYPRESS PARKWAY - SUITE 101

FORT MYERS, FLORIDA 33912

PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469

SURVEY LICENSE # LB 6690

MASTER CONCEPT PLAN

ALICO AIRPARK CENTER

LEE COUNTY, FLORIDA

DATE PROJECT DRAWING DESIGN DRAWN CHECKED SCALE SHEET OF FILE NO. (S-T-R)

03-13-2003 1480SC MCP CMD CMD 1"=250' 1 1 06-46-26

07-46-26

AG-2 VACANT

AG-2 VACANT

APPROVED

Site Plan = 2-04-025 Page \_\_\_ of \_

APR 21 2004

CO T

Master Concept Plan

Subject to conditions in Resolution \_\_\_\_\_\_Z-04-025 Case # \_\_\_\_\_\_DC1 2 00 3 - 00033

CPA 2011-00019

DCI 2003-00033

# Banks Engineering

Professional Engineers, Planners & Land Surveyors FORT MYERS & PORT CHARLOTTE & SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTIONS 6 & 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

#### EXHIBIT "A"

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 6 AND 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6 THE SAME BEING THE NORTHWEST CORNER OF SECTION 7 OF SAID TOWNSHIP 46 SOUTH, RANGE 26 EAST; THENCE S.00°49'01"E. ALONG THE WESTERLY LINE OF SAID SECTION 7 FOR 622.26 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD (100' WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 399 AT PAGE 334 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°00'24"E. ALONG SAID NORTHERLY LINE FOR 915.00 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF A ROADWAY AND PUBLIC UTILITY RIGHT-OF-WAY (100' WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1398 AT PAGE 2147 OF SAID PUBLIC RECORDS OF LEE COUNTY AND THE POINT OF BEGINNING; THENCE N.00°49'01"W. ALONG SAID EASTERLY LINE FOR 620.17 FEET; THENCE N.00°54'31"W. ALONG SAID EASTERLY LINE FOR 3306.61 FEET; THENCE N.00°55'18"W. ALONG SAID EASTERLY LINE FOR 2641.21 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID SECTION 6; THENCE N.89°22'23"E. ALONG SAID NORTHERLY LINE FOR 1591.45 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF THE WEST 1/2 OF SAID SECTION 6: THENCE S.01°03'15"E. ALONG SAID EASTERLY LINE AND THE SOUTHERLY PROLONGATION THEREOF FOR 6557.81 FEET PASSING THROUGH THE NORTH QUARTER CORNER OF SAID SECTION 7 AT 6032.36 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID ALICO ROAD; THENCE S.89°00'24"W. ALONG SAID NORTHERLY LINE FOR 1608.48 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 240.96 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

ASSUMED NORTH BASED ON THE WEST LINE OF SECTION 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST AS BEARING S.00°49'01"E.

**DESCRIPTION PREPARED 01-18-10** 

RICHARD M. RITZ

REGISTERED LAND SURVEYOR FLORIDA CERTIFICATION NO. 4009

DATE SIGNED: 9-28-11

SEP 2 8 2011
COMMUNITY DEVELOPMENT

S:JOBS 14xx 1480SC/SURVLYING DESCRIPTIONS 1480 R-1 R-2 SKT TXB-A.doc S:JOBS 14xx 1480SC/SURVLYING DESCRIPTIONS 1480 R-1 R-2 SKT TXB-A.dwg CPA2011-00019

SHEET 1 OF 2

#### Banks Engineering SKETCH OF DESCRIPTION PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690 A TRACT OR PARCEL OF LAND LYING IN 10511 SIX MILE CYPRESS PARKWAY - SUITE 101 SECTIONS 6 AND 7, TOWNSHIP 46 SOUTH, RANGE 26 EAST FORT MYERS, FLORIDA 33966 LEE COUNTY, FLORIDA (239) 939-5490 SOUTHERLY PROLONGATION EASTERLY LINE OF THE EASTERLY LINE OF THE WEST 1/2 SECTION 6 WEST 1/2 SECTION 6 S.01'03'15"E. 6557.81 525.45 6032.36' SUBJECT PARCEL PARCEL CONTAINS NORTHERLY GHT-OF-WAY 240.96 ACRES MORE OR LESS ROADWAY AND PUBLIC UTILITY RIGHT-OF-WAY (100' MDE) O.R. 1398, PG. 2147 N. 00'49'01"W. 620.17 N.00'54'31"W. 3306.61 N.00'55'18"W. 2641.21 POINT OF BEGINNING BEARING BASIS WESTERLY LINE -SECTION 7 ` S.00'49'01"E. 622.26 POINT OF COMMENCEMENT SEE SHEET 1 OF 2 FOR COMPLETE SOUTHWEST CORNER METES AND BOUNDS DESCRIPTION. SECTION 6, THIS SKETCH OF DESCRIPTION NORTHWEST CORNER SECTION 7, TOWNSHIP 46 SOUTH, LEGEND: IS NOT A BOUNDARY SURVEY RANGE 26 EAST NOTES: INDICATES PAGE O.R. INDICATES OFFICIAL RECORDS BOOK 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD. 2.) ASSUMED NORTH BASED ON THE WESTERLY LINE OF SECTION 7. TOWNSHIP 46 SOUTH, RANGE 26 EAST AS BEARING S 00'49'01" E. RICHARD M. RITZ REGISTERED LAND SURVEYOR FLORIDA CERTIFICATION NO. 4009 - DATE SIGNED: 9-28-2011 EXHIBIT "A" - THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED PREPARED 01-18-10 S:\JOBS\14XX\1480SC\SURVEYING\1480\_R-1\_R-2\_SKT\_EXB-A.DOC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. 5: \JOBS\14XX\1480SC\SURVEYING\1480\_R-1\_R-2\_SKT\_EXB-A.DWG SHEET 2 OF 2

