LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Cecil L Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

November 5, 2014

Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL. 32399-0800

Re: Amendment to the Lee Plan
Transmittal Submission Package
Privately Initiated Amendment, CPA2012-01

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Publicly Sponsored Comprehensive Plan Amendment, known locally as CPA2013-04. The proposed amendment is being submitted through the expedited state review process as described in Chapter 163.3184. The amendment is as follows:

> **CPA2012-01** is to amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban.
>
> Adopt Policy 5.1.11 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.
>
> Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units.
>
> Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the Rural future land use category.

The Local Planning Agency held a public hearing for this plan amendment on June 23, 2014. The Board of County Commissioners transmittal hearing for the plan amendment was held on October 22, 2014. The Board of County Commissioners voted to transmit the attached Lee Plan amendment package at the October 22, 2014 transmittal hearing. The proposed amendment is not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing following the receipt of the review agencies' comments.

The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendment is as follows:

Mr. Paul O'Connor, AICP
Lee County Planning Division Director
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8309
Fax (239) 485-8319
Email: oconnops@leegov.com

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendment and supporting data and analysis. By copy of this letter and its attachments, I certify that this amendment and supporting data and analysis have been sent on this date to the agencies listed below.

Sincerely,

DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning

Paul O'Connor, AICP, Director
Director

All documents and reports attendant to this transmittal are also being sent, by copy of this cover in a CD ROM format, to:

Comprehensive Plan Review
Department of Agriculture and Consumer Services

Tracy D. Suber
Department of Education

Kae Craig
Department of Environmental Protection

Susan Harp
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

Lawrence Massey
FDOT District One

Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section
South Florida Water Management District

THE NEWS-PRESS

Published every morning
Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

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

Notice of Public Hearing

In the matter of:

Hearing on October 22, 2014

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

October 14, 2014

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

Sworn to and subscribed before me this 14th day of October, 2014.

by **Kathy Allebach**
personally known to me

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

Notary Public

Print Name: **Jessica Hanft**
My commission Expires: **February 12, 2017**

JESSICA HANFT
MY COMMISSION # EE874397
EXPIRES February 12, 2017
(407) 398-0153 FloridaNotaryService.com

NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (TRANSMITTAL HEARING)

The Lee County Board of County Commissioners will hold a public hearing to consider proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, October 22, 2014. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers at 2120 Main Street in Downtown Fort Myers. At the hearing, the Board will consider the proposed amendments for transmittal to the Florida Department of Economic Opportunity:

CPA2012-00001, River Hall: Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban. Amend Policy 5.1.10 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands. Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units. Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the Rural future land use category.

This transmittal hearing is the first step in a two step public hearing process to amend the Lee Plan. A second hearing will follow the Department of Economic Opportunity's review of the application.

This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing. Persons with disabilities who need an accommodation to participate in the public hearing should contact Janet Miller at 239-533-8583 or jmiller@leegov.com. To ensure availability of services, please request accommodation as soon as possible but preferably five or more business days prior to the event. Persons using a TDD may contact Janet Miller through the Florida Relay Service, 711.

No.1492939
October 14, 2014

CPA2012-01
RIVER HALL
PRIVATELY SPONSORED
AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DEO Transmittal Document

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585

October 22, 2014

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2012-01

✓ **Text Amendment** ✓ **Map Amendment**

	This Document Contains the Following Reviews
✓	**Staff Review**
✓	**Local Planning Agency Review and Recommendation**
✓	**Board of County Commissioners Hearing for Transmittal**
	Staff Response to Review Agencies' Comments
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: June 13, 2014

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVES:

GreenPointe Communities, LLC. / Dave Depew, Ph. D., AICP, Morris-Depew Associates, Inc.

2. REQUEST:

Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban.

Adopt Policy 5.1.11 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.

Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units.

Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying

Suburban future land use category by lowering the allocation to the Rural future land use category.

B. EXECUTIVE SUMMARY

The River Hall Comprehensive Plan Amendment was originally filed by GreenPointe Communities LLC., on September 27, 2012. That amendment was not transmitted by the Board of County Commissioners. At the time of the transmittal hearing, on September 25, 2013, there were only four sitting members of the Board leaving one vacant seat. Motions were made to not transmit the Plan Amendment to State reviewing agencies and to remand the Plan Amendment to the Local Planning Agency. Both of these motions ended in a 2 to 2 vote. The effect of the Board's action at the transmittal hearing on September 25, 2013, was to deny the Plan Amendment.

Pursuant to § 163.3181(4) of the Florida Statutes County staff and GreenPointe engaged in a mediation conference on March 5, 2014. Following this conference, County Attorney staff and the applicant's representatives drafted an agreement that outlined a review process. That process was approved by the Board of County Commissioners at their regular meeting of April 1, 2014. This application is being reviewed in accordance with that process.

The amendment, as currently proposed, asks to reclassify portions of the River Hall development to allow for an increase in the property's density by changing the future land use category from Rural to Sub-Outlying Suburban. It also requests to create Policy 5.1.11 to allow for shifting density from Conservation Uplands to contiguous uplands and to establish a cap in the number of allowable dwelling units on the River Hall development. The results of these proposed amendments would allow an additional 851 dwelling units to be permitted within the River Hall residential community. The additional units will be located in areas that have already been slated for development through the existing approved zoning Master Concept Plan.

C: STAFF RECOMMENDATION AND FINDINGS OF FACT

After reviewing the revised request, including the proposed text amendments and Table 1(b), staff recommended that the BoCC ***not transmit*** the proposed amendment for the reasons outlined in this staff report including:

- The amendment does not qualify as an overriding public necessity.
- The plan amendment causes the remaining River Hall Rural lands, which are not included in the amendment, to exceed their allowable density. This is inconsistent with their future land use category and with Lee Plan 5.1.10, which prohibits non-urban areas from exceeding their allowable density.
- The proposed amendment would increase residential density near the Hickey Creek Mitigation Park.
- The plan amendment would create enclaves of future land use categories within the development.
- The Caloosahatchee Shores community plan goal is to retain its' rural character and rural land use where it currently exists. The plan amendment would redesignate almost

27% of the Planning community's Rural category to an urban category. This could set a precedent for more intensive development requests in this and other rural areas.
- The addition of 851 more dwelling units on SR 80 will exacerbate the projected unacceptable condition of roadway segment failures.

The Staff's Findings and Recommendations are provided in the Staff Report dated October 8, 2014 and attached hereto as Attachment 9.

D. BACKGROUND INFORMATION

1. EXISTING CONDITIONS:

SIZE OF PROPERTY: 1,978 Acres.
SIZE OF AMENDMENT AREA: 1,287 Acres.
PROPERTY LOCATION: The subject property is located south of Palm Beach Boulevard (SR 80), approximately 6 miles east of I-75, east of Buckingham Road.
EXISTING USE OF LAND: The subject property is currently zoned for residential uses, including single-family and multi-family units. The subject property also contains indigenous preserve areas and recreational amenities, such as a golf course. Residential portions of the property are developed in a low density gated golf course community.
CURRENT ZONING: Residential Planned Development (RPD), and Commercial Planned Development (CPD).
CURRENT FUTURE LAND USE CATEGORY (AMENDMENT AREA): Rural future land use category (1,064 acres), and Wetlands future land use category (223 acres).

2. INFRASTRUCTURE AND SERVICES:

FIRE: Fort Myers Shores Fire and Rescue Service District.
EMS: Lee County EMS service area.
LAW ENFORCEMENT: Lee County Sheriff's Office.
SOLID WASTE: The subject site is located in solid waste Service Area 4.
MASS TRANSIT: LeeTran does not currently serve the subject site.
WATER AND SEWER: The subject site is within the Lee County utilities water and sewer service areas. The subject site is served by the Olga Water Treatment Plant and the City of Fort Myers Central Advanced Waste Water Treatment Plant.

3. SURROUNDING LAND USES AND FUTURE LAND USE DESIGNATIONS

The surrounding future land use categories consist of Urban Community, Suburban, Sub-Outlying Suburban, Commercial, Rural, Conservation Lands (Uplands and Wetlands), and Wetlands. The lands to the south of the subject property are designated Urban Community and are within Lehigh Acres. The Urban Community lands within Lehigh Acres have been subdivided into ¼ acre single-family parcels and are primarily zoned RS-1. There are intermittent single-family homes developed in the area adjacent to the proposed amendment.

The Suburban lands are located near the northwest corner of the subject property and consists of single-family homes in RPD and RS-1 zoning districts. The approved density of these

residential developments ranges between 2 and 4 units per acre. The Sub-Outlying Suburban lands are located near the southwest corner of the subject property and consist of vacant property that has been zoned for residential development (RPDs). These lands include two separate projects known as Buckingham 320 (DCI2004-00090) and Portico (DCI2004-00031). Buckingham 320 and Portico were approved with 2 dwelling units per acre.

The commercial lands are located on the north side of State Route 80, directly across from the River Hall entrance, River Hall Parkway. The property in the Commercial future land use category is vacant and was recently rezoned from AG-2 to Commercial Planned Development (CPD), DCI2012-00059, Olga Square. This rezoning approved approximately 371,000 square feet of various commercial uses. Also located to the north are Rural lands that are zoned AG-2 and are currently vacant or developed with single-family homes.

Lands in the Conservation Lands future land use category are located to the east in the Hickey's Creek Mitigation Park. It is anticipated that the Conservation Lands will remain substantially in their natural state.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The subject property is located on Palm Beach Boulevard, State Route 80, approximately 0.8 miles east of Buckingham Road. The property is within the Caloosahatchee Shores Community Planning area, directly to the north of the Lehigh Acres Planning Community. The property is adjacent to the regionally significant Hickey's Creek Mitigation Park. These location attributes and others will be further discussed below.

The applicant is concurrently seeking an amendment to the existing zoning resolution and Master Concept Plan for the River Hall residential development. The proposed rezoning will result in a density that is inconsistent with the density permitted in the Rural future land use category, and is therefore inconsistent with the Lee Plan. To address these inconsistencies, the applicant has requested a privately initiated plan amendment. The proposed Lee Plan amendment, CPA2012-00001, consists of four modifications to the Lee Plan, as summarized at the beginning of this report. According to the May 12, 2014 application materials, the amendments would allow up to a maximum 2,850 residential dwelling units within the River Hall development (see Application Materials).

The applicant has provided in the application materials that the proposed additional units will be constructed within the development footprint that has already been approved, with no impacts to existing or approved conservation areas or community amenities. The applicant provides that "The existing development footprint will be utilized for the additional density promoting the clustering of residential density and uses to improve the efficient use of land and existing utilities." This assures that the existing development footprint will be utilized and that no additional direct impacts will be made to the development's environmental features.

Lee County Division of Environmental Sciences provided a staff report to the Lee County Planning Division on May 22, 2014. Environmental Sciences staff finds that the CPA application and corresponding RPD amendment application demonstrate that there are no

proposed impacts to the boundaries of the existing 465.2 acres of upland and wetland preserves that were required during the currently approved MCP for the River Hall development. While no impacts are proposed to the existing 465.2 acres of preserves, Environmental Sciences staff finds that the proposed Comprehensive Plan amendment "does not propose any additional protection of preserved habitat or protection of listed species then the current existing zoning approvals and conservation easements. Environmental Sciences staff is also concerned that the amendment will allow the applicant to add 851 residential units to areas that are adjacent to documented gopher tortoise, burrowing owl, American Alligator, Florida Sandhill Crane, listed wading birds and Florida Scrub Jays; and areas that have suitable habitat for the Florida Panther and Black Bear." Their concern is the increase in potential for negative human/wildlife interactions and is discussed in more detail in the "Environmental Considerations" section and in the Environmental Sciences memo attached to this staff report as Attachment 1.

Transportation Staff has concerns that the additional residential units, regardless of where they are constructed, will cause additional traffic/transportation issues. Additional units will generate additional vehicle trips, which will increase level of service deficiencies at the project entrance on S.R. 80, and could cause level of service deficiencies at nearby intersections such as Buckingham Road/S.R. 80 and S.R. 31/S.R. 80. To address some of these concerns, the Florida Department of Transportation permit for the already approved River Hall development includes a requirement for the installation of a traffic signal at the intersection of S.R. 80 and River Hall Parkway. The applicant has committed to accelerating the construction of the second, gated entrance to Ruth Avenue in Lehigh Acres. The Development Services Memo is attached to this staff report as Attachment 4.

LeeTran, which does not currently provide service to this area, has expressed concern that the designation of this land, as an urban future land use category, may necessitate that urban types of services, such as transit, are provided. LeeTran states that this would result in additional unfunded needs. Additional public improvements and services may be necessary for future residents if the amendment is approved.

Proposed Sub-Outlying Suburban Future Land Use category

The applicant is proposing to amend the future land use designation for 870 acres of the River Hall development from Rural to Sub-Outlying Suburban. The proposed amendment does not include the entirety of the River Hall planned development because the applicant does not have unified control over all of the lands. The tracts of land that are not included in the amendment will remain in the Rural category. The proposed amendment would create several enclaves of both Rural and Sub-Outlying Suburban land if the amendment is approved. The applicant's representatives have stated that the county could resolve this issue by amending these areas through a subsequent publicly sponsored amendment to the Plan.

Policy 1.1.11 is the descriptor policy for the Sub-Outlying Suburban future land use category. This policy provides that these areas contain predominately low-density residential development. It is intended that *"these areas will develop at lower residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low-density community character."* The standard density range is between 1 and 2 dwelling units an acre. Within the Sub-Outlying

Suburban category commercial development greater than neighborhood centers and industrial land uses are not permitted.

Proposed Amendment to Policy 5.1.10

The second part of the applicant request seeks to allow density from the lands that are proposed to be re-designated to Conservation Lands at the density of the adjoining land use category. To accomplish this, the applicant originally proposed several text amendments to Policy 5.1.10. This portion of the request appears to be reasonable as these lands currently have an upland designation and could just as easily have been part of the request to re-designate the Rural lands to the Sub-Outlying Suburban category. Re-designating these lands to the Conservation Lands – Upland category affords them additional protection in the future. The result of the amendment is similar to the way wetland density is calculated for land designated in future urban categories.

There are 264 acres of Rural designated land that are proposed to be converted to Conservation Lands – Upland. Allowing density from the Conservation Lands-Uplands at the Sub-Outlying Suburban rate would provide an additional 528. The applicants proposed text amendment to Lee Plan Policy 5.1.10 is as follows:

POLICY 5.1.10: *In those Instances where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this Plan will be the sum of the allowable densities for each land use category for each portion of the land. This density can be allocated across the property provided that:*

1. The Planned Development zoning is utilized; and

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

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

4. The resultant Planned Development affords further protection to environmentally sensitive lands if they exist on the property. <u>In the event uplands are preserved within the Planned Development and are designated as Upland Conservation Lands on the future land use map, density may be relocated from the Upland Conservation Lands to contiguous developable uplands at the same underlying density permitted for the developable uplands.</u>

The amendment to the date of unified control will broaden the application of Policy 5.1.10. The application does not attempt to analyze the potential effect on other properties as a result of this proposed amendment. Staff does not know the effect this amendment will have on additional properties. Staff has several concerns with the text amendment as originally proposed by the applicant.

In the event that the plan amendment is transmitted, staff believes that the following language would be better in achieving the applicant's desire to cluster density from the proposed Conservation Lands, in a similar manner that has already occurred on the project site with the previous zoning approvals. This language could be utilized by other Future Urban Areas outside of the Coastal High Hazard area in the future. This is a way to incentivize the addition of Conservation Lands without public funding. Staff's proposed language is as follows:

> POLICY 5.1.11: Property that is in future urban areas and outside of the Coastal High Hazard Area, may receive density from lands that are designated to the Conservation Lands future land use category through a privately initiated amendment. The use of any density that is generated from this policy must be approved through the Planned Development zoning process and be used on the same property as the privately initiated amendment. Density from the Conservation Lands will be calculated at the same rate as the uplands immediately adjacent to the Conservation Lands within the planned development. The units from the Conservation Lands must be clustered on non-Conservation Lands within the planned development. A conservation easement, dedicated to the county, must be granted by the owner of the conservation lands. This easement must assign maintenance responsibility to a property owners' association, community development district, or similar acceptable entity. The conservation easement must be recorded prior to issuance of a development permit authorizing construction of the additional dwelling units generated from the Conservation Lands.

Table 1(b) & Map 16

The applicant has proposed an amendment to Table 1(b), the Year 2030 Allocations Table. Currently the subject property has 1,064 acres of land within the Rural future land use category and 223 acres of land within the Wetlands future land use category. The applicant is proposing an amendment to the Future Land Use Map to add 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban. The applicant is also proposing an amendment to Table 1(b) so that sufficient acreage will be available to allow the build-out of the River Hall development should the proposed changes to the Future Land Use Map be adopted. The applicant originally proposed changes to Table 1(b) are as follows:

(Portion of) Table 1(b)
Fort Myers Shores Planning Community

Future Land Use Category	Remaining	Proposed
Sub-Outlying Suburban	~~367~~	851
Rural	~~1,061~~	0
Conservation Lands Uplands	~~0~~	274
Conservation Lands Wetlands	~~0~~	153

This proposed change would result in no Rural acres remaining in the accommodation table. Staff notes that there are several large vacant parcels that have potential to seek residential development in the planning horizon. Amending the Rural allocation to zero as proposed by the applicant would preclude these vacant parcels from being developed within the planning horizon as specified by Policy 1.7.6. This could potentially affect areas that are to remain in the Rural category within the River Hall development. Staff finds that the amendment to Table 1(b) as

proposed by the applicant is inappropriate. This is further explained within the attached Staff Report. If the Board of County Commissioners desires to transmit the proposed amendment, staff recommends an alternative amendment to Table 1(b) as shown on the following page.

TABLE 1(b)
Year 2030 Allocations

Future Land Use Classification		Lee County Totals		Fort Myers Shores	
		Existing	Proposed	Existing	Proposed
Residential By Future Land Use Category	Intensive Development	~~1,367~~	1,352	~~20~~	5
	Central Urban	~~14,787~~	14,787	~~225~~	225
	Urban Community	~~18,425~~	18,425	~~637~~	637
	Suburban	~~16,623~~	16,623	~~1,810~~	1,810
	Outlying Suburban	~~4,105~~	4,105	~~40~~	40
	Sub-Outlying Suburban	~~1,548~~	1,728	~~367~~	547
	Industrial Development	~~79~~	79	~~0~~	0
	Public Facilities	~~1~~	1	~~0~~	0
	University Community	~~850~~	850	~~0~~	0
	Destination Resort Mixed Use Water Dependent	~~8~~	8	~~0~~	0
	Burnt Store Marina Village	~~4~~	4	~~0~~	0
	Industrial Interchange	~~0~~	0	~~0~~	0
	General Interchange	~~42~~	42	~~0~~	0
	General/Commercial Interchange	~~0~~	0	~~0~~	0
	Industrial/Commercial Interchange	~~0~~	0	~~0~~	0
	University Village Interchange	~~0~~	0	~~0~~	0
	New Community	~~900~~	900	~~0~~	0
	Airport	~~0~~	0	~~0~~	0
	Tradeport	~~9~~	9	~~0~~	0
	Rural	~~8,313~~	8,313	~~1,400~~	1,400
	Rural Community Preserve	~~3,100~~	3,100	~~0~~	0
	Coastal Rural	~~1,300~~	1,300	~~0~~	0
	Outer Islands	~~202~~	202	~~1~~	1
	Open Lands	~~2,805~~	2,805	~~0~~	0
	Density Reduction/Groundwater Resourse	~~6,905~~	6,905	~~0~~	0
	Conservation Lands Uplands	~~0~~	0	~~0~~	0
	Wetlands	~~0~~	0	~~0~~	0
	Conservation Lands Wetlands	~~0~~	0	~~0~~	0
Total Residential		~~81,373~~	81,538	~~4,500~~	4,665
Commercial		~~12,793~~	12,793	~~400~~	400
Industrial		~~13,801~~	13,801	~~400~~	400
Non Regulatory Allocations					
Public		~~82,252~~	82,252	~~2,000~~	2,000
Active Agriculture		~~17,027~~	17,027	~~550~~	550
Passive Agriculture		~~45,859~~	45,859	~~2,500~~	2,500
Conservation (wetlands)		~~81,948~~	81,948	~~1,142~~	1,142
Vacant		~~22,122~~	21,957	~~226~~	61
Total		~~357,175~~	357,175	~~11,718~~	11,718
Population Distribution*		~~495,000~~	495,000	~~30,861~~	30,861

* Population for Unincorporated Area of Lee County

Proposed Amendment to Policy 21.1.5

Lee Plan Objective 21.1 addresses Caloosahatchee Shores community character. This objective specifies that the community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of the community for Lee County to consider for adoption and enforcement to help create a visually attractive community. The community submitted a plan amendment on April 2, 2007 to add a policy restricting future map amendments to rural lands. This became CPA2007-01 which was unanimously adopted by the Board of County Commissioners on February 5, 2009. This amendment added Policy 21.1.5, reproduced below:

> ***POLICY 21.1.5:*** *One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.*

The applicant has proposed a text amendment to Policy 21.1.5. In the application materials submitted, the applicant states that the redraft to Policy 21.1.5 "caps the number of dwelling units in River Hall to 2,850." The applicant's proposed revision is identified below:

> ***POLICY 21.1.5:*** *One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. For the River Hall Development located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,850 dwelling units.*

Staff has concerns with the proposed amendment to Policy 21.1.5. These concerns are both from the potential interpretation of the new text, including its location in Policy 21.1.5, and the implementation of the new language. If the Board of County Commissioners desires to transmit the proposed amendment, staff recommends alternative language that clarifies the application of Policy 21.1.5 to the River Hall Development. The Overriding Public Necessity requirement of Policy 21.1.5 was addressed by the Board, the Applicant, and the County Attorney's Office. Due to the lack of a definition of the term "overriding public necessity" in the glossary and the specific language in Policy 21.1.5, the Board determined that the overriding public necessity requirement did not apply to the subject Plan Amendment due to the non-rural character of the River Hall development

SOILS

The applicant has provided a description of the soils that are found on site. For a detailed description please see the application materials.

NATURAL RESOURCES

Lee County Division of Natural Resources provided written comments to the Lee County Planning Division in a memorandum dated August 15, 2013. The applicant has agreed to

reinstate the groundwater level monitoring program of the Sandstone aquifer and share the collected data with the SFWMD and Lee County. Lee County Staff has coordinated with the staff of the SFWMD, and the District is amenable to reinstatement of the ground water monitoring program. The Division of Natural Resources has found that if this monitoring issue is addressed that they have no concerns with the proposed amendment. The complete Division of Natural Resources' correspondence is attached to this Staff Report as Attachment 5.

FEMA FLOODWAY ISSUE
County records show that the subject site is not located within a FEMA identified floodway.

HISTORIC RESOURCES
Portions of this site are within the level 2 sensitivity areas for archeological and historic resources.

SCHOOL IMPACTS
The Lee County School District provided correspondences to the Lee County Division of Planning dated August 31, 2013 and June 3, 2013. The Lee County School District has concluded that there are sufficient seats available to serve this need. Furthermore, the District provided that the proposed road access to the south of the River Hall development through Lehigh Acres would reduce the amount of time students spend on the bus as well as save the District fuel expense.

SOLID WASTE
The Lee County Solid Waste Division provided correspondence to the applicant on August 29, 2012 stating that they are capable of providing solid waste collection service for the additional 1,000 residents that would be allowed for by the proposed Lee Plan Amendment.

MASS TRANSIT
Lee County Transit provided the applicant a letter dated October 17, 2012 stating the Leetran does not currently provide service to the River Hall development as it lies outside of the ¼ mile transit service buffer. The closest transit route to the site is Route 100. The northwest section of the development, is eligible for ADA service through LeeTran. However, the remainder of the development lies outside of the ¾ mile ADA transit service buffer. The FY2012-2021 Transit Development Plan does not include the expansion of transit services beyond their current service area, for the Route 100. This also means that there are no plans to expand ADA services in this area. Lee Tran Staff indicated that the land-use designation from rural to a sub-urban land-use category could imply a need for services that are either found in urban setting or feed urban settings. The LeeTran Memo outlining their review of the Amendment is attached to this staff report as Attachment 6.

POLICE
The Lee County Sheriff's Office provided a letter to the applicant dated on November 28, 2012 stating that the proposed Lee Plan amendment "would not affect the ability of the Lee County Sheriff's Office to provide core levels of service at this time. We will provide law enforcement services primarily from our Fort Myers district office."

FIRE
The Fort Myers Shores Fire and Rescue District provided correspondence stamped Received November 28, 2012 to the applicant stating that "they could provide adequate service to the subject site with the proposed future land use category."

EMS
Lee County EMS provided an analysis of response times to serve the River Hall development on September 16, 2013. Lee County EMS raised a concern with the response time depending upon where in River Hall the call occurs for LCEMS to be able to respond in 8:59; the further from the entrance, the longer the response time. As build out and full occupation of River Hall is achieved, LCEMS will have difficulty of achieving the goal of 8:59. The Lee County Emergency Medical Services Memo is attached to this staff report as Attachment 7. The Applicant has donated property for the development of a new fire station near the entrance of the River Hall development. This station may be utilized for Fire and EMS services.

UTILITIES
Lee County Utilities provided that *Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated for the River Hall Development. Developer funded system enhancements such as line extensions will be required.*

B. CONCLUSIONS

After weighing all of these factors, and the other issues that are discussed in the staff report, staff recommended that the Board of County Commissioners not transmit the proposed amendment. Also refer to the Recommendations and Findings of Fact the attached Staff Report.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: June 23, 2014

A. LOCAL PLANNING AGENCY REVIEW

Staff gave an overview of the proposed amendment, including the history of requested Lee Plan amendments for the River Hall property. Staff also identified the circumstances that led to the changes to the staff recommendation.

Mr. Schropp and Mr. Depew, the applicant's representatives, reviewed this project with the LPA along with a PowerPoint presentation. Russell Schropp addressed the LPA to identify concurrent requests that were also being made concerning the River Hall property, and the four proposed amendments that made up the requested Amendment to the Lee Plan. These include the amendments to the Future Land Use Map, a new Policy 5.1.11 that allows density from Conservation Lands to be clustered to other areas of the development, an amendment to Policy 21.1.5 that would give River Hall 2,850 dwelling units, and an amendment to Table 1B of the Lee Plan. Mr. Depew reviewed the River Hall Property, the surrounding properties, and

requested Lee Plan amendment in greater detail. Several members of the LPA asked questions of the applicant following the presentation.

Following the staff and applicant presentations, members the public addressed the LPA concerning the proposed Lee Plan Amendment. Each speaker was limited to 3 minutes. Approximately 20 people addressed the LPA, who were generally not in favor of the Lee Plan amendment.

Following public input several members of the LPA asked follow-up questions of the applicant. One member of the LPA also asked questions of the County Attorney's Office about the definition and interpretation of "Overriding Public Necessity." After all of the questions had been answered each member of the LPA discussed the proposed amendment.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA recommended (by a 4-3 vote) that the Lee County Board of County Commissioners ***not transmit*** the proposed Lee Plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the basis and recommended findings of fact as advanced by staff.

PART IV - BOARD OF COUNTY COMMISSIONERS HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: October 22, 2014

A. BOARD REVIEW:

The County Attorney's Office opened the meeting by finding that it had been properly noticed. The County Attorney's Office also addressed a letter that the applicant had submitted which questioned the applicability of the Overriding Public Necessity requirement provided in Policy 21.1.5.

The Applicant highlighted a legal issue regarding the application of specific provisions within the Caloosahatchee Shores Plan, specifically the reference to protection of rural land under Policy 21.1.5. The Caloosahatchee Shores Community Plan provides "*One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exist. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners*." The cited language created a specific distinction between land that is rural in character and the intent to protect that land from future Land Use amendments. The use of the terms rural land and rural land use category in the

provision are not the same. The use of "rural land" in the sentence refers to land that has rural character. On the other hand, the use of the term "rural lands category" refers to lands that are designated under the Rural Future Land Use Category on the Lee Plan's Future Land Use Map. The current Lee Plan does not define rural land. However, the Lee Plan does describe non-urban areas. Policy 1.4.1 describes non-urban areas as areas that are not programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas.

In contrast with the description of non-urban areas in the Lee Plan, the River Hall development is approved for 1999 residential units on approximately 1978 acres, with an overall density in excess of 1 unit per acre. Residential home sites vary in sizes, with a low of 47.5' wide lots. The River Hall development consists of three separate residential communities, including 100 multi-family dwelling units. The development is served by a Community Development District and includes requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development at levels at densities higher than 1 unit per acre, including underground water, sewer, power, and cable service. River Hall includes the River Hall Elementary School, a proposed fire station, an 18-hole golf course, clubhouse, fitness center, swimming pool, tennis courts, multi-sport playing field, a 5500 square foot permanent sales center, and 45,000 square feet of commercial development.

The River Hall Development is bordered by Urban Community, Suburban and Sub-Outlying Suburban, and other Rural, Conservation and Commercial land uses. To the immediate south of the development are the Urban Community lands within Lehigh Acres, which have been subdivided into ¼ acre single-family parcels.

Based on these findings, the County Attorney's office opined that the already approved development and pattern of development within River Hall exceeded the qualities described in Policy 1.4.1 and does not qualify as a rural development or rural lands designed to be protected under the overriding public necessity requirement. Consequently, the County Attorney's office opined that the River Hall development would not qualify as rural (non-urban); therefore, it was the County Attorney's office recommendation that the overriding public necessity requirement not be applied to the River Hall's amendment request.

During the Board's transmittal hearing, the Board bifurcated the proceedings to address the applicability of the overriding public necessity requirement to CPA2012-01. The applicants' representatives provided a presentation describing the character of the River Hall community and surrounding areas, stating that the character was not rural and therefore the Overriding Public Necessity requirement was not applicable. The applicant's presentation highlighted the existing and approved development for the River Hall Development. Following the applicant's presentation 12 members of the public addressed the Board concerning the character of the community. Following a brief rebuttal by the applicant's attorney, **the Board made a motion to follow the County Attorney's Recommendation and held that the Overriding Public Necessity requirement should not be applied because the River Hall development did not have a rural character. The motion passed 4 to 1.**

Following the motion and vote staff provided a brief summary of the proposed amendment. The staff summary provided a brief history of the development, the main concerns with the proposed amendment, and the LPA findings and recommendation to not transmit the proposed amendment. Following questions to staff from the Board the applicants' representatives provided a presentation. After the applicant's presentation, seventeen members of the public addressed the Board concerning the proposed amendment. Of these, fourteen were opposed, and three were in favor of the proposed amendments that would increase density on the River Hall property.

Following the public input and a brief rebuttal by the applicant's representative of some of the concerns raised by the public the Board discussed the proposed amendment.

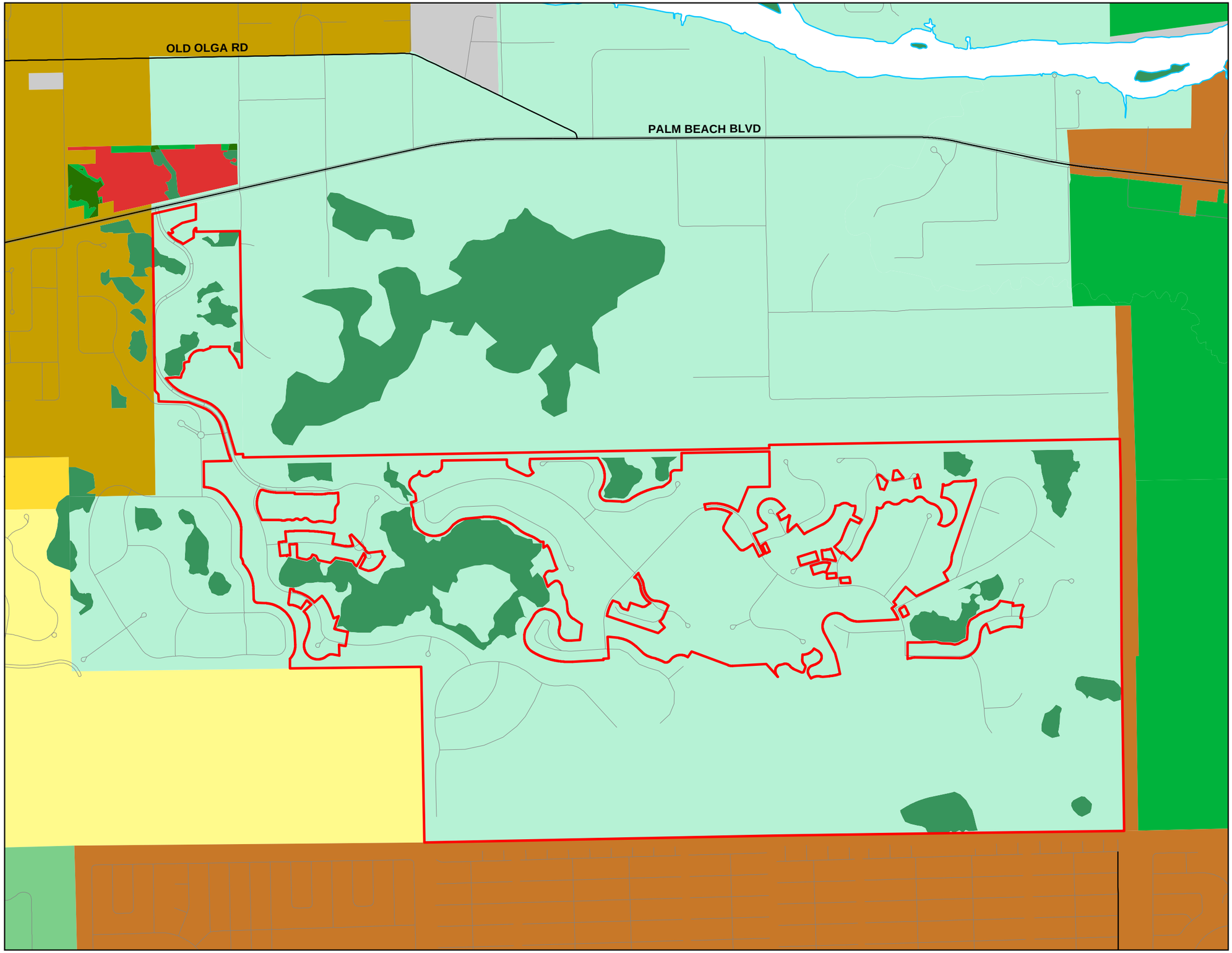
B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners voted 3-2 to transmit the proposed amendments. The motion included the Future Land Use Map amendment as proposed by Applicant; the proposed addition of Policy 5.1.11 proposed by staff in lieu of the amendments to Policy 5.1.10 originally proposed by the Applicant; the amendment to Policy 21.1.5 establishing a density cap for the River Hall development as proposed by the applicant; and the amendment to Table 1(b) as modified by staff.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of County Commissioners did not accept the findings of fact as advanced by staff.



CPA2012-00001
RIVER HALL
Existing
Future Land Use Designations

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent

INTERCHANGE AREAS
- General Interchange
- University Village Interchange
- Industrial Commercial Interchange
- Industrial Interchange
- General Commercial Interchange

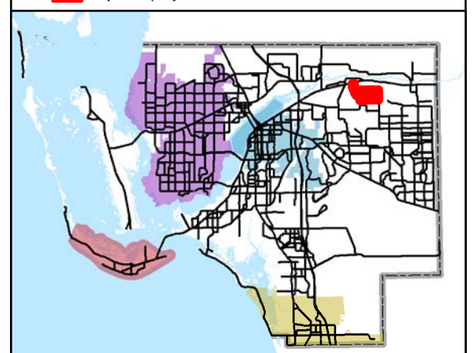
NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetland

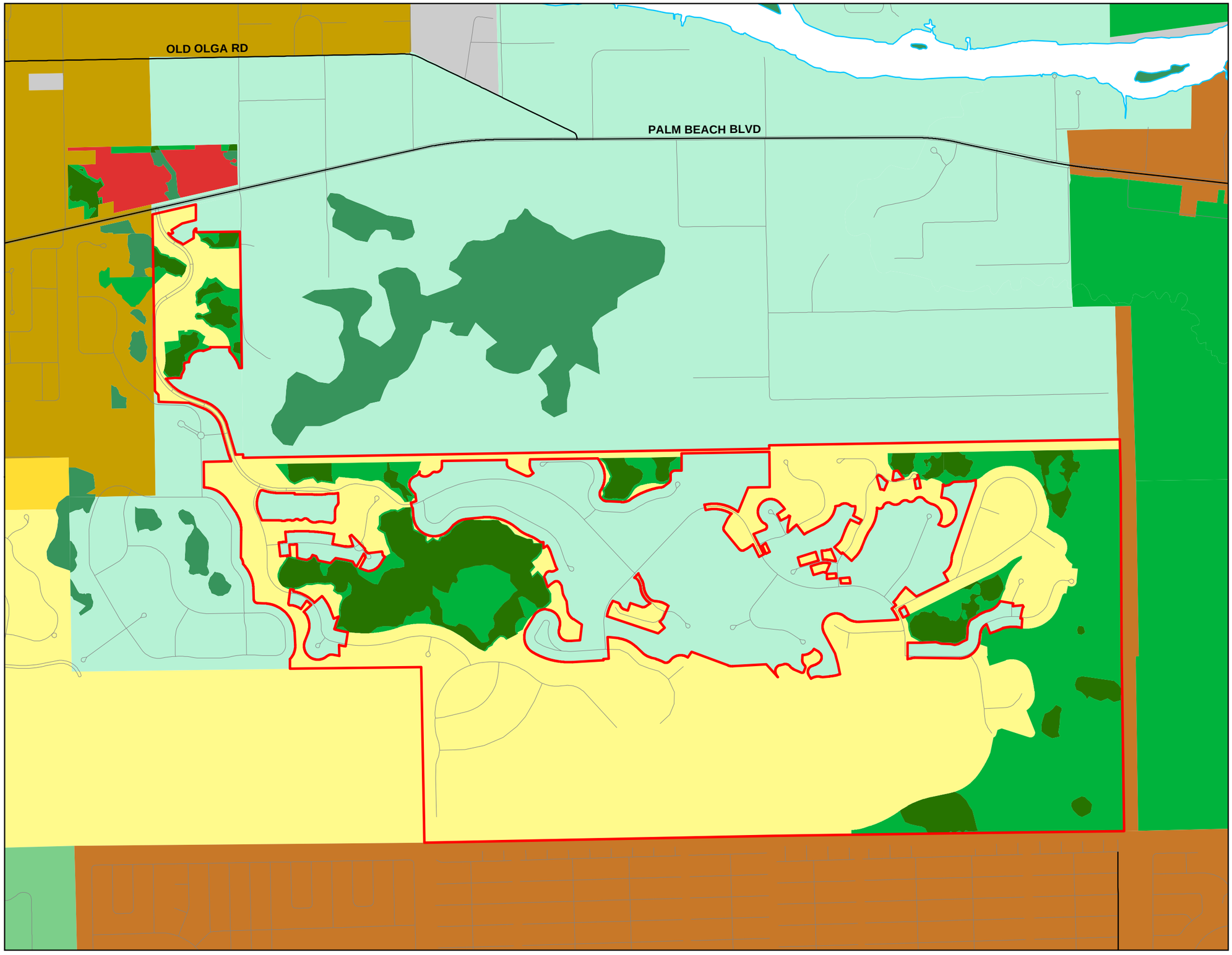
- Subject Property



N
W E
S

0 660 1,320 2,640 3,960
Feet

Map Generated October 2014



CPA2012-00001
RIVER HALL
Proposed
Future Land Use Designations

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent

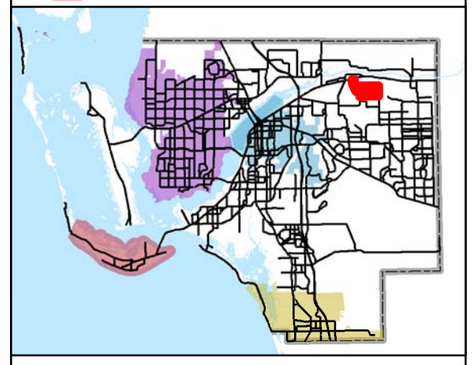
INTERCHANGE AREAS
- General Interchange
- University Village Interchange
- Industrial Commercial Interchange
- Industrial Interchange
- General Commercial Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetland
- Subject Property



N
W E
S

0 660 1,320 2,640 3,960

Feet

Map Generated October 2014

ATTACHMENT 1

MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: May 22, 2014

To: Brandon Dunn, Senior Planner

From: Susie Derheimer, Environmental Planner
Phone: (239) 533-8158
E-mail: sderheimer@leegov.com

Project: River Hall
Case: CPA2012-00001
Strap: 25-43-26-03-0000D.0560 & others (see approved legal description)

SITE DESCRIPTION:
The 1,978 acre River Hall Residential Planned Development (RPD) has a Future Land Use (FLU) of 79 acres Suburban, 251 acres Wetlands, and 1,648 acres Rural. The site is currently approved through Zoning Resolution Z-05-051 for 1,999 residential dwelling units, a golf course, public school, 45,000 square feet of commercial uses, and 465.2 acres of wetland and upland preservation. Multiple development orders have been approved for the site infrastructure, golf course, amenities, and several dwelling units. As a result of past approvals wetland and listed species impacts have been permitted by jurisdictional agencies, required preserves established, the developable footprint has been cleared, a majority of the lakes have been excavated, and a majority of public utilities and roadways installed.

REQUEST:
The Comprehensive Plan Amendment (CPA) request is for a 1,278 acre portion of the River Hall Community site which includes 417 acres of the existing upland and wetland preserves. The applicant is requesting to amend the Future Land Use Map to remove 1,064 acres Rural and 223 acres Wetlands Future Land Use Category (FLU) from the River Hall Community and re-designate to 870 acres Sub-Outlying Suburban, 264 acres Conservation Uplands and 153 acres Conservation Wetlands FLU. In addition, the applicant requests a text amendment to allow the density associated with the 264 acres Conservation Uplands to be transferred to the contiguous Sub-Outlying Suburban lands. The request results in a maximum allowed density of 3,327 residential units within the entire River Hall Community as follows:

Proposed FLU	Acreage	Dwelling units/acre	Dwelling units permitted
Amendment Area:			
Sub-Outlying Sub	870	2 du/1 ac	1,740
Conservation Upland	264	2 du/1 ac	528
Conservation Wetland	153	0 du/1 ac	0
Sub-Total	1,287		2,268
Non-Amendment Area (remains unchanged):			
Suburban	79	6 du/1 ac	474
Rural	584	1 du/1 ac	584
Wetlands	28	1 du/20 ac	1
Sub-Total	691		1,059
Total	1,978		3,327

A corresponding RPD amendment (DCI2013-00003 being reviewed concurrently) for the River Hall Community to date requests a total residential density of 2,999 dwelling units which results in an additional 1,000 dwelling units than previously approved Z-05-051 and is 328 units less than the proposed CPA maximum allowable density. Subsequent to this RPD submittal the applicant has revised the CPA request (dated May 12, 2014) to further limit the total residential density to not exceed 2,850 dwelling units. The additional density acquired through the CPA approval is to be clustered into portions of the River Hall Community subject to the RPD amendment. Therefore, the proposed text amendment also requests to revise Policy 5.1.10 to allow density from the multiple FLU categories within the community to be allocated across the RPD amendment area.

ES staff finds that the documents provided in the CPA application and corresponding RPD amendment application illustrate that no changes are proposed to the boundaries of the existing required 465.2 acres of upland and wetland preserves. The requested increase in residential density is proposed to be allocated within the Suburban, Sub-Outlying Suburban, and Rural FLU categories as discussed in further detail below.

ENVIRONMENTAL ASSESSMENT:

An environmental assessment and associated Florida Land Use, Cover and Classification System (FLUCCS), jurisdictional wetland, soil, flow-way, and topography maps, prepared by Passarella & Associates, Inc. dated January 2013, were provided (See attached FLUCCS map with delineated wetland lines 2 pages). The current 1,978 acre River Hall Community site contains 270.7 acres indigenous uplands, 180.99 acres jurisdictional state and federal wetlands and 13.51 acres jurisdictional federal only wetlands for a total of 465.2 acres of required preserve on the site. The jurisdictional wetlands were approved under South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) No. 36-040006-P and US Army Corp (ACOE) permit No. 199901378 (IP-DEY) and copies of the permits were provided by the applicant.

The environmental assessment indicates that Lee County Protected Species Surveys (PSS) meeting the requirements of the Land Development Code (LDC) Chapter 10, Article III, Division 8 Standards were conducted on the River Hall project site in 2004 as part of the re-zoning requirements for resolution Z-05-051. During these surveys a total of five Lee County protected species were identified including gopher tortoise (*Gopherus polyphemus*), burrowing owl (*Athene cunicularia*), Florida Sandhill cranes (*Grus Canadensis*) little blue heron (*Egretta caerulea*), and woodstorks (*Mycteria Americana*). In addition, habitat for the American alligator (*Alligator mississippiensis*) and Florida scrub jay (*Aphelocoma coerulescens*) was observed on the subject site. In order to address the protection of these listed species, Lee County Protected Species Management Plan dated May 2006 was reviewed and approved by Lee County Division of Environmental Sciences (ES) staff as part of development order DOS2006-00042 requirements. The management plan specifically addressing the gopher tortoise, burrowing owl, Florida Sandhill crane, listed wading birds, American alligator and Florida scrub jay was found to meet the requirements of LDC Section 10-474 and Zoning Resolution Z-05-051 conditions.

In addition, as part of requirements for the corresponding RPD amendment application, a current PSS for Lee County listed species meeting the requirements of LDC Section 10-473 was conducted by Passarella & Associates, Inc. The surveys were conducted December 4, 6, 7, and 11 2012, on the previously cleared and undeveloped portion (FLUCCS 740) of the lands located within the RPD amendment area (See the attached PSS dated January 2013 and Species Transect Map). The survey results found a total of four different Lee County protected species within the survey area including gopher tortoise, burrowing owl, little blue heron, and bald eagle (*Haliaeetus Leucocephalus*). A total of 61 gopher tortoise burrows, 16 burrowing owl burrows (3 owls observed), two little blue herons, and 1 bald eagle were identified. The bald eagle was observed perched on a pine snag, no nest or nesting activity was observed or has been documented on or immediately adjacent to the subject site. The applicant proposes the protection of the gopher tortoises, burrowing owls, and little blue herons to be addressed as per Lee County Protected Species Management Plans dated May 2006 approved through previous zoning and development order approvals. The gopher tortoises will be relocated on-site and burrowing owl burrows removed as per the required Florida Fish and Wildlife Conservation Commission (FWC) permits. Copies of the approved 2006 management plans, existing FWC gopher tortoise take permit and the required FWC conservation easement for a 64.58 acres on-site gopher tortoise preserve have been provided to Lee County.

County Staff conducted a site inspection on February, 8 2013 and verified the FLUCCS map and results of the PSS.

ES staff finds the submittal of the environmental maps, PSS, state and federal permits and associated management plans and conservation easements by the applicant is consistent with the following Lee County Comprehensive Plan (Lee Plan) Goals, Objectives, and Policies:

Standard 11.4: In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, SFWMD, or other applicable regulatory agency), the

developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses the environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.

OPEN SPACE:
A review of the Master Concept Plan (MCP) and application documents submitted with the corresponding RPD amendment application reveals that the addition of the ±1,000 residential units does not proposed to reduce the provided common open space as approved in Zoning Resolution Z-05-051. ES staff finds that the acreage and general location of the common recreational open space/golf course area remains consistent with previous approvals.

ES staff finds the common open space is consistent with the following Lee Plan Goal and Objective:

Goal 77: Development Design Requirements. To require new development to provide adequate open space for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.
Objective 77.1: Development regulations will continue to require that new residential developments provide sufficient open space to meet the needs of their residents.

PRESERVATION:
A review of the CPA application documents and MCP submitted with the corresponding amendment application reveals that the addition of the 851 residential units will not reduce the required 465.2 acres of indigenous preservation as approved in Zoning Resolution Z-05-051.

The CPA application includes an Amendment Preservation Exhibit (See attached) which illustrates that of the 465.2 acres of required preserved uplands and wetlands, 417 acres are within the proposed 1,278 acres amendment area and 48.2 acres are located outside the amendment area. The exhibit further illustrates that of the 417 acres of preserve within the amendment area 264 acres are uplands and 153 acres are wetlands which is consistent with the proposed Conservation FLU indicated within the table above.

The CPA application also includes a Recorded Preserve Exhibit (See attached) which illustrates that of the 417 acres of preserves within the amendment area 349 acres are within recorded conservation easements as per state and federal permit approvals. Copies of recorded easements have been provided. The exhibit also illustrates that the 68 acres of preserve that are not within recorded easements are platted preservation tracts.

No impacts or changes are proposed to the existing approved wetland and upland preserves and conservation easements. A majority of the existing preserve areas are proposed to be placed into the Conservation Lands Use Category. Therefore, ES staff finds the preservation is consistent with the following Lee Plan Goals, Objectives, and Policies:

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flow-ways, flood prone areas, and well fields.

Objective 1.5: Wetlands. Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211.
Policy 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.
Policy 1.5.3: Wetlands that are conservation lands will be subject to the provisions of Policy 1.4.6 as well as the provisions of Objective 1.5. The most stringent provisions of either category will apply. Conservation wetlands will be identified on the FLUM to distinguish them from non-conservation wetlands.

ENVIRONMENTAL CONCERNS:
The applicant proposes to increase the density from the currently permitted 1,999 single family units to a potential 2,850 residential units within the River Hall Community. A portion of the requested additional density is to be transferred from the proposed Conservation Uplands FLU. The justification provided by the applicant indicates that the preserved uplands will receive additional protection by putting them within the Conservation Upland FLU category. ES staff notes that these uplands are currently required indigenous preservation areas as per Zoning Resolution Z-05-051 and a majority of theses preserves are within recorded conservation easements as required by state and federal agencies.

ES staff also notes that the application is requesting to add 851 residential units within areas adjacent to documented gopher tortoise, burrowing owl, American alligator, Florida Sandhill crane, listed wading birds, and Florida Scrub jay preserved habitat. While the current approvals provide habitat management plans for these species, resident educational materials are only provided for the American alligator and burrowing owl. ES staff finds that there is also a need to

provide educational materials to residents on the gopher tortoise, listed wading birds and Florida scrub jay. In addition, the River Hall Community preserves provide suitable habitat for and is located within the secondary zone of the Florida panther (*Felis concolor*) and secondary range of the Florida black bear (*Ursus americanus*). Hickey's Creek Mitigation Park which abuts this property to the east has documented panther and black bear utilization as referenced in its Land Stewardship Management Plan. Given the River Hall preserve areas provide suitable habitat for the Florida panther and black bear, increasing the number of dwelling units next to the preserves will increase the potential for negative human/wildlife inter-action. Thus, ES staff finds that the addition of 851 residential units will further the need for the River Hall Community to develop large mammal management plans. These management plans will provide an opportunity to require the distribution of educational materials (i.e. deed restrictions, pamphlets, signage, bear-proof dumpsters, etc) on these documented listed species to limit negative human/wildlife interactions for consistency with the following Lee Plan Goals and Objectives:

GOAL 107: RESOURCE PROTECTION. To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics.

Objective 107.3: Wildlife. Maintain and enhance the fish and wildlife diversity and distribution within Lee County for the benefit of a balanced ecological system.

Objective 107.4: Endangered And Threatened Species In General. Lee County will continue to protect habitats of endangered and threatened species and species of special concern in order to maintain or enhance existing population numbers and distributions of listed species.

CONCLUSION:
The application to amend the Lee County Comprehensive Plan to increase the residential density of the existing planned development does not propose to reduce the current required open space, buffer, or preservation area requirements. Although, ES staff finds that the request does not provide any additional protection of the existing preserved habitat or listed species then current zoning and development order approvals or conservation easement requirements.

ATTACHMENT 2

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: April 22, 2014

TO: Mary Gibbs
Director of Development Services

FROM: Michael D. Jacob
Managing Assistant County Attorney

RE: River Hall (CPA2012-00001)
Defining Overriding Public Necessity (Policy 21.1.5)

I have received a copy of GreenPointe's April 11, 2014 Resubmittal letter for CPA2012-00001. In addition, I received clarification from GreenPointe's legal representative regarding the scope of the Resubmittal. For your reference, I've provided a copy of that correspondence. Based on these documents, GreenPointe's request under the Resubmittal is to move forward with the amendments that were presented to the Local Planning Agency and Lee County Board of County Commissioners in 2013. Those amendments include:

1. Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban, which will allow 1,000 additional dwelling units.
2. Amend Policy 5.1.10 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.
3. Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the rural future land use category.

In the Recommended Findings of Fact portion of the August 16, 2013 Staff Report, Staff indicated "*the Lee Plan does not provide a definition of "overriding public necessity.*"" Further into the Staff Report, Staff provided that "*the Board of County Commissioners must weigh these improvements and determine whether or not they satisfy an overriding public necessity. This finding must be made to assure consistency with Lee Plan Policy 21.1.5 which is part of the Caloosahatchee Shores Community Plan.*" During the hearings and numerous discussions that have occurred regarding this Application, the issue regarding the definition of the term "overriding public necessity"

has come to the forefront. Since the application has remained unchanged, the issue regarding the definition of "overriding public necessity" still remains. In order to assist the Board with making a decision regarding this case, we recommend that Staff develop a thorough analysis and working definition of the term "overriding public necessity" for inclusion within the Staff Report. To assist Staff in preparing this analysis for the Board, I've prepared a brief discussion on interpretation of a statutory term when that term is not defined within the regulations being interpreted.

As we all are aware, the Lee Plan does not provide a specific definition of "overriding public necessity" within its Glossary. However, the absence of a specific definition does not mean the term is undefined as stated in the previous Staff Report. In circumstances where a statute or code does not provide a definition for a term, the term is to be given its common meaning, unless the context in which the term is used within the statute or code indicates that another definition or meaning should be given to the term.[1] Furthermore, when statutory language is susceptible to more than one meaning, legislative history may be helpful in ascertaining legislative intent.[2]

In this case, Staff should first determine whether the context in which the Lee Plan's use of the term "overriding public necessity" indicates a definition or meaning that is different than the common meaning of the words. In reviewing the context of "overriding public necessity", Staff may consider what the internal text means in light of its common definition, juxtaposed with its external contexts, namely, what circumstances lead to the creation of the phrase and what was the intended purpose for the provision in which the term is used. In other words, the external context can play a part in determining what the text means.[3] Another method of determining the context of the term is to compare the purpose and use of "overriding public necessity" in other sections of the Lee Plan. Determining how a term is used and its purpose in another section may explain the meaning of the term under 21.1.5.

Staff may also consider analyzing parts of the term in context to other circumstances in which the parts are used in the Lee Plan. For example, are there circumstances where the terms "public necessity" or "public need" are used in the Lee Plan? If so, how are those terms used in those sections? Are there indications as to

---

[1] *See* WFTV, Inc. v. Wilken, 675 So.2d 674, 677 (Fla.App. 4 Dist.,1996) (holding one of the most fundamental tenets of statutory construction requires that statutory language be given its plain and ordinary meaning, unless the words are defined in the statute or by the clear intent of the legislature); *See also* Southeastern Fisheries Ass'n v. Department of Natural Resources, 453 So.2d 1351 (Fla.1984); Gardner v. Johnson, 451 So.2d 477 (1984)(finding the plain and ordinary meaning of the word can be ascertained by reference to a dictionary).

[2] *See* Rollins v. Pizzarelli, 761 So.2d 294, 299 (Fla.,2000)(citing Magaw v. State, 537 So.2d 564, 566 (Fla.1989)).

[3] *See* Arthur Young & Co. v. Mariner Corp. 630 So.2d 1199, 1202 (Fla.App. 4 Dist.,1994).

what qualifies as a public need in other sections? If so, how do those "public needs" compare to an "overriding" public need? Are there similar terms that are used in the Lee Plan that may assist in determining the context of the term "overriding public necessity"? For example, Policy 41.2.2 includes the term "overriding public interest." Are these terms similar or intended to cover different ideas?

Next, when a term is susceptible to multiple meanings, a review of the legislative history for Policy 21.1.5 is also appropriate. Staff may find research into the public hearings concerning the adoption of Ordinance No. 09-06 (adopting Policy 21.1.5) helpful. What discussions occurred during the presentations at the Local Planning Agency or BoCC meetings? Were there reports presented or statements made by the drafters of the Policy that aid in determining the extent of the term's meaning? What was the purpose of the "overriding public necessity" limitation on future amendments?

In order to stray from the common meaning of the words, Staff must find, through the analysis set forth above, a clear intent within the context of the legislation to define the term differently. If Staff finds that the Lee Plan ***clearly*** indicates that a different meaning was intended through the context in which the Lee Plan uses the term, then the definition of "overriding public necessity" should be analyzed in the Staff Report in the context in which it is used in the Lee Plan.[4] However, if Staff determines, after review of the use of "overriding public necessity", its sub parts, or similar terms, that it is ***not clear*** that a different meaning was intended, then we are required to give "overriding public necessity" its "*plain and ordinary meaning.*"[5] The Staff Report should identify the results of this contextual analysis.

Typically the common or ordinary meaning of a word is determined by reference to a standard dictionary. Merriam-Webster's is one of those sources. In law, we typically use Black's Law Dictionary. County Staff may refer to another standard dictionary if they wish to do so.

Pursuant to Black's Law Dictionary (Seventh Edition), override means "*To prevail over; to nullify or set aside.*" Merriam-Webster's online dictionary defines override as: *a: to prevail over: dominate; b : to set aside : annul, override a veto; c : to neutralize the action of (as an automatic control).* Merriam-Webster and Black's Law do not define the term "public necessity."[6]

---

[4] *See* Rollins v. Pizzarelli, 761 So.2d 294, 298 (Fla., 2000).
[5] See Raulerson v. State, 763 So.2d 285, 291 (Fla.,2000)
[6] Black's Law Dictionary provides a definition of public necessity; however, it is used in context of criminal and tort law. Under that definition, public necessity is defined as "a necessity that involves the public interest and thus completely excuses the defendant's liability." See Black's Law Dictionary (Seventh Edition).

RE: River Hall
Defining Overriding Public Necessity

Black's Law Dictionary defines "public" as "*the people of a nation or community as a whole.*" Merriam-Webster defines "public" as *a : exposed to general view : open ; b : well-known, prominent ; c : perceptible, material ; d: of, relating to, or affecting all the people or the whole area of a nation or state; e : of, relating to, or being in the service of the community or nation; f : of or relating to people in general : universal; g: general, popular ; h: of or relating to business or community interests as opposed to private affairs : social ; i: devoted to the general or national welfare : humanitarian.*

Black's Law Dictionary does not define necessity in a manner that is applicable here; however, "necessities" is defined as "Indispensable things of any kind." Merriam-Webster defines "necessity" as "*the quality or state of being necessary a: pressure of circumstance; b: physical or moral compulsion; c : impossibility of a contrary order or condition; the quality or state of being in need; especially; or, d: something that is necessary; e: requirement; or f: an urgent need or desire.*"

The above is intended to provide the definitions that I researched. As indicated above, Staff is free to review their own dictionaries to determine the common meaning of these words and how those terms are used in relation to each other. The County Attorney's office is available to assist you in researching this matter further or providing any additional assistance you need. If you would like to discuss this memorandum in further detail, let me know and I'll schedule a meeting.

Jacob, Michael

From: Russell Schropp [Russell.Schropp@henlaw.com]
Sent: Friday, April 11, 2014 4:14 PM
To: Jacob, Michael; Gibbs, Mary; O'Connor, Paul; Wesch, Richard
Cc: Grady Miars; Carl A. Barraco; David W. Depew; Tina Ekblad; Jennifer Sapen; Alicia Dixon; Stephen Leung; Tina Matte; Bill Moore; Wesch, Richard
Subject: RE: RIVER HALL LTR TO LEE CO. RE: MEDIATED AGT

Yes, that's correct.

Russell

Russell Schropp
Attorney at Law
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Street
P.O. Box 280
Fort Myers, FL 33902
Direct Dial: 239.344.1280
Direct Fax: 239.344.1535
Russell.Schropp@henlaw.com
http://www.henlaw.com

CONFIDENTIALITY STATEMENT
Henderson, Franklin, Starnes & Holt, P.A.
The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

To reply to our e-mail administrator directly, please send an e-mail to mailto:administrator@henlaw.com

IRS CIRCULAR 230 NOTICE: Pursuant to Treasury Department Circular 230, this is to advise you unless we otherwise expressly state in writing, e-mail communications, including all attachments, from this firm are not intended or written to be used, and cannot be used, for the purpose of avoiding tax-related penalties. If you wish to engage this firm to provide formal written advice as to federal or state tax issues, please contact the sender.

-----Original Message-----

From: Jacob, Michael [mailto:MJacob@leegov.com]
Sent: Friday, April 11, 2014 4:11 PM
To: Russell Schropp; Gibbs, Mary; O'Connor, Paul; Wesch, Richard
Cc: Grady Miars; Carl A. Barraco; David W. Depew; Tina Ekblad; Jennifer Sapen; Alicia Dixon; Stephen Leung; Tina Matte; Bill Moore; Wesch, Richard
Subject: RE: RIVER HALL LTR TO LEE CO. RE: MEDIATED AGT

So, to be clear, the request is to move forward with the amendment as proposed during the previous transmittal hearing; but, Staff may modify that request with the additional items referenced in your letter?

Michael D. Jacob
Managing Assistant County Attorney
Lee County Attorney's Office
(239) 533-2236 (telephone)
(239) 485-2106 (facsimile)
mjacob@leegov.com

"Whatever the consequences, we must accept the plain meaning of plain words." Justice Oliver Wendell Holmes-United States v. Brown, 206 U.S. 240, 244 (1907).

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

-----Original Message-----
From: Russell Schropp [mailto:Russell.Schropp@henlaw.com]
Sent: Friday, April 11, 2014 2:57 PM
To: Jacob, Michael; Gibbs, Mary; O'Connor, Paul; Wesch, Richard
Cc: Grady Miars; Carl A. Barraco; David W. Depew; Tina Ekblad; Jennifer Sapen; Alicia Dixon; Stephen Leung; Tina Matte; Bill Moore; Wesch, Richard
Subject: RE: RIVER HALL LTR TO LEE CO. RE: MEDIATED AGT

Michael,

With all due respect, the original CPA application referenced in your email was modified in the Staff Report. These modifications were presented to the LPA and BOCC, and GreenPointe concurred with them. My letter simply suggests that the County consider other modifications to the plan amendment based on the issues we discussed on April 3. No changes to the original CPA application are necessary in order to do this. Thank you.

Russell

Russell Schropp
Attorney at Law
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Street
P.O. Box 280
Fort Myers, FL 33902
Direct Dial: 239.344.1280
Direct Fax: 239.344.1535
Russell.Schropp@henlaw.com
http://www.henlaw.com
Visit our blog:

http://www.legalscoopswflre.com/

CONFIDENTIALITY STATEMENT
Henderson, Franklin, Starnes & Holt, P.A.
The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

To reply to our e-mail administrator directly, please send an e-mail to mailto:administrator@henlaw.com

IRS CIRCULAR 230 NOTICE: Pursuant to Treasury Department Circular 230, this is to advise you unless we otherwise expressly state in writing, e-mail communications, including all attachments, from this firm are not intended or written to be used, and cannot be used, for the purpose of avoiding tax-related penalties. If you wish to engage this firm to provide formal written advice as to federal or state tax issues, please contact the sender.

-----Original Message-----

From: Jacob, Michael [mailto:MJacob@leegov.com]
Sent: Friday, April 11, 2014 1:38 PM
To: Russell Schropp; Gibbs, Mary; O'Connor, Paul
Cc: Grady Miars; Carl A. Barraco; David W. Depew; Tina Ekblad; Jennifer Sapen; Alicia Dixon; Stephen Leung; Tina Matte; Bill Moore; Wesch, Richard
Subject: RE: RIVER HALL LTR TO LEE CO. RE: MEDIATED AGT

Russell,

The County can only process the Amendment that you propose. The language in your letter states "GreenPointe does not believe any modifications to CPA2012-0001 are technically necessary at this time. However in the event staff feels that modifications to CPA2012-0001 would be appropriate to address certain issues, GreenPointe would agree to the following...." Staff is not in the position to make the final determination regarding what amendment GreenPointe wants to submit. During our April 3rd meeting, County Staff and GreenPointe's representatives discussed a number of issues with the previous amendment. Based on this language, CPA2012-0001 will proceed in its original form, without modification. Please confirm this is your intent. If it is not your intent, we'd request a new letter that identifies GreenPointe's proposed amendments.

Michael D. Jacob
Managing Assistant County Attorney
Lee County Attorney's Office
(239) 533-2236 (telephone)
(239) 485-2106 (facsimile)
mjacob@leegov.com

"Whatever the consequences, we must accept the plain meaning of plain words." Justice Oliver Wendell Holmes-United States v. Brown, 206 U.S. 240, 244 (1907).

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

-----Original Message-----
From: Russell Schropp [mailto:Russell.Schropp@henlaw.com]
Sent: Friday, April 11, 2014 1:15 PM
To: Gibbs, Mary; O'Connor, Paul; Jacob, Michael
Cc: Grady Miars; Carl A. Barraco; David W. Depew; Tina Ekblad; Jennifer Sapen; Alicia Dixon; Stephen Leung; Tina Matte; Bill Moore
Subject: RIVER HALL LTR TO LEE CO. RE: MEDIATED AGT

Mary, Paul, and Michael,

Attached please find a letter and supporting documents that were filed over the counter today pertaining to the River Hall plan amendment and the Mediated Agreement entered into by the County and GreenPointe.

In addition to the attached, updated sets of mailing labels were also submitted as requested.

Please let me know if you have any questions. Thanks.

Russell

Russell Schropp
Attorney at Law
Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe Street
P.O. Box 280
Fort Myers, FL 33902
Direct Dial: 239.344.1280
Direct Fax: 239.344.1535
Russell.Schropp@henlaw.com
http://www.henlaw.com
Visit our blog:
http://www.legalscoopswflre.com/

CONFIDENTIALITY STATEMENT
Henderson, Franklin, Starnes & Holt, P.A.
The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

To reply to our e-mail administrator directly, please send an e-mail to mailto:administrator@henlaw.com

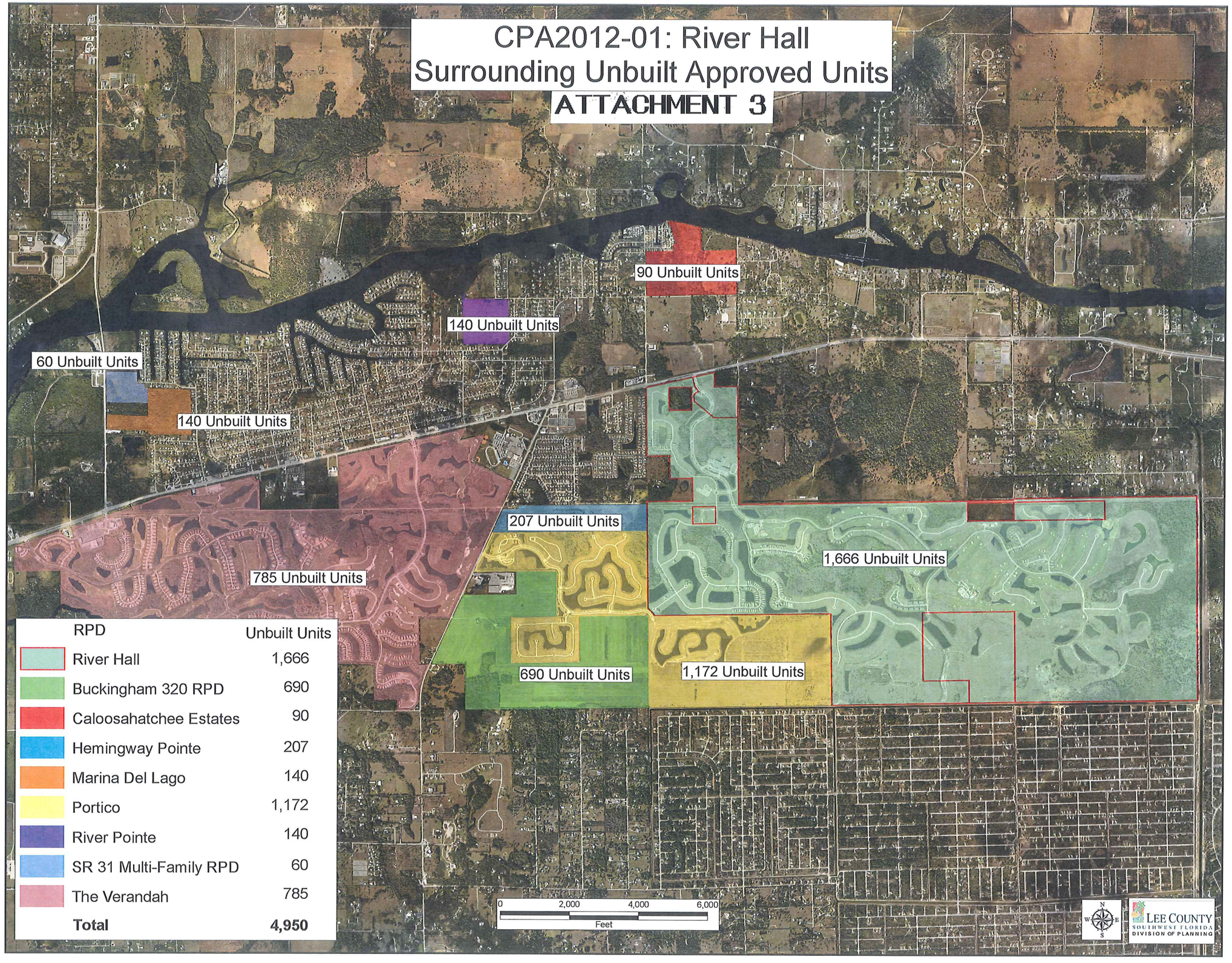
IRS CIRCULAR 230 NOTICE: Pursuant to Treasury Department Circular 230, this is to advise you unless we otherwise expressly state in writing, e-mail communications, including all attachments, from this firm are not intended or written to be used, and cannot be used, for the purpose of avoiding tax-related penalties. If you wish to engage this firm to provide formal written advice as to federal or state tax issues, please contact the sender.

-----Original Message-----

From: MELISSA SHARNSKY [mailto:melissa.sharnsky@henlaw.com]
Sent: Friday, April 11, 2014 9:50 AM
To: Russell Schropp
Subject: RIVER HALL LTR TO LEE CO. RE: MEDIATED AGT

CPA2012-01: River Hall
Surrounding Unbuilt Approved Units

ATTACHMENT 3



RPD	Unbuilt Units
River Hall	1,666
Buckingham 320 RPD	690
Caloosahatchee Estates	90
Hemingway Pointe	207
Marina Del Lago	140
Portico	1,172
River Pointe	140
SR 31 Multi-Family RPD	60
The Verandah	785
Total	**4,950**

ATTACHMENT 4

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: June 4, 2014

TO: Brandon Dunn
Senior Planner

FROM: Robert Price P.E. 65232
Digitally signed by Robert Price P.E. 65232
DN: cn=Robert Price P.E. 65232, c=US, o=Development Services, ou=Lee County DCD, email=rprice@leegov.com
Reason: I am the author of this document
Date: 2014.06.06 10:53:59 -04'00'

Robert L. Price, P.E.
Senior Engineer

RE: **River Hall**
Case No. CPA2012-00001

Introduction

Staff has received a proposed Comprehensive Plan Amendment (CPA) for the River Hall development. The requested amendment would change the Future Land Use Map (FLUM) designation of 1,287 acres of land presently designated as either Rural or Wetlands to 870 acres of Sub-Outlying Suburban, 153 acres of Conservation Wetlands, and 264 acres of Conservation Uplands. There is also a text amendment that would allow the transfer of density from the Conservation Uplands to the designated Sub-Outlying Suburban areas at the upland density rates. The cumulative effect of the proposed amendment would be to allow the density of the River Hall development to increase from its current maximum of 1,999 dwelling units to 2,850 dwelling units.

The entrance to the subject property is located approximately 4,300 feet to the east of Buckingham Road on Palm Beach Boulevard (SR 80). The site extends south from Palm Beach Boulevard to the north side of Lehigh Acres and east to the Lee County owned Hickey Creek Preserve. Presently, nine (9) Development Orders have been approved on the subject property that would allow for the construction of a total of 1,903 dwelling units (1,765 single family dwelling units & 138 multi-family dwelling units). As of May 1, 2014, building permits have been issued on 333 dwelling units within the River Hall development, or roughly 16.5% of the total 1,999 entitled dwelling units. A separate Development Order has also been approved for the River Hall Elementary School within the boundaries of the subject site, and this school has been constructed and occupied.

In addition to the residential development, there are commercial uses approved as a part of the River Hall development. Specifically, the site is approved to consist of a total of 15,000 square feet of office uses and 30,000 square feet of retail uses. The commercial uses will remain unchanged as a result of the proposed amendment.

Access to the River Hall development is currently provided via a single full access driveway to SR 80 that allows full turning movements. SR 80 is a state maintained, four lane, arterial roadway with a posted speed limit of 55 mph in the vicinity of the subject site. A second access to the development is required to be constructed prior to the issuance of the certificate of occupancy for the 1,598th dwelling unit within the subject site. To date the second access driveway has not been designed or approved on any of the nine (9) approved Development Order plans that have

been processed by Lee County. The zoning plans indicate that a gated second access to the project would be provided to a local street w ithin Lehigh Acres to the south.

Trip Generation

Staff performed an evaluation of the trip generation impacts associated with the proposed increase in dwelling units. There will be interaction between the residential dwelling units within the development and the commercial uses approved in the planned development that have yet to be constructed. In order to accurately project the interaction between these uses, it was necessary to account for the future traffic that will be generated by not just the increased dwelling units, but also the existing non-residential traffic approved on the site. The breakdown of the dwelling units and commercial uses is indicated within Table 1 below. Please note that the number of multi-family dwelling units was taken from the current Development Order approvals, and these units were assumed to remain the same after the proposed CPA. Additionally, the school traffic was excluded from the trip generation analysis because it was developed separately and the traffic from the school already exists.

Table 1
Development Parameters
Existing Comp Plan vs. Proposed Comp Plan Amendment

Land Use	Existing Comp Plan	Proposed CPA	Difference
Single Family Dwelling Units	1,861 units	2,712 units	+851 units
Multi-Family Dwelling Units	138 units	138 units	No Change
Golf Course	36 holes	36 holes	No Change
Medical Office	15,000 sq. ft.	15,000 sq. ft.	No Change
Shopping Center	30,000 sq. ft.	30,000 sq. ft.	No Change

Based on the development parameters indicated in Table 1, a trip generation comparison was performed in order to evaluate the impacts of the proposed amendment. The trip generation calculations were performed based on the parameters set forth by the Institute of Transportation Engineers (ITE) in their report titled *Trip Generation, 9th Edition*. These calculations included a reduction in the retail traffic for pass-by as well as an internal capture reduction to account for the vehicular interaction between the various uses. The results of the trip generation are summarized in Table 2 below, and the actual OTISS trip generation print outs are attached in the Appendix of this report. It should be noted that, in an effort to be conservative, the AM peak hour internal capture rates were utilized for the daily trip generation scenario.

Table 2
Trip Generation Comparison
Existing Comp Plan vs. Proposed Comp Plan Amendment

Scenario	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
Existing Comp Plan	443	1,067	1,510	1,033	664	1,697	19,725
Proposed CPA	592	1,514	2,106	1,404	882	2,286	25,970
Trip Increase	+149 (+34%)	+447 (+42%)	+596 (+39%)	+371 (+36%)	+218 (+33%)	+589 (+35%)	+6,245 (+32%)

The proposed amendment to the Comprehensive Plan will result in an increase in external traffic by 39% in the AM peak hour, by 35% in the PM peak hour, and by 32% over the course of the entire day.

Level of Service

The Applicant performed a Level of Service analysis on the County roadway network based on the proposed increase of 851 dwelling units within the River Hall development. As described in

the Lee County Department of Transportation (LCDOT) Staff memorandum, a new Traffic Analysis Zone (TAZ 1978) was assigned by the Applicant to represent the proposed CPA in the adopted MPO travel model based on the Lee County 2035 Cost Feasible Plan network with a study year of 2035. The results of the analysis provided by the Applicant indicated that several roadway links within the study area will operate at an unacceptable Level of Service both with and without the proposed amendment. Those roadway links include Buckingham Road from Gunnery Road to SR 80, SR 31 from SR 80 to North River Road, and SR 80 from SR 31 to Tropic Avenue. The link of SR 80 from SR 31 to Tropic Avenue includes the segment of SR 80 along the frontage of the subject site.

Updated Request and Developer's Commitments

On May 12, 2014, the Applicant provided a memorandum outlining proposed changes to the requested plan amendment. The memorandum and attached Draft Development Agreement indicate commitments and obligations being provided by the Developer as justification for approval of their requested CPA. Below is a discussion of the transportation related commitments and obligations being provided.

Expediting construction of a second access point to the south, which will facilitate school district and emergency vehicle access to River Hall.

As a part of this requested amendment, the Applicant has indicated that they would expedite construction of the development's access to Lehigh Acres. It is unknown how the Applicant intends to expedite the construction of the second access to the site. Section 10-291(3) of the Lee County Land Development Code (LDC) requires that residential developments that are greater than five (5) acres in size must provide more than one (1) means of ingress and egress to the site. This second access to the River Hall development was further conditioned as a part of the zoning approval for the site. Specifically, condition #26 of Resolution Z-05-051 requires that access be provided to 75th Street West in Lehigh Acres prior to the issuance of a certificate of occupancy for the 1,598th dwelling unit within the development. The River Hall development currently is approved for the construction of 1,903 dwelling units as a part of nine (9) approved development orders. To date, the plans for the approved development orders do not reflect the second access to Lehigh Acres. In order to achieve buildout of the site under current approvals, the second access would be required regardless of whether the proposed plan amendment were approved.

Staff questions the value of the second access as it is currently proposed. The access to Lehigh Acres will be gated, so it will only serve the residents and guests of the River Hall Community. Furthermore, Page 2 of the Applicant's rezoning traffic analysis states that it "is anticipated that the secondary access will accommodate less than two percent of the future River Hall external traffic." Therefore, very little traffic from the development is anticipated to use the second access point. As a result, the majority of the added traffic associated with the new 851 units will impact the current access to SR 80, and potential inter section Level of Service deficiencies could arise.

The Applicant has also indicated that, even though the second access would be gated, they would provide access into the community for the Lee County School District and Lee County Fire/EMS emergency vehicles. The Lee County School District requested access to the community from Lehigh Acres in order to reduce fuel costs and vehicle miles travelled for school bus traffic. Provision of access to emergency vehicles from Lehigh Acres does not appear to benefit the residents of River Hall because it will not reduce response times to the development. The community is currently served by Lee County Fire/EMS via medic 11 located at the Department of Forestry at 10941 Palm Beach Boulevard approximately 5.2 miles to the west of the site. Medic 26 also responds to calls at the River Hall development when medic 11 is on another call. Medic 26 is stationed at 9351 Workmen Way approximately 8 miles to the west along SR 80. There is no fire/EMS facility presently located in Lehigh Acres that would provide decreased response

times if the second entrance to the River Hall development were completed. As a result, the current access to the River Hall development on SR 80 is the most direct route from the existing fire and EMS stations, and provision of the second access to the community through Lehigh Acres will not benefit the community by improving response times from existing fire/EMS facilities.

Staff supports the addition of a new access point, or multiple new access points, to the development. However, besides the ability for the school bus traffic to utilize the new access, this entrance will be gated and not open to the public. Consequently, it only serves the residents of River Hall or their guests. And, based on the Applicant's TIS, the second access would only benefit two (2) percent of the residents within River Hall. Additionally, due to the lack of fire/EMS facilities in northeast Lehigh Acres, the second access isn't expected to improve response times. As such, expediting the construction of the secondary gated access to the River Hall development that is already required and serves a minimal number of residents has very little public value.

GreenPointe proposes to facilitate the design, permitting, and construction of a traffic signal at the intersection of River Hall Parkway and SR 80.

The Applicant has committed to signalizing the intersection of River Hall Parkway and SR 80 as a justification for the increase in dwelling units being requested. Signalization of this intersection is not governed by the County since SR 80 is a State owned and maintained roadway. Staff requested a copy of the connection permit from the State for the work within the State right-of-way when River Hall Parkway was originally constructed. A copy of this permit was forwarded to Staff on April 24, 2014, and it is attached to the end of this document for reference. The permit was issued on February 2, 2005. As evidenced by Part 5 of the connection permit, titled Special Provisions, the first special provision requires signalization of this intersection at the expense of the Developer when it is deemed warranted by the Florida Department of Transportation (FDOT) Traffic Operation Division. Therefore, signalization of this intersection is already required of the River Hall Developer even without approval of the proposed amendment.

On April 29, 2014, Staff received correspondence from the FDOT Traffic Operation Division that indicates a traffic signal is now warranted at this intersection. The Applicant is now required to move forward with satisfying the special provisions indicated in Part 5 of the connection permit attached to this document.

While the traffic signal at the intersection of River Hall Parkway and SR 80 will provide a means for the project traffic to enter and exit the site safely, this improvement only serves the River Hall residents and any future development on the north side of SR 80 that may obtain an access opposite of River Hall Parkway. The addition of traffic signals actually lowers the carrying capacity of a roadway (i.e. creates excessive delay for drivers), and often result in significant increases in the frequency of traffic accidents[1]. As a result, the construction of the traffic signal at the intersection of SR 80 and River Hall Parkway can be more of a detriment to the public by lowering the arterial roadway link capacity on SR 80 and increasing potential traffic crashes.

Construction of an 8-foot wide shared use pathway to accommodate bicycle and pedestrian traffic along SR 80 between River Hall and Buckingham Road.

The Land Development Code (LDC) §10-256(a) requires that all development along an arterial roadway depicted on the bikeways/walkways facilities plan (Map 3D-1) of THE LEE PLAN must construct the required facility along their frontage. Map 3D-1 indicates a shared use bicycle/pedestrian path on the south side of SR 80 from Buckingham Road to the Hendry County Line, including the project frontage. As a result, a shared use path is required along the River Hall frontage. The Applicant has proposed to construct this facility to Buckingham Road. Most

1 http://safety.fhwa.dot.gov/intersection/resources/fhwasa10005/brief_5.cfm

of the property on the south side of SR 80 between the site and Buckingham Road is developed currently with either residential development or small outparcel-type commercial development. The proposed shared use path will eventually get constructed along the frontage of most of the commercial developments as those sites redevelop. However, there is very little chance that the pathway would be constructed along the frontage of the existing residential developments. Based on a rough estimate, approximately 60% of this pathway will be built eventually without the Applicant's commitment and the remaining 40% of the length of SR 80 from Buckingham Road to River Hall Parkway will remain as gaps in the pathway. Staff has discussed the feasibility of construction of the shared use path with FDOT, and it appears that sufficient right-of-way is available to accommodate the path.

> *Construction of improvements to SR 80 that would result in a bike lane along the north and south sides of the roadway from River Hall Parkway east to Joel Boulevard including the provision of a "park-n-trail" facility within the River Hall commercial development area that will facilitate use and access to the new bike path and pedestrian facilities along SR 80.*

Staff contacted the State to discuss the constructability of a bike lane on both the north and south side of SR 80 from River Hall Parkway to Joel Boulevard. The as-built plans obtained from the State indicate a four (4) foot paved shoulder exists on SR 80 from Buckingham Road to Joel Boulevard on both sides of the roadway. The Applicant intends to improve the on-road paved shoulder on SR 80, so the end result will be shoulders on both sides of the roadway that will serve as bicycle facilities. Policy 8.4.3 of the Florida Plans Preparation Manual[2] requires a minimum width of five (5) feet for new paved shoulders to be utilized as bicycle lanes. For reference, Lee County Administrative Code 11-9 (AC-11-9)[3] requires a minimum paved shoulder width of six (6) feet on a roadway with a speed limit of 50 MPH or more with open drainage such as this segment of SR 80. A six (6) foot paved shoulder in accordance with the County standards would be safer. Map 3D-1 of THE LEE PLAN indicates an off-road shared use bicycle/pedestrian path on the south side of SR 80 from Buckingham Road to the Hendry County Line, and this improvement would be safer for bicyclists and pedestrians than any on-road paved shoulder improvements. The County's focus along this corridor has not been to invite more on-road bicycle traffic in this area. Rather, it has been the County's focus to invite more bicycle traffic in this area by provision of an off-road shared use path safely separated from the vehicular travel lanes. Ultimately, since SR 80 is a State maintained facility, it is up to the State to determine what improvements it approves within the SR 80 right-of-way. Without State approval, the construction of improvements within the SR 80 right-of-way cannot be guaranteed.

Conclusion

Based on the analysis provided in this report, the proposed plan amendment will increase the traffic generated by the River Hall development by more than 30% over the course of the entire day. There are some roadway links that are shown to fail under buildout traffic conditions, but these roadway link deficiencies are the result of background traffic projections and traffic projections from already approved developments and not directly attributable to the added River Hall project traffic.

The Applicant has proposed several commitments and obligations as a part of a Developer's Agreement to help justify the increase in density at the subject site. Staff finds that the expedition of the construction of the second access has very little public value. Staff also finds that the construction of a traffic signal at River Hall Parkway and SR 80 was already required as a part of the connection permit for the River Hall development (fka Hawk's Haven), so the proposed commitment is required regardless of the proposed plan amendment. Likewise, Staff finds that

2 http://www.dot.state.fl.us/rddesign/PPMManual/2014/Volume1/Chap08.pdf
3 http://www.leegov.com/gov/BoardofCountyCommissioners/Administrative%20Codes/AC-11-9.pdf

the provision of a traffic signal at this location has the potential to significantly increase traffic crashes at this location while also degrading the arterial through traffic capacity of SR 80. The Applicant has proposed to construct an off-road shared use path from Buckingham Road to River Hall Parkway along SR 80, and this improvement would complete a continuous pathway that may not be achieved otherwise. Staff finds that provision of an extra foot of on-road paved shoulder along SR 80 from River Hall Parkway to Joel Boulevard along with the provision of a park-n-trail facility will invite additional on-road bicycle traffic when it has been the County's focus to separate the bicycle traffic from the vehicular traffic in this area through the provision of an off-road shared use path. SR 80 is a State maintained roadway, so it is ultimately the State's decision as to what improvements are approved within its right-of-way.

Attachments:

A) OTISS Trip Generation Printouts
B) FDOT Connection Permit – Hawks Haven

Attachment A – OTISS Trip Generation Printouts

Attachment B – FDOT Connection Permit – Hawks Haven

Attachment A – OTISS Trip Generation Printouts

Period Setting

Analysis Name:	AM Peak Hour		
Project Name:	River Hall @ 1,999 units	**No:**	CPA2012-00001
Date:	4/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	9th

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	1861	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LIN)	328	984	1312
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LOG)	11	56	67
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average	28	8	36
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LOG)	47	28	75
430 - Golf Course	Holes	36	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average	58	16	74

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	328	0 %	984
230 - Residential Condominium/Townhouse	0 %	11	0 %	56
720 - Medical-Dental Office Building	0 %	28	0 %	8
820 - Shopping Center	0 %	47	0 %	28
430 - Golf Course	0 %	58	0 %	16

Internal Trips

210 - Single-Family Detached Housing

Exit 984 Demand Exit: 0 % (0) Balanced: 0

Entry 328 Demand Entry: 0 % (0) Balanced: 0

230 - Residential Condominium/Townhouse

Demand Entry: 0 % (0) **Entry** 11

Demand Exit: 0 % (0) **Exit** 56

210 - Single-Family Detached Housing

Exit 984 Demand Exit: 2 % (20) Balanced: 1 Demand Entry: 3 % (1) Entry 28

Entry 328 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 1 % (0) Exit 8

720 - Medical-Dental Office Building

210 - Single-Family Detached Housing

Exit 984 Demand Exit: 1 % (10) Balanced: 8 Demand Entry: 17 % (8) Entry 47

Entry 328 Demand Entry: 2 % (7) Balanced: 4 Demand Exit: 14 % (4) Exit 28

820 - Shopping Center

210 - Single-Family Detached Housing

Exit 984 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 58

Entry 328 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 16

430 - Golf Course

230 - Residential Condominium/Townhouse

Exit 56 Demand Exit: 2 % (1) Balanced: 1 Demand Entry: 3 % (1) Entry 28

Entry 11 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 1 % (0) Exit 8

720 - Medical-Dental Office Building

230 - Residential Condominium/Townhouse

Exit 56 Demand Exit: 1 % (1) Balanced: 1 Demand Entry: 17 % (8) Entry 47

Entry 11 Demand Entry: 2 % (0) Balanced: 0 Demand Exit: 14 % (4) Exit 28

820 - Shopping Center

230 - Residential Condominium/Townhouse

Exit 56 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 58

Entry 11 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 16

430 - Golf Course

720 - Medical-Dental Office Building

Exit 8 Demand Exit: 28 % (2) Balanced: 2 Demand Entry: 32 % (15) Entry 47

Entry 28 Demand Entry: 4 % (1) Balanced: 1 Demand Exit: 29 % (8) Exit 28

820 - Shopping Center

720 - Medical-Dental Office Building

Exit 8 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 58

Entry 28 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 16

430 - Golf Course

820 - Shopping Center

Exit 28 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 58

Entry 47 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 16

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	328 (100%)	0 (0%)	0 (0%)	4 (1%)	0 (0%)	4 (1%)	324 (99%)

Exit	984 (100%)	0 (0%)	1 (0%)	8 (1%)	0 (0%)	9 (1%)	975 (99%)
Total	1312 (100%)	0 (0%)	1 (0%)	12 (1%)	0 (0%)	13 (1%)	1299 (99%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	11 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	11 (100%)
Exit	56 (100%)	0 (0%)	1 (2%)	1 (2%)	0 (0%)	2 (4%)	54 (96%)
Total	67 (100%)	0 (0%)	1 (1%)	1 (1%)	0 (0%)	2 (3%)	65 (97%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	28 (100%)	1 (4%)	1 (4%)	1 (4%)	0 (0%)	3 (11%)	25 (89%)
Exit	8 (100%)	0 (0%)	0 (0%)	2 (25%)	0 (0%)	2 (25%)	6 (75%)
Total	36 (100%)	1 (3%)	1 (3%)	3 (8%)	0 (0%)	5 (14%)	31 (86%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	47 (100%)	8 (17%)	1 (2%)	2 (4%)	0 (0%)	11 (23%)	36 (77%)
Exit	28 (100%)	4 (14%)	0 (0%)	1 (4%)	0 (0%)	5 (18%)	23 (82%)
Total	75 (100%)	12 (16%)	1 (1%)	3 (4%)	0 (0%)	16 (21%)	59 (79%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	58 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	58 (100%)
Exit	16 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	16 (100%)
Total	74 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	74 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	1299	0 %	0	1299
230 - Residential Condominium/Townhouse	65	0 %	0	65
720 - Medical-Dental Office Building	31		0	31

		0 %		
820 - Shopping Center	59	30 %	18	41
430 - Golf Course	74	0 %	0	74

ITE Deviation Details

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

External Trips

210 - Single-Family Detached Housing
ITE does not recommend a particular pass-by% for this case.

230 - Residential Condominium/Townhouse
ITE does not recommend a particular pass-by% for this case.

720 - Medical-Dental Office Building
ITE does not recommend a particular pass-by% for this case.

820 - Shopping Center
ITE does not recommend a particular pass-by% for this case.

430 - Golf Course
ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	472
Total Exiting	1092
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	18
Total Exiting Internal Capture Reduction	18
Total Entering Pass-by Reduction	11
Total Exiting Pass-by Reduction	7
Total Entering Non-Pass-by Trips	443
Total Exiting Non-Pass-by Trips	1067

Period Setting

Analysis Name:	PM Peak Hour		
Project Name:	River Hall @ 1,999 units	**No:**	CPA2012-00001
Date:	4/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	9th

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	1861	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	920	540	1460
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	52	26	78
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	15	38	53
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	128	139	267
430 - Golf Course	Holes	36	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Average	54	51	105

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	920	0 %	540
230 - Residential Condominium/Townhouse	0 %	52	0 %	26
720 - Medical-Dental Office Building	0 %	15	0 %	38
820 - Shopping Center	0 %	128	0 %	139
430 - Golf Course	0 %	54	0 %	51

Internal Trips

210 - Single-Family Detached Housing

Exit 540 Demand Exit: 0 % (0)

Balanced: 0

Entry 920 Demand Entry: 0 % (0)

Balanced: 0

230 - Residential Condominium/Townhouse

Demand Entry: 0 % (0) **Entry** 52

Demand Exit: 0 % (0) **Exit** 26

210 - Single-Family Detached Housing

Exit	540	Demand Exit:	4	% (22)	Balanced: 9	Demand Entry:	57	% (9)
Entry	920	Demand Entry:	4	% (37)	Balanced: 1	Demand Exit:	2	% (1)

720 - Medical-Dental Office Building

Entry 15

Exit 38

210 - Single-Family Detached Housing

Exit	540	Demand Exit:	42	% (227)	Balanced: 13	Demand Entry:	10	% (13)
Entry	920	Demand Entry:	46	% (423)	Balanced: 36	Demand Exit:	26	% (36)

820 - Shopping Center

Entry 128

Exit 139

210 - Single-Family Detached Housing

Exit	540	Demand Exit:	0	% (0)	Balanced: 0	Demand Entry:	0	% (0)
Entry	920	Demand Entry:	0	% (0)	Balanced: 0	Demand Exit:	0	% (0)

430 - Golf Course

Entry 54

Exit 51

230 - Residential Condominium/Townhouse

Exit	26	Demand Exit:	4	% (1)	Balanced: 1	Demand Entry:	57	% (9)
Entry	52	Demand Entry:	4	% (2)	Balanced: 1	Demand Exit:	2	% (1)

720 - Medical-Dental Office Building

Entry 15

Exit 38

230 - Residential Condominium/Townhouse

Exit	26	Demand Exit:	42	% (11)	Balanced: 11	Demand Entry:	10	% (13)
Entry	52	Demand Entry:	46	% (24)	Balanced: 24	Demand Exit:	26	% (36)

820 - Shopping Center

Entry 128

Exit 139

230 - Residential Condominium/Townhouse

Exit	26	Demand Exit:	0	% (0)	Balanced: 0	Demand Entry:	0	% (0)
Entry	52	Demand Entry:	0	% (0)	Balanced: 0	Demand Exit:	0	% (0)

430 - Golf Course

Entry 54

Exit 51

720 - Medical-Dental Office Building

Exit	38	Demand Exit:	20	% (8)	Balanced: 8	Demand Entry:	8	% (10)
Entry	15	Demand Entry:	31	% (5)	Balanced: 3	Demand Exit:	2	% (3)

820 - Shopping Center

Entry 128

Exit 139

720 - Medical-Dental Office Building

Exit	38	Demand Exit:	0	% (0)	Balanced: 0	Demand Entry:	0	% (0)
Entry	15	Demand Entry:	0	% (0)	Balanced: 0	Demand Exit:	0	% (0)

430 - Golf Course

Entry 54

Exit 51

820 - Shopping Center

Exit	139	Demand Exit:	0	% (0)	Balanced: 0	Demand Entry:	0	% (0)
Entry	128	Demand Entry:	0	% (0)	Balanced: 0	Demand Exit:	0	% (0)

430 - Golf Course

Entry 54

Exit 51

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	920 (100%)	0 (0%)	1 (0%)	36 (4%)	0 (0%)	37 (4%)	883 (96%)

Exit	540 (100%)	0 (0%)	9 (2%)	13 (2%)	0 (0%)	22 (4%)	518 (96%)
Total	1460 (100%)	0 (0%)	10 (1%)	49 (3%)	0 (0%)	59 (4%)	1401 (96%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	52 (100%)	0 (0%)	1 (2%)	24 (46%)	0 (0%)	25 (48%)	27 (52%)
Exit	26 (100%)	0 (0%)	1 (4%)	11 (42%)	0 (0%)	12 (46%)	14 (54%)
Total	78 (100%)	0 (0%)	2 (3%)	35 (45%)	0 (0%)	37 (47%)	41 (53%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	15 (100%)	9 (60%)	1 (7%)	3 (20%)	0 (0%)	13 (87%)	2 (13%)
Exit	38 (100%)	1 (3%)	1 (3%)	8 (21%)	0 (0%)	10 (26%)	28 (74%)
Total	53 (100%)	10 (19%)	2 (4%)	11 (21%)	0 (0%)	23 (43%)	30 (57%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	128 (100%)	13 (10%)	11 (9%)	8 (6%)	0 (0%)	32 (25%)	96 (75%)
Exit	139 (100%)	36 (26%)	24 (17%)	3 (2%)	0 (0%)	63 (45%)	76 (55%)
Total	267 (100%)	49 (18%)	35 (13%)	11 (4%)	0 (0%)	95 (36%)	172 (64%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	54 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	54 (100%)
Exit	51 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	51 (100%)
Total	105 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	105 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	1401	0 %	0	1401
230 - Residential Condominium/Townhouse	41	0 %	0	41
720 - Medical-Dental Office Building	30		0	30

		0 %		
820 - Shopping Center	172	30 %	52	120
430 - Golf Course	105	0 %	0	105

ITE Deviation Details

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.

Landuse: No deviations from ITE.

Methods: No deviations from ITE.

External Trips:

210 - Single-Family Detached Housing
ITE does not recommend a particular pass-by% for this case.

230 - Residential Condominium/Townhouse
ITE does not recommend a particular pass-by% for this case.

720 - Medical-Dental Office Building
ITE does not recommend a particular pass-by% for this case.

820 - Shopping Center
The chosen pass-by% (30) is not provided by ITE. ITE recommends 55.

430 - Golf Course
ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	1169
Total Exiting	794
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	107
Total Exiting Internal Capture Reduction	107
Total Entering Pass-by Reduction	29
Total Exiting Pass-by Reduction	23
Total Entering Non-Pass-by Trips	1033
Total Exiting Non-Pass-by Trips	664

Period Setting

Analysis Name:	Daily (2-way)		
Project Name:	River Hall @ 1,999 units	**No:**	CPA2012-00001
Date:	4/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	9th

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	1861	Weekday	Best Fit (LOG)	7734	7734	15468
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday	Best Fit (LOG)	426	425	851
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday	Average	271	271	542
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday	Best Fit (LOG)	1553	1552	3105
430 - Golf Course	Holes	36	Weekday	Average	644	643	1287

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	7734	0 %	7734
230 - Residential Condominium/Townhouse	0 %	426	0 %	425
720 - Medical-Dental Office Building	0 %	271	0 %	271
820 - Shopping Center	0 %	1553	0 %	1552
430 - Golf Course	0 %	644	0 %	643

Internal Trips

210 - Single-Family Detached Housing

Exit 7734 Demand Exit: 0 % (0) Balanced: 0

Entry 7734 Demand Entry: 0 % (0) Balanced: 0

230 - Residential Condominium/Townhouse

Demand Entry: 0 % (0) **Entry** 426

Demand Exit: 0 % (0) **Exit** 425

210 - Single-Family Detached Housing

Exit 7734 Demand Exit: 2 % (155) Balanced: 8

Entry 7734 Demand Entry: 0 % (0) Balanced: 0

720 - Medical-Dental Office Building

Demand Entry: 3 % (8) **Entry** 271

Demand Exit: 1 % (3) **Exit** 271

210 - Single-Family Detached Housing

Exit 7734 Demand Exit: 1 % (77) Balanced: 77

820 - Shopping Center

Demand Entry: 17 % (264) **Entry** 1553

Entry	7734	Demand Entry: 2 % (155)	Balanced: 155	Demand Exit: 14 % (217)	Exit	1552

210 - Single-Family Detached Housing | **430 - Golf Course**

Exit	7734	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644
Entry	7734	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643

230 - Residential Condominium/Townhouse | **720 - Medical-Dental Office Building**

Exit	425	Demand Exit: 2 % (9)	Balanced: 8	Demand Entry: 3 % (8)	Entry	271
Entry	426	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 1 % (3)	Exit	271

230 - Residential Condominium/Townhouse | **820 - Shopping Center**

Exit	425	Demand Exit: 1 % (4)	Balanced: 4	Demand Entry: 17 % (264)	Entry	1553
Entry	426	Demand Entry: 2 % (9)	Balanced: 9	Demand Exit: 14 % (217)	Exit	1552

230 - Residential Condominium/Townhouse | **430 - Golf Course**

Exit	425	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644
Entry	426	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643

720 - Medical-Dental Office Building | **820 - Shopping Center**

Exit	271	Demand Exit: 28 % (76)	Balanced: 76	Demand Entry: 32 % (497)	Entry	1553
Entry	271	Demand Entry: 4 % (11)	Balanced: 11	Demand Exit: 29 % (450)	Exit	1552

720 - Medical-Dental Office Building | **430 - Golf Course**

Exit	271	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644
Entry	271	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643

820 - Shopping Center | **430 - Golf Course**

Exit	1552	Demand Exit: 0 % (0)	Balanced: 0	Demand Entry: 0 % (0)	Entry	644
Entry	1553	Demand Entry: 0 % (0)	Balanced: 0	Demand Exit: 0 % (0)	Exit	643

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	7734 (100%)	0 (0%)	0 (0%)	155 (2%)	0 (0%)	155 (2%)	7579 (98%)
Exit	7734 (100%)	0 (0%)	8 (0%)	77 (1%)	0 (0%)	85 (1%)	7649 (99%)
Total	15468 (100%)	0 (0%)	8 (0%)	232 (1%)	0 (0%)	240 (2%)	15228 (98%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	426 (100%)	0 (0%)	0 (0%)	9 (2%)	0 (0%)	9 (2%)	417 (98%)

Exit	425 (100%)	0 (0%)	8 (2%)	4 (1%)	0 (0%)	12 (3%)	413 (97%)
Total	851 (100%)	0 (0%)	8 (1%)	13 (2%)	0 (0%)	21 (2%)	830 (98%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	271 (100%)	8 (3%)	8 (3%)	11 (4%)	0 (0%)	27 (10%)	244 (90%)
Exit	271 (100%)	0 (0%)	0 (0%)	76 (28%)	0 (0%)	76 (28%)	195 (72%)
Total	542 (100%)	8 (1%)	8 (1%)	87 (16%)	0 (0%)	103 (19%)	439 (81%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	1553 (100%)	77 (5%)	4 (0%)	76 (5%)	0 (0%)	157 (10%)	1396 (90%)
Exit	1552 (100%)	155 (10%)	9 (1%)	11 (1%)	0 (0%)	175 (11%)	1377 (89%)
Total	3105 (100%)	232 (7%)	13 (0%)	87 (3%)	0 (0%)	332 (11%)	2773 (89%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	644 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	644 (100%)
Exit	643 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	643 (100%)
Total	1287 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1287 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	15228	0 %	0	15228
230 - Residential Condominium/Townhouse	830	0 %	0	830
720 - Medical-Dental Office Building	439	0 %	0	439
820 - Shopping Center	2773	30 %	832	1941
430 - Golf Course	1287	0 %	0	1287

ITE Deviation Details

Weekday

Landuse	No deviations from ITE.
Methods	No deviations from ITE.
External Trips	210 - Single-Family Detached Housing ITE does not recommend a particular pass-by% for this case. 230 - Residential Condominium/Townhouse ITE does not recommend a particular pass-by% for this case. 720 - Medical-Dental Office Building ITE does not recommend a particular pass-by% for this case. 820 - Shopping Center ITE does not recommend a particular pass-by% for this case. 430 - Golf Course ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	10628
Total Exiting	10625
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	348
Total Exiting Internal Capture Reduction	348
Total Entering Pass-by Reduction	419
Total Exiting Pass-by Reduction	413
Total Entering Non-Pass-by Trips	9861
Total Exiting Non-Pass-by Trips	9864

Period Setting

Analysis Name:	AM Peak Hour		
Project Name:	River Hall @ 2,850 units	**No:**	CPA2012-00001
Date:	5/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	9th

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	2712	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LIN)	477	1431	1908
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LOG)	11	56	67
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average	28	8	36
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Best Fit (LOG)	47	28	75
430 - Golf Course	Holes	36	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average	58	16	74

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	477	0 %	1431
230 - Residential Condominium/Townhouse	0 %	11	0 %	56
720 - Medical-Dental Office Building	0 %	28	0 %	8
820 - Shopping Center	0 %	47	0 %	28
430 - Golf Course	0 %	58	0 %	16

Internal Trips

210 - Single-Family Detached Housing

Exit 1431 — Demand Exit: 0 % (0) — Balanced: 0

Entry 477 — Demand Entry: 0 % (0) — Balanced: 0

230 - Residential Condominium/Townhouse

Demand Entry: 0 % (0) — **Entry** 11

Demand Exit: 0 % (0) — **Exit** 56

210 - Single-Family Detached Housing

Exit 1431 Demand Exit: 2 % (29) Balanced: 1 Demand Entry: 3 % (1) Entry 28

Entry 477 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 1 % (0) Exit 8

720 - Medical-Dental Office Building

210 - Single-Family Detached Housing

Exit 1431 Demand Exit: 1 % (14) Balanced: 8 Demand Entry: 17 % (8) Entry 47

Entry 477 Demand Entry: 2 % (10) Balanced: 4 Demand Exit: 14 % (4) Exit 28

820 - Shopping Center

210 - Single-Family Detached Housing

Exit 1431 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 58

Entry 477 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 16

430 - Golf Course

230 - Residential Condominium/Townhouse

Exit 56 Demand Exit: 2 % (1) Balanced: 1 Demand Entry: 3 % (1) Entry 28

Entry 11 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 1 % (0) Exit 8

720 - Medical-Dental Office Building

230 - Residential Condominium/Townhouse

Exit 56 Demand Exit: 1 % (1) Balanced: 1 Demand Entry: 17 % (8) Entry 47

Entry 11 Demand Entry: 2 % (0) Balanced: 0 Demand Exit: 14 % (4) Exit 28

820 - Shopping Center

230 - Residential Condominium/Townhouse

Exit 56 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 58

Entry 11 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 16

430 - Golf Course

720 - Medical-Dental Office Building

Exit 8 Demand Exit: 28 % (2) Balanced: 2 Demand Entry: 32 % (15) Entry 47

Entry 28 Demand Entry: 4 % (1) Balanced: 1 Demand Exit: 29 % (8) Exit 28

820 - Shopping Center

720 - Medical-Dental Office Building

Exit 8 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 58

Entry 28 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 16

430 - Golf Course

820 - Shopping Center

Exit 28 Demand Exit: 0 % (0) Balanced: 0 Demand Entry: 0 % (0) Entry 58

Entry 47 Demand Entry: 0 % (0) Balanced: 0 Demand Exit: 0 % (0) Exit 16

430 - Golf Course

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	477 (100%)	0 (0%)	0 (0%)	4 (1%)	0 (0%)	4 (1%)	473 (99%)

Exit	1431 (100%)	0 (0%)	1 (0%)	8 (1%)	0 (0%)	9 (1%)	1422 (99%)
Total	1908 (100%)	0 (0%)	1 (0%)	12 (1%)	0 (0%)	13 (1%)	1895 (99%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	11 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	11 (100%)
Exit	56 (100%)	0 (0%)	1 (2%)	1 (2%)	0 (0%)	2 (4%)	54 (96%)
Total	67 (100%)	0 (0%)	1 (1%)	1 (1%)	0 (0%)	2 (3%)	65 (97%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	28 (100%)	1 (4%)	1 (4%)	1 (4%)	0 (0%)	3 (11%)	25 (89%)
Exit	8 (100%)	0 (0%)	0 (0%)	2 (25%)	0 (0%)	2 (25%)	6 (75%)
Total	36 (100%)	1 (3%)	1 (3%)	3 (8%)	0 (0%)	5 (14%)	31 (86%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	47 (100%)	8 (17%)	1 (2%)	2 (4%)	0 (0%)	11 (23%)	36 (77%)
Exit	28 (100%)	4 (14%)	0 (0%)	1 (4%)	0 (0%)	5 (18%)	23 (82%)
Total	75 (100%)	12 (16%)	1 (1%)	3 (4%)	0 (0%)	16 (21%)	59 (79%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	58 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	58 (100%)
Exit	16 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	16 (100%)
Total	74 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	74 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	1895	0 %	0	1895
230 - Residential Condominium/Townhouse	65	0 %	0	65
720 - Medical-Dental Office Building	31		0	31

		0 %		
820 - Shopping Center	59	30 %	18	41
430 - Golf Course	74	0 %	0	74

ITE Deviation Details

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

External Trips

210 - Single-Family Detached Housing
ITE does not recommend a particular pass-by% for this case.

230 - Residential Condominium/Townhouse
ITE does not recommend a particular pass-by% for this case.

720 - Medical-Dental Office Building
ITE does not recommend a particular pass-by% for this case.

820 - Shopping Center
ITE does not recommend a particular pass-by% for this case.

430 - Golf Course
ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	621
Total Exiting	1539
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	18
Total Exiting Internal Capture Reduction	18
Total Entering Pass-by Reduction	11
Total Exiting Pass-by Reduction	7
Total Entering Non-Pass-by Trips	592
Total Exiting Non-Pass-by Trips	1514

Period Setting

Analysis Name:	PM Peak Hour		
Project Name:	River Hall @ 2,850 units	**No:**	CPA2012-00001
Date:	5/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	9th

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	2712	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	1291	758	2049
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	52	26	78
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	15	38	53
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG)	128	139	267
430 - Golf Course	Holes	36	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Average	54	51	105

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	1291	0 %	758
230 - Residential Condominium/Townhouse	0 %	52	0 %	26
720 - Medical-Dental Office Building	0 %	15	0 %	38
820 - Shopping Center	0 %	128	0 %	139
430 - Golf Course	0 %	54	0 %	51

Internal Trips

210 - Single-Family Detached Housing

Exit 758 — Demand Exit: 0 % (0)

Entry 1291 — Demand Entry: 0 % (0)

Balanced: 0

Balanced: 0

230 - Residential Condominium/Townhouse

Demand Entry: 0 % (0) — **Entry** 52

Demand Exit: 0 % (0) — **Exit** 26

210 - Single-Family Detached Housing

Exit	758	Demand Exit:	4	% (30)	Balanced: 9	Demand Entry:	57	% (9)
Entry	1291	Demand Entry:	4	% (52)	Balanced: 1	Demand Exit:	2	% (1)

720 - Medical-Dental Office Building

Entry 15

Exit 38

210 - Single-Family Detached Housing

Exit	758	Demand Exit:	42	% (318)	Balanced: 13	Demand Entry:	10	% (13)
Entry	1291	Demand Entry:	46	% (594)	Balanced: 36	Demand Exit:	26	% (36)

820 - Shopping Center

Entry 128

Exit 139

210 - Single-Family Detached Housing

Exit	758	Demand Exit:	0	% (0)	Balanced: 0	Demand Entry:	0	% (0)
Entry	1291	Demand Entry:	0	% (0)	Balanced: 0	Demand Exit:	0	% (0)

430 - Golf Course

Entry 54

Exit 51

230 - Residential Condominium/Townhouse

Exit	26	Demand Exit:	4	% (1)	Balanced: 1	Demand Entry:	57	% (9)
Entry	52	Demand Entry:	4	% (2)	Balanced: 1	Demand Exit:	2	% (1)

720 - Medical-Dental Office Building

Entry 15

Exit 38

230 - Residential Condominium/Townhouse

Exit	26	Demand Exit:	42	% (11)	Balanced: 11	Demand Entry:	10	% (13)
Entry	52	Demand Entry:	46	% (24)	Balanced: 24	Demand Exit:	26	% (36)

820 - Shopping Center

Entry 128

Exit 139

230 - Residential Condominium/Townhouse

Exit	26	Demand Exit:	0	% (0)	Balanced: 0	Demand Entry:	0	% (0)
Entry	52	Demand Entry:	0	% (0)	Balanced: 0	Demand Exit:	0	% (0)

430 - Golf Course

Entry 54

Exit 51

720 - Medical-Dental Office Building

Exit	38	Demand Exit:	20	% (8)	Balanced: 8	Demand Entry:	8	% (10)
Entry	15	Demand Entry:	31	% (5)	Balanced: 3	Demand Exit:	2	% (3)

820 - Shopping Center

Entry 128

Exit 139

720 - Medical-Dental Office Building

Exit	38	Demand Exit:	0	% (0)	Balanced: 0	Demand Entry:	0	% (0)
Entry	15	Demand Entry:	0	% (0)	Balanced: 0	Demand Exit:	0	% (0)

430 - Golf Course

Entry 54

Exit 51

820 - Shopping Center

Exit	139	Demand Exit:	0	% (0)	Balanced: 0	Demand Entry:	0	% (0)
Entry	128	Demand Entry:	0	% (0)	Balanced: 0	Demand Exit:	0	% (0)

430 - Golf Course

Entry 54

Exit 51

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	1291 (100%)	0 (0%)	1 (0%)	36 (3%)	0 (0%)	37 (3%)	1254 (97%)

Exit	758 (100%)	0 (0%)	9 (1%)	13 (2%)	0 (0%)	22 (3%)	736 (97%)
Total	2049 (100%)	0 (0%)	10 (0%)	49 (2%)	0 (0%)	59 (3%)	1990 (97%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	52 (100%)	0 (0%)	1 (2%)	24 (46%)	0 (0%)	25 (48%)	27 (52%)
Exit	26 (100%)	0 (0%)	1 (4%)	11 (42%)	0 (0%)	12 (46%)	14 (54%)
Total	78 (100%)	0 (0%)	2 (3%)	35 (45%)	0 (0%)	37 (47%)	41 (53%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	15 (100%)	9 (60%)	1 (7%)	3 (20%)	0 (0%)	13 (87%)	2 (13%)
Exit	38 (100%)	1 (3%)	1 (3%)	8 (21%)	0 (0%)	10 (26%)	28 (74%)
Total	53 (100%)	10 (19%)	2 (4%)	11 (21%)	0 (0%)	23 (43%)	30 (57%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	128 (100%)	13 (10%)	11 (9%)	8 (6%)	0 (0%)	32 (25%)	96 (75%)
Exit	139 (100%)	36 (26%)	24 (17%)	3 (2%)	0 (0%)	63 (45%)	76 (55%)
Total	267 (100%)	49 (18%)	35 (13%)	11 (4%)	0 (0%)	95 (36%)	172 (64%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	54 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	54 (100%)
Exit	51 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	51 (100%)
Total	105 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	105 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	1990	0 %	0	1990
230 - Residential Condominium/Townhouse	41	0 %	0	41
720 - Medical-Dental Office Building	30		0	30

		0 %		
820 - Shopping Center	172	30 %	52	120
430 - Golf Course	105	0 %	0	105

ITE Deviation Details

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

External Trips

210 - Single-Family Detached Housing
ITE does not recommend a particular pass-by% for this case.

230 - Residential Condominium/Townhouse
ITE does not recommend a particular pass-by% for this case.

720 - Medical-Dental Office Building
ITE does not recommend a particular pass-by% for this case.

820 - Shopping Center
The chosen pass-by% (30) is not provided by ITE. ITE recommends 55.

430 - Golf Course
ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	1540
Total Exiting	1012
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	107
Total Exiting Internal Capture Reduction	107
Total Entering Pass-by Reduction	29
Total Exiting Pass-by Reduction	23
Total Entering Non-Pass-by Trips	1404
Total Exiting Non-Pass-by Trips	882

Period Setting

Analysis Name:	Daily (2-way)		
Project Name:	River Hall @ 2,850 units	**No:**	CPA2012-00001
Date:	5/22/2014	**City:**	Lee County
State/Province:	FL	**Zip/Postal Code:**	
Country:		**Client Name:**	
Analyst's Name:	RYP	**Edition:**	9th

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
210 - Single-Family Detached Housing	Dwelling Units	2712	Weekday	Best Fit (LOG)	10937	10936	21873
230 - Residential Condominium/Townhouse	Dwelling Units	138	Weekday	Best Fit (LOG)	426	425	851
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	15	Weekday	Average	271	271	542
820 - Shopping Center	1000 Sq. Feet Gross Leasable Area	30	Weekday	Best Fit (LOG)	1553	1552	3105
430 - Golf Course	Holes	36	Weekday	Average	644	643	1287

Traffic Reductions

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
210 - Single-Family Detached Housing	0 %	10937	0 %	10936
230 - Residential Condominium/Townhouse	0 %	426	0 %	425
720 - Medical-Dental Office Building	0 %	271	0 %	271
820 - Shopping Center	0 %	1553	0 %	1552
430 - Golf Course	0 %	644	0 %	643

Internal Trips

210 - Single-Family Detached Housing

Exit 10936 Demand Exit: 0 % (0) Balanced: 0 — Demand Entry: 0 % (0) **Entry** 426

Entry 10937 Demand Entry: 0 % (0) Balanced: 0 — Demand Exit: 0 % (0) **Exit** 425

230 - Residential Condominium/Townhouse

210 - Single-Family Detached Housing

Exit 10936 Demand Exit: 2 % (219) Balanced: 8 — Demand Entry: 3 % (8) **Entry** 271

Entry 10937 Demand Entry: 0 % (0) Balanced: 0 — Demand Exit: 1 % (3) **Exit** 271

720 - Medical-Dental Office Building

210 - Single-Family Detached Housing

Exit 10936 Demand Exit: 1 % (109) Balanced: 109 — Demand Entry: 17 % (264) **Entry** 1553

Entry 10937 Balanced: **Exit** 1552

820 - Shopping Center

Demand Entry: 2 % (219) | 217 | Demand Exit: 14 % (217)

210 - Single-Family Detached Housing

Exit 10936 Demand Exit: 0 % (0) | Balanced: 0 | Demand Entry: 0 % (0) **430 - Golf Course** Entry 644

Entry 10937 Demand Entry: 0 % (0) | Balanced: 0 | Demand Exit: 0 % (0) Exit 643

230 - Residential Condominium/Townhouse

Exit 425 Demand Exit: 2 % (9) | Balanced: 8 | Demand Entry: 3 % (8) **720 - Medical-Dental Office Building** Entry 271

Entry 426 Demand Entry: 0 % (0) | Balanced: 0 | Demand Exit: 1 % (3) Exit 271

230 - Residential Condominium/Townhouse

Exit 425 Demand Exit: 1 % (4) | Balanced: 4 | Demand Entry: 17 % (264) **820 - Shopping Center** Entry 1553

Entry 426 Demand Entry: 2 % (9) | Balanced: 9 | Demand Exit: 14 % (217) Exit 1552

230 - Residential Condominium/Townhouse

Exit 425 Demand Exit: 0 % (0) | Balanced: 0 | Demand Entry: 0 % (0) **430 - Golf Course** Entry 644

Entry 426 Demand Entry: 0 % (0) | Balanced: 0 | Demand Exit: 0 % (0) Exit 643

720 - Medical-Dental Office Building

Exit 271 Demand Exit: 28 % (76) | Balanced: 76 | Demand Entry: 32 % (497) **820 - Shopping Center** Entry 1553

Entry 271 Demand Entry: 4 % (11) | Balanced: 11 | Demand Exit: 29 % (450) Exit 1552

720 - Medical-Dental Office Building

Exit 271 Demand Exit: 0 % (0) | Balanced: 0 | Demand Entry: 0 % (0) **430 - Golf Course** Entry 644

Entry 271 Demand Entry: 0 % (0) | Balanced: 0 | Demand Exit: 0 % (0) Exit 643

820 - Shopping Center

Exit 1552 Demand Exit: 0 % (0) | Balanced: 0 | Demand Entry: 0 % (0) **430 - Golf Course** Entry 644

Entry 1553 Demand Entry: 0 % (0) | Balanced: 0 | Demand Exit: 0 % (0) Exit 643

210 - Single-Family Detached Housing

	Total Trips	Internal Trips					External Trips
		230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	10937 (100%)	0 (0%)	0 (0%)	217 (2%)	0 (0%)	217 (2%)	10720 (98%)
Exit	10936 (100%)	0 (0%)	8 (0%)	109 (1%)	0 (0%)	117 (1%)	10819 (99%)
Total	21873 (100%)	0 (0%)	8 (0%)	326 (1%)	0 (0%)	334 (2%)	21539 (98%)

230 - Residential Condominium/Townhouse

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	720 - Medical-Dental Office Building	820 - Shopping Center	430 - Golf Course	Total	
Entry	426 (100%)	0 (0%)	0 (0%)	9 (2%)	0 (0%)	9 (2%)	417 (98%)
Exit	425 (100%)	0 (0%)	8 (2%)	4 (1%)	0 (0%)	12 (3%)	413 (97%)

Total	851 (100%)	0 (0%)	8 (1%)	13 (2%)	0 (0%)	21 (2%)	830 (98%)

720 - Medical-Dental Office Building

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	820 - Shopping Center	430 - Golf Course	Total	
Entry	271 (100%)	8 (3%)	8 (3%)	11 (4%)	0 (0%)	27 (10%)	244 (90%)
Exit	271 (100%)	0 (0%)	0 (0%)	76 (28%)	0 (0%)	76 (28%)	195 (72%)
Total	542 (100%)	8 (1%)	8 (1%)	87 (16%)	0 (0%)	103 (19%)	439 (81%)

820 - Shopping Center

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	430 - Golf Course	Total	
Entry	1553 (100%)	109 (7%)	4 (0%)	76 (5%)	0 (0%)	189 (12%)	1364 (88%)
Exit	1552 (100%)	217 (14%)	9 (1%)	11 (1%)	0 (0%)	237 (15%)	1315 (85%)
Total	3105 (100%)	326 (10%)	13 (0%)	87 (3%)	0 (0%)	426 (14%)	2679 (86%)

430 - Golf Course

	Total Trips	Internal Trips					External Trips
		210 - Single-Family Detached Housing	230 - Residential Condominium/Townhouse	720 - Medical-Dental Office Building	820 - Shopping Center	Total	
Entry	644 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	644 (100%)
Exit	643 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	643 (100%)
Total	1287 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1287 (100%)

External Trips

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
210 - Single-Family Detached Housing	21539	0 %	0	21539
230 - Residential Condominium/Townhouse	830	0 %	0	830
720 - Medical-Dental Office Building	439	0 %	0	439
820 - Shopping Center	2679	30 %	804	1875
430 - Golf Course	1287	0 %	0	1287

ITE Deviation Details

Weekday

Landuse No deviations from ITE.

Methods	No deviations from ITE.
External Trips	210 - Single-Family Detached Housing ITE does not recommend a particular pass-by% for this case. 230 - Residential Condominium/Townhouse ITE does not recommend a particular pass-by% for this case. 720 - Medical-Dental Office Building ITE does not recommend a particular pass-by% for this case. 820 - Shopping Center ITE does not recommend a particular pass-by% for this case. 430 - Golf Course ITE does not recommend a particular pass-by% for this case.

Summary

Total Entering	13831
Total Exiting	13827
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	442
Total Exiting Internal Capture Reduction	442
Total Entering Pass-by Reduction	409
Total Exiting Pass-by Reduction	395
Total Entering Non-Pass-by Trips	12980
Total Exiting Non-Pass-by Trips	12990

Attachment B – FDOT Connection Permit – Hawks Haven

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TRAFFIC CONTROL SHALL COMPLY WITH THE FEDERAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES [MUTCD] AND FDOT DESIGN STANDARDS 600 SERIES.

DRIVEWAY CONNECTION PERMIT FOR ALL CATEGORIES

PART 1: PERMIT INFORMATION

APPLICATION NUMBER: 04-A-192-0061

Permit Category: F Access Classification: 3

Project: Hawks Haven

Permittee: Duke Capital LLC on behalf of Hawks Haven Developers, LLC

Section/Mile Post: 12020 / 11.554 State Road: 80

Section/Mile Post: _____ State Road: _____

PART 2: PERMITTEE INFORMATION

APPROVED

FOR DOT PERMIT # _____

Permittee Name: Duke Capital LLC on behalf of Hawks Haven Developers, LLC

Permittee Mailing Address: c/o Land Mar Group, L.L.C., 9110 College Point Court

City, State, Zip: Fort Myers, Florida 33919

Telephone: (239) 851-3225

Engineer/Consultant/or Project Manager: Carolyn Gish, P.E.

Engineer responsible for construction inspection: Carolyn Gish, P.E. 53845
(NAME) (P.E. #)

Mailing Address: 7741 North Military Trail, Suite 5

City, State, Zip: Palm Beach Gardens, Florida 33410

Telephone: (561) 840-8650 FAX, Mobile Phone, etc.: (561) 840-8590

PART 3: PERMIT APPROVAL

The above application has been reviewed and is hereby approved subject to all Provisions as attached.

PERMIT NUMBER: 04-A-192-0061

Signature: Sarah T. Clarke Department of Transportation Title: Permits Manager

Department Representative's Printed Name: Sarah T. Clarke

Temporary Permit YES (NO) (If temporary, this permit is only valid for 6 months)

Special provisions attached (YES) NO

Date of Issuance: 2-2-05

If this is a normal (non-temporary) permit it authorizes construction for one year from the date of issuance. This can only be extended by the Department as specified in 14-96.007(6).

See following pages for General and Special Provisions

SEE ATTACHMENT

PART 4: GENERAL PROVISIONS

1. Notify the Department of Transportation Maintenance Office at least 48 hours in advance of starting proposed work. Phone: (239) 656-7813, Attention: Marla Bricher

2. A copy of the approved permit must be displayed in a prominent location in the immediate vicinity of the connection construction.

3. Comply with Rule 14-96.008(1), F.A.C., Disruption of Traffic.

4. Comply with Rule 14-96.008(7), F.A.C., on Utility Notification Requirements.

5. All work performed in the Department's right of way shall be done in accordance with the most current Department standards, specifications and the permit provisions.

6. The permittee shall not commence use of the connection prior to a final inspection and acceptance by the Department.

7. Comply with Rule 14-96.003(3)(a), F.A.C., Cost of Construction.

8. If a Significant Change of the permittee's land use, as defined in Section 335.182, Florida Statutes, occurs, the Permittee must contact the Department.

9. Medians may be added and median openings may be changed by the Department as part of a Construction Project or Safety Project. The provision for a median might change the operation of the connection to be for right turns only.

10. All conditions in NOTICE OF INTENT WILL APPLY unless specifically changed by the Department.

11. All approved connection(s) and turning movements are subject to the Department's continuing authority to modify such connection(s) or turning movements in order to protect safety and traffic operations on the state highway or State Highway System.

12. **Transportation Control Features in the State Right of Way.** Transportation control features and devices in the Department's right of way, including, but not limited to, traffic signals, medians, median openings, or any other transportation control features or devices in the state right of way, are operational and safety characteristics of the State Highway and are not means of access. The Department may install, remove or modify any present or future transportation control feature or device in the state right of way to make changes to promote safety in the right of way or efficient traffic operations on the highway.

13. The Permittee for him/herself, his/her heirs, his/her assigns and successors in interest, binds and is bound and obligated to save and hold the State of Florida, and the Department, its agents and employees harmless from any and all damages, claims, expense, or injuries arising out of any act, neglect or omission by the applicant, his/her heirs, assigns and successors in interest that may occur by reason of this, facility design, construction, maintenance or continuing existence of the connection facility, except that the applicant shall not be liable under this provision for damages arising from the sole negligence of the Department.

14. The Permittee shall be responsible for determining and notify all other users of the right of way.

15. Starting work on the State Right of Way means that I am accepting all conditions on the Permit.

PART 5: SPECIAL PROVISIONS

NON-CONFORMING CONNECTIONS: YES NO

If this is a non-conforming connection permit, as defined in Rule Chapters 14-96 and 14-97, then the following shall be a part of this permit:

1. The non-conforming connection(s) described in this permit is(are) not permitted for traffic volumes exceeding the Permit Category on page 1 of this permit, or as specified in "Other Special Provisions" below.

2. All non-conforming connections will be subject to closure or relocation when reasonable access becomes available in the future.

OTHER SPECIAL PROVISIONS:

- **The proposed connection and full median opening will be signalized at the applicant's expense when the signal warrants are met as determined by the Florida Department of Transportation Traffic Operation Division. All necessary analyses for determination of signal warrants, the development of detailed signalization design plans and all construction costs will be the responsibility of the applicant.**
- **The full median openings at South Olga Road and Linwood Avenue will be directionalized by the applicant at the applicant's expense when requested by the Florida Department of Transportation and/or signalization of the Hawk's Haven connection occurs.**
- **A minimum of one hundred fifty feet (150') of connection throat depth as measured from the right of way line must be maintained. This must be in the form of a recorded deed restriction.**
- **Features within the State Highway Right of Way, such as median openings and traffic control devices are not part of the connection(s) to be authorized by a connection permit. Except as otherwise provided herein, the Florida Department of Transportation reserves the discretion to determine the phasing, timing, and features for all traffic signals installed in the State Highway System.**
- **The approved permit with the stated conditions, including the legal description for all parcel(s) as shown in the approved site plan will be recorded with the Lee County Courthouse prior to commencement of construction or within 30 days of the permit approval date, whichever is less. Copy of said record must be provided to the Fort Myers Operations Center within said time line.**

PART 6: APPEAL PROCEDURES

You may request an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes. If you disagree with the facts stated in the foregoing Notice of Intended Department Action (hereinafter "Notice"), You may request a formal administrative hearing pursuant to Section 120.57(1), Florida Statutes. If you agree with the facts stated in the Notice, you may request an informal administrative hearing pursuant to Section 120.57(2), Florida Statutes. You must send the written request to:

Clerk of Agency Proceedings
Department of Transportation
Haydon Burns Building
605 Suwannee Street, M.S. 58
Tallahassee, Florida 32399-0458

The written request for an administrative hearing must conform to the requirements of either Rule 28-106.201(2) or Rule 28-106.301(2), Florida Administrative Code, and must be received by the Clerk of Agency Proceedings by 5:00 P.M., no later than 21 days after you received the Notice. The written request for an administrative proceeding should include a copy of the Notice, and must be legible, on 81/2 by 11 inch white paper, and contain:

1. Your name, address, and telephone number, and the Department identifying number on the Notice, if known, and name, address, and telephone number of your representative, if any;

2. An explanation of how you are affected by the action described in the Notice.

3. A statement of how and when you received the Notice.

4. A statement of all disputed issues of material fact. If there are none, you must so indicate.

5. A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle you to relief; and

6. A demand for relief.

A formal hearing will be held if there are disputed issued of material fact. If a formal hearing is held, this matter will be referred to the Division of Administrative Hearings, where you may present witnesses and evidence and cross examine other witnesses before an administrative law judge. If there are no disputed issues of material fact, an informal hearing will be held, in which case you will have the right to provide the Department with any written documentation or legal arguments which you wish the Department to consider.

Mediation, pursuant to Section 120.573, Florida Statutes, will be available if agreed to by all parties, and on such terms as may be agreed upon by all parties. The right to an administrative hearing is not affected when mediation does not result in a settlement.

If a written request for an administrative hearing is not timely received you will have waived your right to have the intended action reviewed pursuant to Chapter 120, Florida Statutes, and the action set forth in the Notice shall be conclusive and final.

ATTACHMENT 5

MEMORANDUM
FROM
PUBLIC WORKS
Natural Resources Division

Date: August 15, 2013

TO: Paul O'Connor
Director, Planning Division

From: Roland Ottolini
Director, Natural Resources Division

SUBJECT: DCI2013-00003 River Hall Amendment

Natural Resources staff has reviewed the information provided by the applicant; it is our understanding that the proposed amendment will propose a letter modification requesting that groundwater water level monitoring of the Sandstone aquifer be reinstated back into the renewed Water use permit. Staff believes that once the proposed letter modification to the Consumptive Use permit is approved by the South Florida Water Management district, staff concerns for impacts to the adjacent property owners due to groundwater withdrawal have been addressed. Therefore any impacts to groundwater resources can be monitored and quickly addressed should an impact occur.

Based on the information provided and given the above concern is addressed in the River Hall Development agreement, the Lee County Division of Natural Resources finds that no significant impacts on present or future water resources should result from the proposed change to Amend the existing Residential Planned Development, RPD and Commercial Planned Development, CPD zoning to increase the number of residential dwelling units in the River Hall community by 1,000 and include additional recreational uses within the commercial portion of the community. The Division of Natural Resources staff recommends that the Board of County Commissioners make a formal finding that no significant impacts on present or future water resources.

ATTACHMENT 6

Dunn, Brandon

From: Gaither, Wayne
Sent: Thursday, October 18, 2012 3:22 PM
To: Dunn, Brandon
Cc: Brown, Jill
Subject: FW: CPA2012-00001 - River Hall
Attachments: 20121017114752.pdf

Brandon,

The attached letter was submitted to Tina Mayfield-Ekblad, Morris-Depew Associates, Inc. in response to a determination of service availability for mass transit request. In the letter it is clearly stated there currently are no fixed route transit service available and only limited ADA service to the proposed development. It is also stated there are no future plans to extend transit services beyond the current configurations throughout the 2012 – 2021 Transit Development Plan horizon.

Changing the land-use designation from rural to a sub-urban land-use category could imply a need for services that are either found in urban setting or feed urban settings. In the case of fixed route mass transit or the transportation of ADA riders through the LeeTran Passport Service, I did not find sufficient response to determine how an increase in demand for these services would be funded. As was stated above, there are no plans for expanding the service in this area which would create another potential unfunded need for transit services within the horizon of the 2012-2021 Transit Development Plan. Additionally, a development of this size also requires an expansion of other public uses ranging from parks/open spaces to additional demands on schools. Both could create new demands for transit services beyond the existing service boundaries. These potential additional needs and expansion of services will only be met by an increase in funding or a decrease in systemwide transit service.

I submit the following Lee Plan Policies and Objectives as ones needing to be addressed as a part of the Comprehensive Plan Amendment 2012-00001.

Policy 43.1.4
Policy 43.1.6
Policy 43.1.7
Policy 43.1.8
Objective 43.2
Policy 43.2.1
Policy 43.3.2
Policy 43.4.2
Policy 43.4.3

Sincerely,

Wayne Gaither

H. Wayne Gaither
Planner, LeeTran
(239) 533-0344
www.rideleetran.com



From: Miller, Janet
Sent: Thursday, October 04, 2012 4:07 PM
To: 'fmsfdchief@hotmail.com'; Calvert, Daniel; Campbell, Gerald; Clark, Roger; Collins, Donna Marie; Dave Lindsay, East County Water Control District; Dawn Huff, Lee County School Board; Dickerson, Kim (Mary); Eckenrode, Peter; ext-Linblad, Ellen (flylcpa.com); Fredyma, John; Griffith, Douglas; Harner, David; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Karuna-Muni, Anura; Kevin Farrell, Sheriff's Office; Lee, Samuel; LeSage, Tessa; Lis, Carol; Loveland, David; Maguire, Karen L; Meurer, Douglas; Miller, Janet; Moore, James; Myers, Steve; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; Pavese, Michael; Price, Robert; Roberts, Rickey; Rudge, Daniel; Sajgo, Gloria; Sampson, Lindsey; Stewart, Robert; Sweigert, Rebecca; Wayne Gale, Director Mosquito Control; Wegis, Howard; Werst, Lee; Wilson, John; Wu, Lili; Zettel, Mary
Cc: Dunn, Brandon
Subject: CPA2012-00001 - River Hall

Good Afternoon:

Lee County Planning staff has recently received a privately sponsored amendment to the Lee Plan for the 2012/2013 Regular Amendment Cycle. Below is a link to the 2012/2013 Regular Amendment Cycle page on the Department of Community Development website. This page will allow you to access the application.

http://www.leegov.com/gov/dept/dcd/Planning/Amendments/Pages/amendment.aspx?aid=610

Please review the application provided by the applicant and advise Lee County Planning staff if it is sufficient for review, or if additional materials are needed for a complete review.

Please provide this sufficiency review to Planning staff by October 25th.

If you do not have any sufficiency items, you may provide substantive comments at this time.

If you have any questions, feel free to contact Brandon Dunn at 533-8585.

Janet Miller
Administrative Assistant
DCD Administration
millerjm@leegov.com
(239) 533-8583 PHONE
(239) 485-8319 FAX

Join our online public forum at www.leecountytownhall.com

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

October 17, 2012

Ms. Tina Mayfield-Ekblad
Morris-Depew Associates Inc
2914 Cleveland Ave
Fort Myers, FL 33901

Re: River Hall (formerly Hawks Haven) – Request for Letter of Availability

Dear Ms. Ekblad,

In reviewing your letter of August 23, 2012 requesting a determination of service availability from LeeTran for the Residential Planned Development please find the following:

1) Currently, LeeTran does not provide service to Hawk's Haven (proposed River Hall) as it lies outside of the ¼ mile transit service buffer. The closest transit route to the site is Route 100.
2) Currently, only a small area of the proposed River Hall RDP, in the northwest section of the development, is eligible for ADA service through LeeTran. The remainder of the development lies outside of the ¾ mile ADA transit service buffer.
3) The FY2012-2021 Transit Development Plan does not include the expansion of transit services beyond their current service area, for the Route 100. This also means that there are no plans to expand ADA services in this area.

Should you have any additional questions, please feel free to contact me at your convenience.

Sincerely,

H Wayne Gaither

H. Wayne Gaither
Planner, LeeTran

file

ATTACHMENT 7

Dunn, Brandon

From: Lauren Hennessey [lhennessey@M-DA.com]
Sent: Thursday, September 12, 2013 9:46 AM
To: Dunn, Brandon
Subject: Copy of request for availability letter (Lee county Division of Public Safety) River Hall CPA201200001- MDA project# 12061
Attachments: 12061- 2013-09-11 Letter of Availability Lee County Public Safety PDF.pdf

Good morning Brandon,
Attached is a copy of the request for letter of availability from the Lee County Division of Public Safety. River Hall CPA201200001.
MDA project# 12061

Best Regards,
Lauren Hennessey
Planning Technician

Morris-Depew Associates, Inc
(239)-337-3993
Fax (239)-337-3993
Metro Center 1
2891 Center Pointe Drive, Unit 100
Fort Myers, FL 33916

RECEIVED
SEP 12 2013
COMMUNITY DEVELOPMENT

Emergency Response to River Hall

RECEIVED
SEP 12 2013
COMMUNITY DEVELOPMENT

1 December 2012

Lee County EMS has been asked to consider the response capability to River Hall near the intersection of Buckingham and SR 80.

It is our determination that the Lee County EMS response time is projected to be between 7:00 and 17:00. Approximately 7:00 to reach the development and approximately 17:00 to get the far end of the development where Phase II is building. Searching dispatch database for the calendar year 2011, there were 20 responses to River Hall. The actual response times were between 10 and 14 minutes. The actual response times correlate with the projected response times.

The two nearest ambulances are medic 11 and medic 26. Medic 11 is located at the Department of Forestry at 10941 Palm Beach Boulevard. This address is 5.2 miles away. Based on past data, this medic responds most often to River Hall.

M26 is slightly farther away. It is located at 9351 Workmen Way. This station is 8 miles away. This medic is not expected to respond unless M11 is out of station.

River Hall resides within the Fort Myers Shores Fire District. The nearest fire station is located at 12345 Palm Beach Boulevard and is within 3.5 miles of River Hall. Based on historical dispatch data, engine 81 or engine 82 accompany medic 11 on calls within the development.

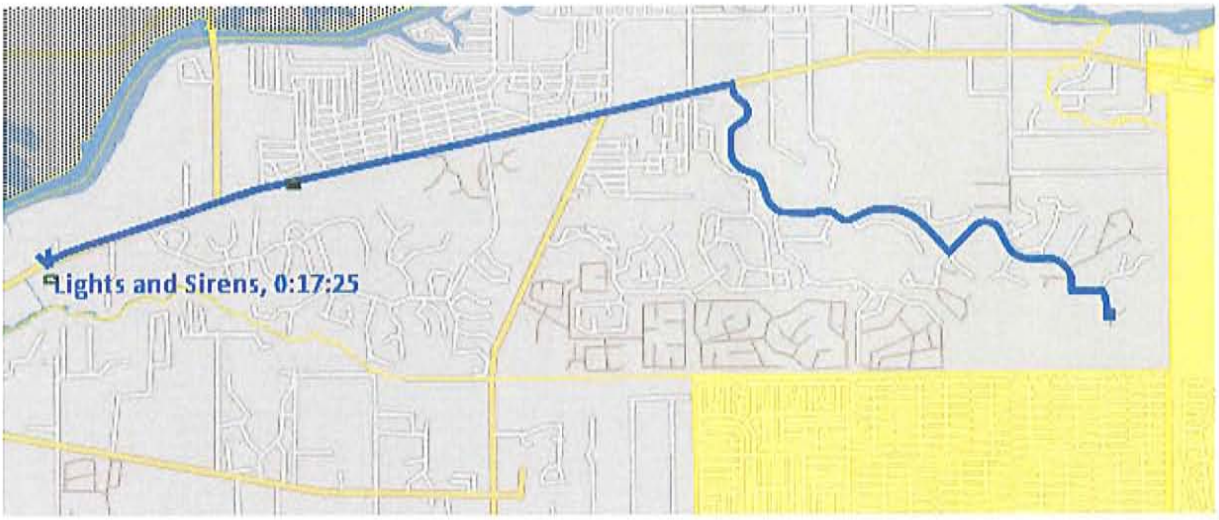
Medic 11 has an expected response time of 6:48 to arrive at the entrance of River Hall.

Map 1.) Medic 11 drive time to River Hall entrance.



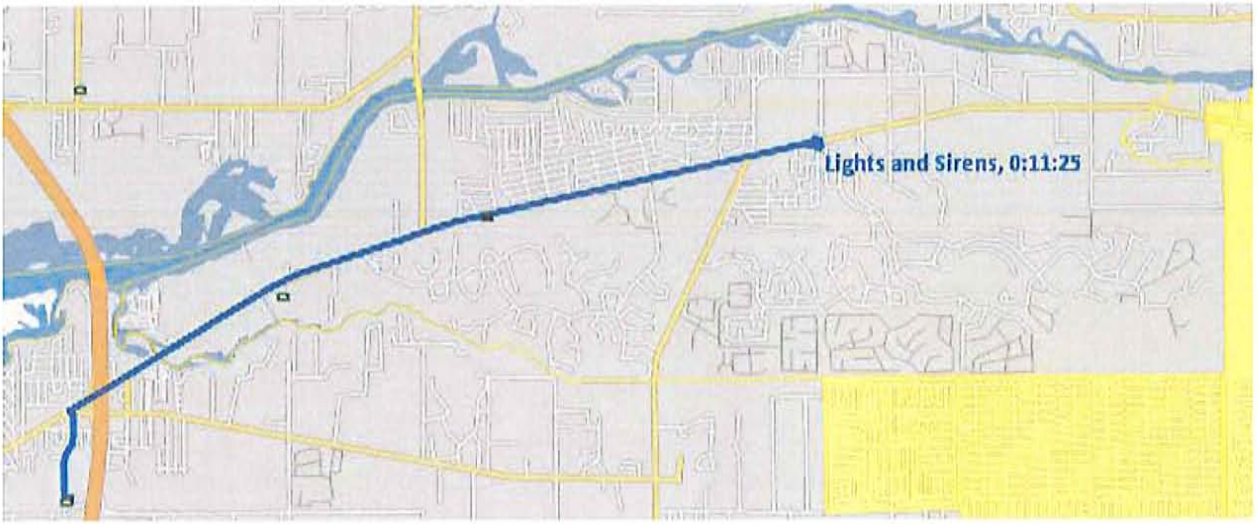
In order to travel deep within the River Hall community would take an additional 11+ minutes. The end point is Walnut Run and is within Phase II of River Hall.

Map 2.) Medic 11 drive time to Phase II within River Hall.



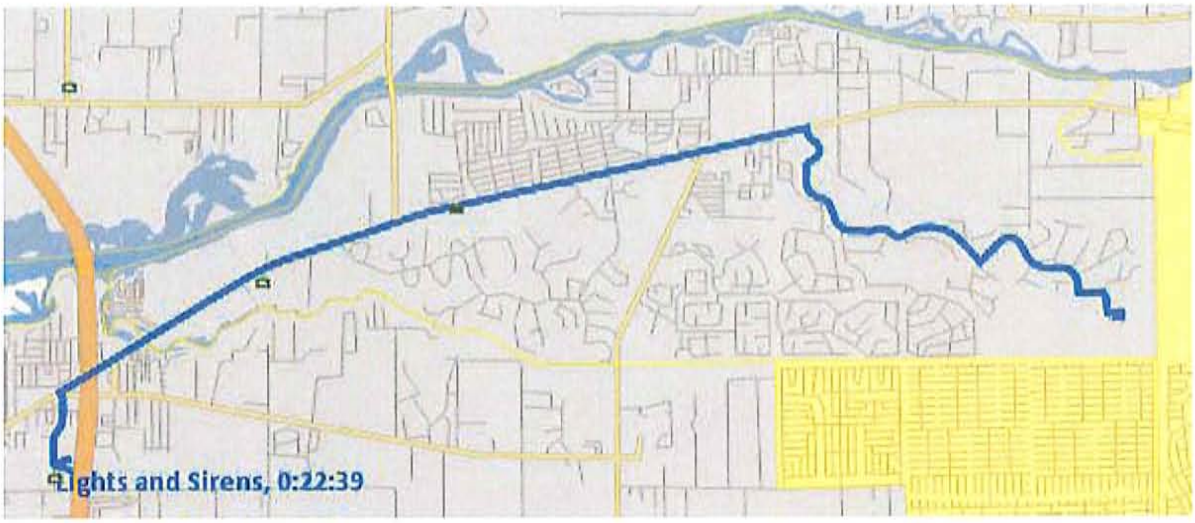
The next nearest medic is M26, approximately 11:25 away responding with lights and sirens. However this medic only in the event of M11 being out of station – which is not often.

Map 3.) Medic 26 drive time to River Hall entrance.



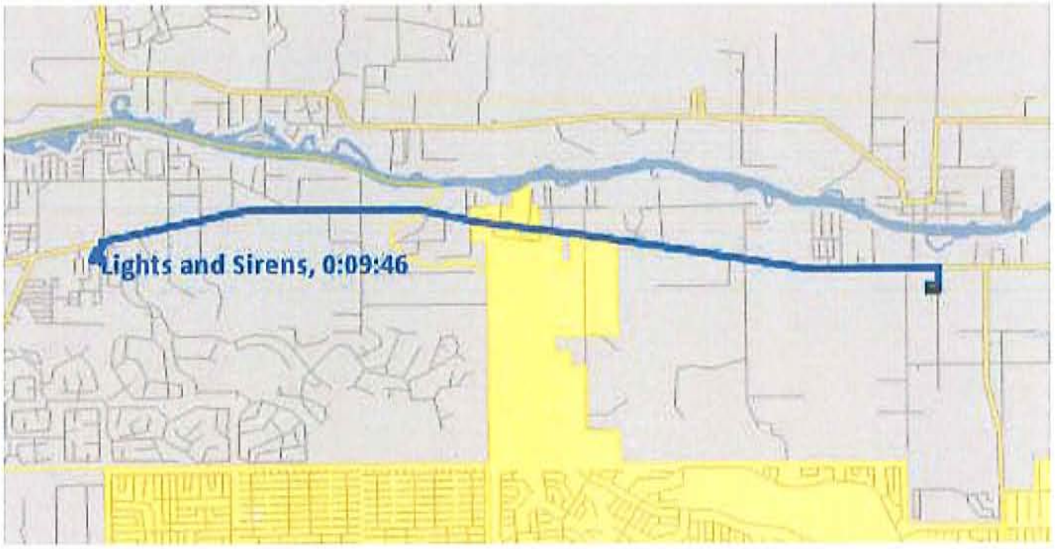
Medic 26 would require about 22:39 minutes to reach the far end of the development (Walnut Run). However this would only be in the event of M11 being out of station.

Map 4.) M26 drive time to Phase II of River Hall.



The Alva Medic does not transport patients, but it is Advanced Life support equipped. The Alva medic has a response time of 9:46 responding with lights and sirens.

Map 5.) Alva Medic drive time to River Hall.



In calendar year LCEMS responded to 20 calls in River Hall with an average response time of 11:23. The Fort Myers Shores Fire District responded to those same calls with an average response time of 7:29. These averages are from the fire station where the unit resides, to the residence of the 911 caller. The majority of these responses are handled by engines 81 and 82, and M11.

Map 6.) Calls within River Hall and Phase II



The current population of River Hall may be serviced within COPCN goals depending on the location within the community and the availability of the closest ambulance. If the closest ambulance, Medic 11, is in quarters and the call is near the entrance, response can be expected to be below the COPCN goal of 8:59. If the ambulance responsible for the primary response to River Hall is busy, the next closest unit will not be available to respond with the COPCN goal of 8:59. If the primary unit is in quarters, it will depend on where in River Hall the call occurs for LCEMS to be able to respond in 8:59; the further from the entrance, the longer the response time. As build out and full occupation of River Hall is achieved, LCEMS will have difficulty of achieving the goal of 8:59.

ATTACHMENT 8

LEE COUNTY Parks & Recreation

3410 Palm Beach Blvd
Fort Myers, Fl 33916
Phone 239-533-7275 Fax 239-485-2300

Memorandum

To: **Mary Gibbs, Director**
Lee County Department of Community Development

From: David Harner II, Director DWH
Lee County Department of Parks and Recreation

Date: May 23, 2014

Subject: River Hall Plan Amendment CPA2012-00001

Ms. Gibbs,

This memorandum pertains to the River Hall Plan Amendment (CPA2012-00001) and the service level needed within the Fort Myers Shores Planning Community. The Lee County desired level of service for parks is currently met within the Fort Myers Shores Planning Community. The Lee County Parks and Recreation Department is not currently seeking to go above the desired service levels. We have also been made aware that citizens who attended the recent public meeting were not in favor of adding park facilities within the River Hall boundary if they were open to the general public.

At the same time, we would like to point out that there is a canal on the eastern boundary of the River Hall Community that abuts Hickey's Creek Mitigation Park (HCMP), a county-owned park. The applicant is proposing a private trail for the residents of River Hall. However, due to the protection of listed species, security concerns, and legal issues associated with any type of trail connecting to HCMP from anywhere other than the designated park entrance (17980 Palm Beach Blvd.), we continue to recommend that the east-west path of the previously proposed trail for the residents terminate on the western side of the canal (maintained by the East County Water Control District). Lee County Parks and Recreation Staff looks forward to communicating with you and your staff on this project.

LEE COUNTY
RECEIVED
2014 MAY 30 AM 5:33
COMM. DEV./
PUB. WRKS. CNTR
SECOND FLOOR

ATTACHMENT 9

CPA2012-01
RIVER HALL
PRIVATELY SPONSORED
AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Staff Report
For the
October 22, 2014 Transmittal Hearing

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585

October 8, 2014

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2012-01

✓	**Text Amendment**
✓	**Map Amendment**

	This Document Contains the Following Reviews
✓	**Staff Review**
✓	**Local Planning Agency Review and Recommendation**
	Board of County Commissioners Hearing for Transmittal
	Staff Response to Review Agencies' Comments
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: June 13, 2014

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVES:

GreenPointe Communities, LLC. / Dave Depew, Ph. D., AICP, Morris-Depew Associates, Inc.

2. REQUEST:

Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban.

Adopt Policy 5.1.11 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.

Amend Policy 21.1.5 to cap the density of the River Hall development at 2,850 dwelling units.

Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying

Suburban future land use category by lowering the allocation to the Rural future land use category.

B. EXECUTIVE SUMMARY

The River Hall Comprehensive Plan Amendment was originally filed by GreenPointe Communities LLC., on September 27, 2012. That amendment was not transmitted by the Board of County Commissioners. At the time of the transmittal hearing, on September 25, 2013, there were only four sitting members of the Board leaving one vacant seat. Motions were made to transmit the Plan Amendment to State reviewing agencies and to remand the Plan Amendment to the Local Planning Agency. Both of these motions ended in a 2 to 2 vote. The effect of the Board's action at the transmittal hearing on September 25, 2013, was to deny the Plan Amendment.

Section 163.3181(4) of the Florida Statutes provides that, if requested by an owner whose plan amendment has been denied, the local government must afford an opportunity to the owner for informal mediation or other alternative dispute resolution processes. On January 9, 2014 the applicant filed a request with the County pursuant to this section, and the County authorized informal alternative dispute resolution to proceed with GreenPointe on February 4, 2014. County staff and GreenPointe engaged in a mediation conference on March 5, 2014. Following this conference, County Attorney staff and the applicant's representatives drafted an agreement that outlined a review process. That process was approved by the Board of County Commissioners at their regular meeting of April 1, 2014. This application is being reviewed in accordance with that process.

The amendment, as currently proposed, asks to reclassify portions of the River Hall development to allow for an increase in the property's density by changing the future land use category from Rural to Sub-Outlying Suburban. It also requests to amend policy language to allow for density from Conservation Uplands to be transferred to contiguous uplands and to establish a cap in the number of allowable dwelling units on the River Hall development. The results of these proposed amendments would allow an additional 851 dwelling units to be permitted within the River Hall residential community. The applicant has provided that the additional units will be located in areas that have already been slated for development through the existing approved zoning Master Concept Plan.

Several things have occurred during and subsequent to the original amendment's first public hearing that have caused staff to reconsider their prior recommendation:

- At the LPA hearing County Parks and Recreation staff raised concerns about the trail that was proposed to connect to the Hickey's Creek Mitigation Park. Hickey's Creek is, among other things, a mitigation area for gopher tortoises and other endangered species. Parks and Recreation staff was concerned that an additional entrance to the park on its west border could have negative effects on the wildlife. They did not want this entrance, which until this point, had been considered as one of the public amenities being offered by the applicant.

- The Local Planning agency did not agree with staff's initial findings and found that there was not an "overriding public necessity" to increase the density and that the proposed amendment would substantially alter the character of the rural subdivision.

- Following the LPA meeting Lee County EMS provided an analysis of EMS service, noting that "*as build out and full occupation of River Hall is achieved, LCEMS will have difficulty of achieving the goal of 8:59."*

- On September 25, 2013 the Board of County Commissioners (BoCC) failed to transmit the proposed amendment at the Transmittal Hearing.

The application was resubmitted by the applicant consistent with the agreement reached with the BoCC. Subsequently, modifications to the original application were submitted that lowered the requested number of units by 149, committed to the design, permitting and construction of a traffic signal at the intersection of State Road 80 and River Hall Parkway, and committed to constructing a pedestrian and bicycle facility along State Road 80.

Based on concerns heard during the LPA and BoCC Transmittal Hearings the County Attorney's Office provided a memo advising staff to do a reanalysis of the meaning of the phrase "overriding public necessity." The memo also included guidance for completing the reanalysis. Staff's conclusion in the reanalysis of "overriding public necessity" found that the need for additional units, and not the need for public amenities, should form the basis of the interpretation.

Since the first staff report staff has also had additional time to review the commitments proposed by the applicant, which were submitted by the applicant approximately one month prior to the publication of the original report to address the required finding of "overriding public necessity." Staff has found that many of the commitments made by the applicant had been previously committed to or required based on the current approvals for 1,999 dwelling units, and that very little new public benefits were being provided. For example, a copy of the 2005 connection permit for work within the State Road 80 right-of-way was provided to Lee County staff from FDOT on April 24, 2014. This permit requires developer funding for the traffic signal at the intersection of State Road 80 and River Hall Parkway when the signal is warranted. On April 29, 2014 FDOT notified staff that they had determined that the signal was now warranted.

Also, as part of the application process that was agreed to by the applicant and Lee County, the applicant was required to hold a community informational meeting within the Caloosahatchee Shores Planning Area. Staff attended this meeting where the applicant presented the proposed changes to residents of River Hall and the surrounding community. The residents in attendance were also able to ask questions and provide comments to the applicant. Residents within River Hall were concerned with security from facilities that would be open to the public, as well as any impacts on the internal amenities (such as golf course memberships) from an additional 1,000 dwelling units. Residents from the surrounding communities were concerned with impacts to the environment and the rural character of the Caloosahatchee Shores Planning area if 1,000 dwelling units were added to

River Hall. To address the concerns heard at the community informational meeting the applicant submitted revisions to the application on May 12, 2014. These revisions included an amendment to Policy 21.1.5, part of the Caloosahatchee Shores Community Plan, to limit the number of additional dwelling units to 851, a reduction of 149 units.

C: STAFF RECOMMENDATION AND FINDINGS OF FACT

1. STAFF RECOMMENDATION:

After reviewing the revised request, including the proposed text amendments and Table 1(b), staff recommends that the BoCC ***not transmit*** the proposed amendment for the reasons outlined in this staff report including:

- The amendment does not qualify as an overriding public necessity.
- The plan amendment causes the remaining River Hall Rural lands, which are not included in the amendment, to exceed their allowable density. This is inconsistent with their future land use category and with Lee Plan 5.1.10, which prohibits non-urban areas from exceeding their allowable density.
- The proposed amendment would increase residential density near the Hickey Creek Mitigation Park.
- The plan amendment would create enclaves of future land use categories within the development.
- The Caloosahatchee Shores community plan goal is to retain its' rural character and rural land use where it currently exists. The plan amendment would redesignate almost 27% of the Planning community's Rural category to an urban category. This could set a precedent for more intensive development requests in this and other rural areas.
- The addition of 851 more dwelling units on SR 80 will exacerbate the projected unacceptable condition of roadway segment failures.

2. FINDINGS OF FACT:

- The subject property has been subject to three previous comprehensive plan amendments, CPA2004-10, CPA2005-07 and CPA 2012-01. These previous requests were similar in seeking the Sub-Outlying Suburban future land use category and were not approved.
- The Proposed amendment would result in densities greater than one acre in the areas remaining in the Rural future land use category.
- The proposed amendment would create several small enclaves of future land use categories.
- The amendment would remove approximately 27 percent of the Rural lands category from the total Rural designation in the Fort Myers Shores Planning Community.
- The term "overriding public necessity" was intended to have a strict meaning designed to protect the rural character of the community from amendments that will intensify development.
- Staff's analysis defines "overriding public necessity" as: *An unavoidable or indispensible need of all the people of Caloosahatchee Shores that requires precedence over other considerations or interests.*

- The "overriding public necessity" requirement seeks an analysis of the need for the actual land use amendment that is being requested and not the need for public amenities offered.
- There are approximately 4,950 approved vacant residential lots that have been created in the Caloosahatchee Shores community planning area since December of 2000.
- Additional residential units will cause additional traffic/transportation level of service deficiencies at the project entrance on S.R. 80, and could cause level of service deficiencies at nearby intersections such as Buckingham Road/S.R. 80 and S.R. 31/S.R. 80.
- The re-designation of the land from Rural to Sub-Outlying Suburban will change the future land use category from a non-urban category to an Urban one, resulting in additional unfunded needs.
- The amendment will increase the potential for negative human/wildlife interactions.
- The amendment will allow the addition of 851 residential units adjacent to areas that are documented to contain endangered, threatened, or species of special concern including: gopher tortoise; burrowing owl; American Alligator; Florida Sandhill Crane; listed wading birds; and, Florida Scrub Jays.
- The amendment will increase the population accommodation capacity of the Future Land Use Map.

D. BACKGROUND INFORMATION

1. EXISTING CONDITIONS:

SIZE OF PROPERTY: 1,978 Acres.

SIZE OF AMENDMENT AREA: 1,287 Acres.

PROPERTY LOCATION: The subject property is located south of Palm Beach Boulevard (SR 80), approximately 6 miles east of I-75, east of Buckingham Road.

EXISTING USE OF LAND: The subject property is currently zoned for residential uses, including single-family and multi-family units. The subject property also contains indigenous preserve areas and recreational amenities, such as a golf course. Residential portions of the property are developed in a low density gated golf course community.

CURRENT ZONING: Residential Planned Development (RPD), and Commercial Planned Development (CPD).

CURRENT FUTURE LAND USE CATEGORY (AMENDMENT AREA): Rural future land use category (1,064 acres), and Wetlands future land use category (223 acres).

2. INFRASTRUCTURE AND SERVICES:

FIRE: Fort Myers Shores Fire and Rescue Service District.

EMS: Lee County EMS service area.

LAW ENFORCEMENT: Lee County Sheriff's Office.

SOLID WASTE: The subject site is located in solid waste Service Area 4.

MASS TRANSIT: LeeTran does not currently serve the subject site.

WATER AND SEWER: The subject site is within the Lee County utilities water and sewer service areas. The subject site is served by the Olga Water Treatment Plant and the City of Fort Myers Central Advanced Waste Water Treatment Plant.

3. ZONING HISTORY

Hawks Haven:

The development was originally named Hawk's Haven and was approved as a Residential Planned Development, RPD by the adoption of Zoning Resolution Z-99-056 on October 18, 1999. This approval allowed the development of up to 1,598 dwelling units on 1,797 acres.

The RPD zoning was amended administratively by ADD2004-00067A. This amendment identified an emergency access, revised conditions, relocated the open storage and golf maintenance faculties, and identified the location of a 20 acre school site.

Subsequent local development order approvals for development of infrastructure, residential home sites, golf course, and other amenities were approved.

River Hall:

On September 19, 2005, the Board of County Commissioners approved a rezoning from RPD (original Hawk's Haven) and AG-2 to Residential Planned Development and Commercial Planned Development for an enlarged 1,978 acre development now named River Hall. This approval added 181 acres to the development and permitted up to 1,999 dwelling units; 15,000 square feet of office, and 30,000 square feet of retail.

4. COMPREHENSIVE PLAN BACKGROUND:

In 1984, Lee County adopted its first official Future Land Use Map (FLUM) as an integral part of its comprehensive plan. On that map, the majority of the subject property was designated within the Rural land use category. Density for the Rural category was established by the 1984 plan with a maximum density of up to 1 dwelling unit per acre. The Rural land use category was described as areas that "are to remain predominately rural, that is, low density residential use and minimal non-residential land uses that are needed to serve the rural community." There are also several areas in the Wetland future land use category within the amendment area on the subject property. The application identifies 223 acres within the Wetland future land use category. The category permits residential and recreational uses that do not adversely affect the ecological functioning of these areas. The maximum density in the Wetland future land use category is 1 dwelling unit per 20 acres.

Beginning in 2004 there has been a number of requests to amend the Lee Plan, affecting the subject property. Three private amendments seeking increased density were reviewed and denied by the Board of County Commissioners.

The three private and one publicly sponsored Lee Plan amendments are summarized below.

CPA2004-00010: Hawks Haven. A request to change approximately 1,623 acres of Rural designated land and 79 acres of Suburban land to Outlying Suburban with a density limit of 2 units per acre and Public Facilities for 20 acres of land for a school site.

To address the anticipated transportation impacts of an additional 1,000 proposed dwelling units on surrounding roads, the applicant, as part of CPA2004-10, proposed to amend Lee Plan Table 1(a) to add the following language:

> *The property that is the subject of CPA2004-10 is eligible for an increase from 1,999 to 2,999 dwelling units upon the execution of a development agreement, which legally obligates the developer of the property to pay a proportionate share of the cost of six-laning State Road 80 from State Road 31 to Buckingham Road. No development orders may be issued for the additional units until the construction of the improvement is included in the first three years of the County's Capital Improvement Program or the Florida Department Of Transportation Work Program.*

- February 27, 2004: Application Submitted.
- May 23, 2005: Local Planning Agency Hearing. LPA passed a motion recommending the Board not transmit the amendment with a 5 to 2 vote.
- June 1, 2005: Board of County Commissioners Transmittal Hearing. A motion was made and seconded to not transmit and **the applicant withdrew the case before the BoCC voted on the motion.**

CPA2005-00007: River Hall. A request to change 1,647 acres of land designated as Rural and 79 acres of land designated Suburban to Outlying Suburban with a density limit of 2 units per acre and Public Facilities, subject to text limiting the site to 2,800 units. In addition, the plan amendment provided that there would be a development agreement to fund the following improvements to the intersection of SR 80 and Buckingham Road:

- Add 2nd Northbound to Westbound Left Turn Lane
- Add 2nd Westbound to Southbound Left Turn Lane
- Add Northbound Right Turn Lane
- Add Southbound Right Turn Lane
- Add 2,500 foot 3rd Eastbound Through Lane
- Add 2,500 foot 3rd Westbound Through Lane

The development agreement would also specify that the applicant would fund the following improvements to the intersection of SR 80 and SR 31:

- Add 2nd Southbound to Eastbound Left Turn Lane
- Add 2nd Eastbound to Northbound Left Turn Lane
- Add a third through lane Westbound in advance of the SR 31 intersection

CPA2005-07 also included an amendment to Table 1(a) that proposed the implementation of these agreements. This proposed footnote is reproduced below:

> *The property that is the subject of CPA 2005-00007 is eligible for an increase from 1,999 to 2,800 dwelling units upon execution of a development agreement that specifies the payment of the funds necessary to program the construction of the intersection improvements specified in Policy 36.1.1 (currently estimated at $3,180,076) and any related right-of-way acquisition (including the costs of condemnation if necessary). Construction on the additional 801 units may not begin until the specified intersection improvements are complete, and the payment for the improvements does not exempt the project from transportation concurrency requirements at the time of local development order approval. The development order for southerly access to the River Hall development must have a Certificate of Completion prior to the issuance of the building permit for the 1,001st residential unit in the River Hall development. In addition, the initial sale of 80 of these units must be made available to families that qualify as moderate income families in accordance with Lee Plan definitions."*

- September 30, 2005: Application submitted.
- November 27, 2006: Local Planning Agency Hearing. A motion was made recommending the Board not transmit with a 3 to 2 vote (one absent and one seat vacant).
- December 13, 2006: Board of County Commissioners Transmittal Hearing. Staff recommends not transmitting, but offers an alternative amendment with commitments offered by the applicant to provide off-site improvements, which would further mitigate the impacts. The BoCC voted 4 to 1 to transmit the alternative amendment.
- May 16, 2007: Board of County Commissioners Adoption Hearing. Staff recommends adopting the alternative amendment language. Following considerable public comment **the BoCC voted 4 to 1 to not adopt the proposed Amendment.**

CPA2007-00001: Amendment to the Caloosahatchee Shores Community Plan. Following the second private request a publicly sponsored amendment was pursued by the East Lee County Council (ELCC). This proposal sought to amend the Future Land Use Element, Goal 21, to add a policy that provides that no land use map amendments to the remaining rural lands category within the Caloosahatchee Shore Community will be permitted unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. The Board of County Commissioners adopted this amendment as Policy 21.1.5. This policy's intent must be considered in reviewing the current request.

- April 2, 2007: Application Submitted.
- December 17, 2007: Local Planning Agency Hearing. The LPA voted 7 to 0 to transmit the proposed amendment.
- October 22, 2008: Board of County Commissioners Transmittal Hearing. The BoCC votes 5 to 0 to transmit the proposed amendment.
- February 25, 2009: Board of County Commissioners Adoption Hearing. **The BoCC voted 5 to 0 to adopt the proposed amendment.**

The community initiated this amendment in direct response to the two previous amendment requests involving the River Hall property. The community desired a higher standard to redesignate rural lands to a more intense land use category.

CPA2012-00001: River Hall. A request to amend the future land use category from 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban. The request also sought to amend Policy 5.1.10 to allow density from lands designated as Conservation Lands Uplands to be relocated to contiguous developable uplands at the same underlying density as the developable uplands.

In CPA2012-01 the applicant provided that there would be a development agreement to address the finding of "Overriding Public Necessity" for a land use amendment affecting rural lands required by Policy 21.1.5. The applicant proposed to provide the following:

1. *Provision of public multi-modal trail facilities within the project to provide enhanced and greater non-vehicular access to amenities within the project as well as recreational, shopping, and school facilities outside of River Hall for the residents of River Hall as well as the Caloosahatchee Shores Community.*
2. *Greater utilization of existing infrastructure to accommodate growth in the area.*
3. *Greater utilization of land areas already committed to development within River Hall.*
4. *Expediting construction of a second access point to the south, which will facilitate school district and emergency vehicle access to River Hall.*
5. *Escrowed funds for the construction of a stoplight when warrants are met at the entrance to River Hall.*
6. *Construction of an 8-foot wide pathway along SR 80 between River Hall and Buckingham Road.*
7. *Providing enhanced public recreational opportunities for residents of River Hall and Caloosahatchee Shores, including dedication of a new park within the community that will be open to the public.*
8. *Accommodating drainage needs for the East County Water Control District.*
9. *Re-establishing the economic vitality and property values of the project in the post-recession era.*

- September 27, 2012: Application Submitted.
- August 26, 2013: Local Planning Agency Hearing. LPA passed a motion recommending the Board not transmit the amendment with a 6 to 0 vote.
  The LPA did not accept the basis and recommended findings of fact as advanced by staff.
  - The LPA found that there was not an "overriding public necessity" to increase the density.
  - The LPA found that the proposed amendment would substantially alter the character of the rural subdivision.
- September 25, 2013: Board of County Commissioners Transmittal Hearing.
  - A motion was made and seconded to **transmit** the amendment. The motion failed with a 2 to 2 vote.
  - A motion was made and seconded to **remand the amendment to the LPA**. The motion failed with a 2 to 2 vote.

Administrative Code 13-6 states that "*To be transmitted to the SLPA* [State Land Planning Agency] *the proposed amendment must receive an affirmative vote of not less than a majority of the members of the Board present at the hearing*." The proposed amendment did not receive an affirmative vote of a majority of the Commissioners present; therefore the Board did not transmit the proposed amendment.

4. SURROUNDING LAND USES AND FUTURE LAND USE DESIGNATIONS

The surrounding future land use categories consist of Urban Community, Suburban, Sub-Outlying Suburban, Commercial, Rural, Conservation Lands (Uplands and Wetlands), and Wetlands.

The lands to the south of the subject property are designated Urban Community and are within Lehigh Acres. The Urban Community lands within Lehigh Acres have been subdivided into ¼ acre single-family parcels and are primarily zoned RS-1. There are intermittent single-family homes developed in the area adjacent to the proposed amendment.

The Suburban lands are located near the northwest corner of the subject property and consists of single-family homes in RPD and RS-1 zoning districts. The approved density of these residential developments ranges between 2 and 4 units per acre. The Sub-Outlying Suburban lands are located near the southwest corner of the subject property and consist of vacant property that has been zoned for residential development (RPDs). These lands include two separate projects known as Buckingham 320 (DCI2004-00090) and Portico (DCI2004-00031). Buckingham 320 and Portico were approved with 2 dwelling units per acre.

The commercial lands are located on the north side of State Route 80, directly across from the River Hall entrance, River Hall Parkway. The property in the Commercial future land use category is vacant and is zoned AG-2. These commercial lands are subject to a rezoning request, DCI2012-00059, Olga Square. This rezoning request seeks approximately 371,000 square feet of various commercial uses. Also located to the north

are Rural lands that are zoned AG-2 and are currently vacant or developed with single-family homes.

Lands in the Conservation Lands future land use category are located to the east in the Hickey's Creek Mitigation Park. It is anticipated that the Conservation Lands will remain substantially in their natural state.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The subject property is located on Palm Beach Boulevard, State Route 80, approximately 0.8 miles east of Buckingham Road. The property is within the Caloosahatchee Shores Community Planning area, directly to the north of the Lehigh Acres Planning Community. The property is adjacent to the regionally significant Hickey's Creek Mitigation Park. These location attributes and others will be further discussed below.

The applicant is concurrently seeking an amendment to the existing zoning resolution and Master Concept Plan for the River Hall residential development. The proposed rezoning will result in a density that is inconsistent with the density permitted in the Rural future land use category, and is therefore inconsistent with the Lee Plan. To address these inconsistencies, that applicant has requested a privately initiated plan amendment. The proposed Lee Plan amendment, CPA2012-00001, consists of four modifications to the Lee Plan, as summarized at the beginning of this report. According to the May 12, 2014 application materials, the amendments would allow up to a maximum 2,850 residential dwelling units within the River Hall development.

The applicant has provided in the application materials that the proposed additional units will be constructed within the development footprint that has already been approved, with no impacts to existing or approved conservation areas or community amenities. The applicant provides that "The existing development footprint will be utilized for the additional density promoting the clustering of residential density and uses to improve the efficient use of land and existing utilities." This assures that the existing development footprint will be utilized and that no additional direct impacts will be made to the development's environmental features.

Environmental Sciences Staff has concerns that the additional units allowed by the increase in density will lead to increased and possibly negative human/wildlife interactions. While it is true the additional units will not directly impact current conservation areas, no additional protection measures have been proposed by the applicant that would help to minimize the increase in human/wildlife interactions. This concern is discussed in more detail in the "Environmental Considerations" section and in the Environmental Sciences memo attached to this staff report as Attachment 1.

There is also concern that the additional residential units, regardless of where they are constructed will cause additional traffic/transportation issues. Additional units will generate additional vehicle trips, which will increase level of service deficiencies at the project

entrance on S.R. 80, and could cause level of service deficiencies at nearby intersections such as Buckingham Road/S.R. 80 and S.R. 31/S.R. 80. To address some of these concerns, the Florida Department of Transportation permit for the already approved River Hall development includes a requirement for the installation of a traffic signal at the intersection of S.R. 80 and River Hall Parkway. The applicant has previously committed to accelerating the construction of the second, gated entrance to Ruth Avenue in Lehigh Acres.

There is also a concern that the re-designation of the land from Rural to Sub-Outlying Suburban will change the future land use category from a non-urban category to an Urban one. LeeTran, which does not currently provide service to this area, has expressed concern that the designation of this land, as an urban future land use category, may necessitate that urban types of services, such as transit, are provided. LeeTran states that this would result in additional unfunded needs.

This concern is backed by Objective 1.1 of the Lee Plan, which states that urban future land use categories *"are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services."* Whereas, Policy 1.4.1, the descriptor policy of the Rural future land use category states that *"These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas."* Additional public improvements and services may be necessary for future residents if the amendment is approved.

Proposed Sub-Outlying Suburban Future Land Use category

The applicant is proposing to amend the future land use designation for 870 acres of the River Hall development from Rural to Sub-Outlying Suburban. The proposed amendment does not include the entirety of the River Hall planned development because the applicant does not have unified control over all of the lands. The tracts of land that are not included in the amendment will remain in the Rural category. The proposed amendment would create several enclaves of both Rural and Sub-Outlying Suburban land if the amendment is approved. The applicant's representatives have stated that the county could resolve this issue by amending these areas through a subsequent publicly sponsored amendment to the Plan.

Policy 1.1.11 is the descriptor policy for the Sub-Outlying Suburban future land use category. This policy provides that these areas contain predominately low-density residential development. It is intended that *"these areas will develop at lower residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low-density community character."* The standard density range is between 1 and 2 dwelling units an acre. Within the Sub-Outlying Suburban category commercial development greater than neighborhood centers and industrial land uses are not permitted.

The subject property is adjacent to other urban designated areas. Specifically, the properties to the west are designated as Suburban and Outlying Suburban. The Outlying Suburban property has been zoned for residential use, and site improvements have been made, however it remains mostly vacant. There are also urban designated lands to the south, within Lehigh

Acres, that are designated as Urban Community on the Future Land Use Map. The requested amendment is compatible with the adjacent residential developments to the west and south.

The properties to the north and east have non-urban designations. To the east is the Hickey's Creek Mitigation Park, a Lee County owned preserve. The proposed amendments to the Future Land Use Map would redesignate 417 acres of the subject site as Conservation Lands. The proposed addition to the Conservation Lands category includes areas just south of SR 80 along the east side of the entrance road, a large mostly wetland area near the center of the project, several areas located along the FP&L easement area, and a large area located along the eastern boundary of the River Hall development. This last area is proximate to the Hickey's Creek Mitigation Park. The 417 acres are part of 465.2 acres of overall required indigenous open space that is provided through the currently approved RPD. Of the 417 acres of proposed Conservation Lands, 349 acres also are currently covered by conservation easements. Placing the lands already encumbered by a conservation easement into the Conservation Lands category does not provide additional environmental protection. While the proposed Conservation Lands are a positive aspect of the proposed Lee Plan amendment, no additional preservation areas are being proposed either through the plan amendment or the concurrent rezoning.

The properties to the north are lands within the Rural future land use category, the same future land use category as the current River Hall designation. These properties include vacant agricultural lands and large lot residential parcels. Currently the Rural future land use category extends from Lehigh acres to north to the Caloosahatchee River and in fact further to the north and east.

The applicant has stated that the proposed designation provides a step down in density from Lehigh Acres towards the Rural lands to the north. The applicant asserts that the project promotes infill and that the community is not remote. Staff does not agree. The property is located on the edge of urban designated lands in Lee County. Approving the request would have the effect of moving the interface between Lee County's rural and urban lands further north and east.

Proposed Amendment to Policy 5.1.10

The applicant is seeking to utilize density from lands that are being proposed to be re-designated to Conservation Lands – Uplands. The applicant is proposing a text amendment to Policy 5.1.10 to make this possible by generating density at the contiguous Sub-Outlying Suburban rate. The applicant is also proposing a modification to Policy 5.1.10, specifically paragraph number 3 to eliminate the requirement for single-ownership on the date Policy 5.1.10 was initially adopted and replace with "unified control at the time the Planned Development rezoning is adopted or amended".

The existing Future Land Use Map within the amendment area includes 1,064 acres of Rural lands and 223 acres of Wetlands. Based on Lee Plan densities, 1,075 units can be derived from the proposed amendment area and the River Hall total property could be permitted up to 2,134 dwelling units under the existing Future Land Use Map. The proposed amendments to the Future Land Use Map include 870 acres of Sub-Outlying Suburban, 264 acres of

Conservation Lands – Upland, and 153 acres of Conservation Lands – Wetlands. Based on Lee Plan densities, 1,740 units could be derived from the lands proposed to be Sub-Outlying Suburban. The proposed amendments to the Future Land Use Map alone would allow 2,799 without including the Conservation Lands, an increase in 665 dwelling units.

Because the applicant has identified lands to be re-designated within the Conservation Lands category, achieving the density proposed within the rezoning requires that density from these lands be utilized. Allowing density from the Conservation Lands-Uplands at the Sub-Outlying Suburban rate would provide an additional 528 units for a total of 3,327.

The proposed text amendment to Lee Plan Policy 5.1.10 is as follows:

> ***POLICY 5.1.10:*** *In those Instances where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this Plan will be the sum of the allowable densities for each land use category for each portion of the land. This density can be allocated across the property provided that:*
>
> 1. *The Planned Development zoning is utilized; and*
>
> 2. *No density is allocated to lands designated as Non-Urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and*
>
> 3. *The land is ~~was~~ under single ownership or unified control at the time the Planned Development rezoning is adopted or amended ~~this policy was adopted~~ and is contiguous; in situations where land under single ownership or unified control is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and*
>
> 4. *The resultant Planned Development affords further protection to environmentally sensitive lands if they exist on the property. In the event uplands are preserved within the Planned Development and are designated as Upland Conservation Lands on the future land use map, density may be relocated from the Upland Conservation Lands to contiguous developable uplands at the same underlying density permitted for the developable uplands.*

The applicant provides the following narrative concerning the proposed text amendment:

> *"An amendment to Policy 5.1.10 is proposed to allow density from the future land use categories within the project to be summed and allocated within other areas of the River Hall Community. The amendment will also allow density from lands placed in the Conservation Uplands Category and under a conservation easement during the required planned development to be transfer to contiguous uplands at the requested density of the proposed FLU Amendment."*

Staff understands the need of the proposed text amendment based on the subject property's current ownership status. The result of the amendment to paragraph 4 of the policy is similar to the way wetland density is calculated. However, it should be noted that the Wetlands land use category recognizes physical characteristics of the land and is not a designation selected by a property owner. On the other hand the designation to Conservation Lands is a choice of the property owner.

Such an amendment could lead to additional voluntary land use amendments to the Conservation Lands future land use category; however, staff has several concerns with the proposed text amendment. The property includes Suburban designated property that is not included in the amendment or rezoning area. The applicant narrative indicates that density will be utilized from these Suburban areas, even though those property owners have not joined in with these requests. There is the question of who really owns or is entitled to the unused Suburban density.

If the amendment is approved the land remaining in the Rural category will become inconsistent with paragraph 2 of Policy 5.1.10. This paragraph prohibits density that exceeds the allowable density in a non-urban category. In accordance with this provision the existing RPD was conditioned to assure that the number of units in the Rural category did not exceed one unit per acre. A result of this amendment is the shrinking of the existing Rural area within this development. Staff has determined that there are 288 existing units and 581 vacant platted lots in the remaining Rural area. Staff has also calculated that the remaining Rural is 637.66 acres, resulting in a density of approximately 1.32 units per acre. This would make the remaining Rural area inconsistent with the Lee Plan density provisions.

The amendment to the date of unified control will broaden the application of Policy 5.1.10. The application does not attempt to analyze the potential effect on other properties as a result of this proposed amendment. Staff does not know the effect this amendment will have on additional properties. The potential inconsistency in the shrunken Rural category has also not been addressed. In the event that the plan amendment is transmitted, staff suggests alternative language should be devised prior to adoption to limit its potential effects and address the inconsistency.

Table 1(b) & Map 16

The applicant has proposed an amendment to Table 1(b), the Year 2030 Allocations Table. Staff finds that the amendment to Table 1(b) as proposed by the applicant is inappropriate. If the Board of County Commissioners desires to transmit the proposed amendment, staff recommends an alternative amendment to Table 1(b). This is further explained below.

The original allocations were a result of the 1989 Settlement Agreement with the Department of Community Affairs (DCA). This agreement required the County to amend the Future Land Use Map Series by designating the proposed distribution, extend, and location of the generalized land uses. The allocations were designed to reconcile the population accommodation capacity of the Future Land Use Map (buildout estimated to be 70 years in

1989) with the 20-year time frame in the text of the element. Map 16 and Table 1(b) provide the allocations and geographic applicability of the allocations. Map 16 identifies 22 Planning Communities. The subject property is within Planning Community #4, Fort Myers Shores. Table 1(b) uses the Planning Communities to allocate the number of acres that may be developed for residential, commercial or industrial uses within each future land use category before the year 2030. Lee Plan Policy 1.7.6 provides further guidance concerning the Planning Communities Map and Acreage Allocation Table (Table 1(b) and Map 16).

Currently the subject property has 1,064 acres of land within the Rural future land use category and 223 acres of land within the Wetlands future land use category. The applicant is proposing an amendment to the Future Land Use Map to add 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban. The applicant is also proposing an amendment to Table 1(b) so that sufficient acreage will be available to allow the build-out of the River Hall development should the proposed changes to the Future Land Use Map be adopted. The applicant originally proposed changes to Table 1(b) are as follows:

(Portion of) Table 1(b)
Fort Myers Shores Planning Community

Future Land Use Category	Remaining	Proposed
Sub-Outlying Suburban	~~367~~	851
Rural	~~1,061~~	0
Conservation Lands Uplands	~~0~~	274
Conservation Lands Wetlands	~~0~~	153

This proposed change would result in no Rural acres remaining in the accommodation table. Staff notes that there are several large vacant parcels that have potential to seek residential development in the planning horizon. Amending the Rural allocation to zero as proposed by the applicant would preclude these vacant parcels from being developed within the planning horizon as specified by Policy 1.7.6. This could potentially even affect areas that are to remain in the Rural category within the River Hall development. Staff is not comfortable with this aspect of the proposed amendment. Staff also notes that no allocation is needed for the Conservation Lands.

The applicant simply allocated the lands within the amendment area between the Sub-Outlying Suburban and Conservation categories, and did not account for the difference in the existing and proposed categories' densities. Staff notes that the Sub-Outlying Suburban category accommodates twice the amount of development as the Rural category. This proposed amendment will increase the Map and allocation table population accommodation.

Upon further discussion with the applicant's representatives, it was determined that the project would need 486 acres of net residential acres at buildout within the Sub-Outlying Suburban category. If the amendment is transmitted, staff proposes that the allocation acreages in Table 1(b) be amended as shown on the following page.

TABLE 1(b)
Year 2030 Allocations

Future Land Use Classification		Lee County Totals		Fort Myers Shores	
		Existing	Proposed	Existing	Proposed
Residential By Future Land Use Category	Intensive Development	~~1,367~~	1,352	~~20~~	5
	Central Urban	~~14,787~~	14,787	~~225~~	225
	Urban Community	~~18,425~~	18,425	~~637~~	637
	Suburban	~~16,623~~	16,623	~~1,810~~	1,810
	Outlying Suburban	~~4,105~~	4,105	~~40~~	40
	Sub-Outlying Suburban	~~1,548~~	1,728	~~367~~	547
	Industrial Development	~~79~~	79	~~0~~	0
	Public Facilities	~~1~~	1	~~0~~	0
	University Community	~~850~~	850	~~0~~	0
	Destination Resort Mixed Use Water Dependent	~~8~~	8	~~0~~	0
	Burnt Store Marina Village	~~4~~	4	~~0~~	0
	Industrial Interchange	~~0~~	0	~~0~~	0
	General Interchange	~~42~~	42	~~0~~	0
	General/Commercial Interchange	~~0~~	0	~~0~~	0
	Industrial/Commercial Interchange	~~0~~	0	~~0~~	0
	University Village Interchange	~~0~~	0	~~0~~	0
	New Community	~~900~~	900	~~0~~	0
	Airport	~~0~~	0	~~0~~	0
	Tradeport	~~9~~	9	~~0~~	0
	Rural	~~8,313~~	8,313	~~1,400~~	1,400
	Rural Community Preserve	~~3,100~~	3,100	~~0~~	0
	Coastal Rural	~~1,300~~	1,300	~~0~~	0
	Outer Islands	~~202~~	202	~~1~~	1
	Open Lands	~~2,805~~	2,805	~~0~~	0
	Density Reduction/Groundwater Resourse	~~6,905~~	6,905	~~0~~	0
	Conservation Lands Uplands	~~0~~	0	~~0~~	0
	Wetlands	~~0~~	0	~~0~~	0
	Conservation Lands Wetlands	0	0	~~0~~	0
Total Residential		~~81,373~~	81,538	~~4,500~~	4,665
Commercial		~~12,793~~	12,793	~~400~~	400
Industrial		~~13,801~~	13,801	400	400
Non Regulatory Allocations					
Public		~~82,252~~	82,252	~~2,000~~	2,000
Active Agriculture		~~17,027~~	17,027	~~550~~	550
Passive Agriculture		~~45,859~~	45,859	~~2,500~~	2,500
Conservation (wetlands)		~~81,948~~	81,948	~~1,142~~	1,142
Vacant		~~22,122~~	21,957	~~226~~	61
Total		~~357,175~~	357,175	~~11,718~~	11,718
Population Distribution*		~~495,000~~	495,000	~~30,861~~	30,861

* Population for Unincorporated Area of Lee County

Caloosahatchee Shores Community Plan Considerations

The subject site is located within the Caloosahatchee Shores Community Planning Area as identified by Lee Plan Map 1, Page 2 of 8. The Caloosahatchee Shores Community Plan was undertaken by the Caloosahatchee Shores Community Planning Panel working as a sub group of the ELCC. The planning area encompasses that portion of the Fort Myers Shores planning community located east of I-75. Goal 21 of the Lee Plan is the Goal specific to the Caloosahatchee Shores Community. This goal expresses the community's desire to protect the existing community character, natural resources, and quality of life, while promoting new development, and redevelopment. The goal specifies "incentives for redevelopment, mixed use development, and pedestrian safe environments." Goal 21 also specifies "maintaining a more rural identity for the neighborhoods east of I-75." The Caloosahatchee Shores Community Plan (and Goal 21) was adopted on October 23, 2003. Goal 21 is reproduced below:

> ***GOAL 21: CALOOSAHATCHEE SHORES:*** *To protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments. This Goal and subsequent objectives and policies apply to the Caloosahatchee Shores boundaries as depicted on Map 1, page 2 of 8 in the Appendix.*

Lee Plan Objective 21.1 addresses Caloosahatchee Shores community character. This objective specifies that the community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of the community for Lee County to consider for adoption and enforcement to help create a visually attractive community. The community submitted a plan amendment on April 2, 2007 to add a policy restricting future map amendments to rural lands. This became CPA2007-01 which was unanimously adopted by the Board of County Commissioners on February 5, 2009. This amendment added Policy 21.1.5, reproduced below:

> ***POLICY 21.1.5:*** *One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.*

The applicant is proposing to redesignate 870 acres from a non-urban designation to an urban designation. Currently there are 3,188.3 acres of Rural lands within the Fort Myers Shores Planning Community. The requested Future Land Use Map amendment would remove approximately 27 percent of the Rural lands category from the total Rural designation in the Fort Myers Shores Planning Community.

The applicant has proposed an additional text amendment to Policy 21.1.5. In the application materials submitted on May 12, 2014, the applicant states that the redraft to Policy 21.1.5

"caps the number of dwelling units in River Hall to 2,850." The applicant's proposed revision is identified below:

> ***POLICY 21.1.5:*** *One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. For the River Hall Development located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,850 dwelling units.*

Staff has concerns with the proposed amendment to Policy 21.1.5. These concerns are both from the potential interpretation of the new text, including its location in Policy 21.1.5, and the implementation of the new language. The proposed amendment, expressly providing that 2,850 dwelling units could be built in River Hall within Policy 21.1.5, could be interpreted as an exemption to the requirement that the Board of County Commissioners make a finding of overriding public necessity in order to change the land use category of the River Hall property. The applicant has not stated that this was the intent; however the proposed text located in this policy singles out this particular development as having entitlements to this number of units. In either case Policy 21.1.5 would have to be interpreted as it reads in today's plan, requiring the finding of an overriding public necessity in order to approve the requested Future Land Use Map change.

Staff is also concerned with the implementation and specific location of the 2,850 dwelling units that would be allowable on the property. Because the dwelling units would not be tied to a specific density calculation staff is not sure who within River Hall will have the legal right to use the units, as the project as a whole is described. For example, will other property owners, such as a homeowners association or individual home owners try to utilize the additional units? In the event that the plan amendment is transmitted, staff suggests alternative language should be devised prior to adoption.

Overriding Public Necessity Definition

The Lee Plan does not contain a definition of the term "overriding public necessity" in the glossary. In accordance with the guidance given Planning Staff in the County Attorney Office memo dated April 22, 2014 (Attachment 2), Managing Assistant County Attorney Michael Jacobs states:

> *[The] absence of a specific definition does not mean the term is undefined as stated in the previous Staff Report. In circumstances where a statute or code does not provide a definition for a term, the term is to be given its common meaning, unless the context in which the term is used within the statute or code indicates that another definition or meaning should be given to the term. Furthermore, when statutory language is susceptible to more than one meaning, legislative history may be helpful in ascertaining legislative intent.*

The first step is to determine if the term "overriding public necessity" has a meaning that is different from the common meaning of the words. The County Attorney's Office identified two methods to help determine whether a term has a different meaning than its common definition. The first is to review the circumstances that lead to the adoption or creation of the phrase within the Lee Plan. The second method suggested is to compare the purpose and use of the term "overriding public necessity" in other sections of the Lee Plan.

Using this analysis, Staff has gone back to the original amendment that added the term "overriding public necessity" to Policy 21.1.5, CPA 2007-00001. Staff has examined the staff report, read the minutes, and listened to the recordings made at the LPA, BoCC Transmittal, and BoCC Adoption Hearings.

At the November 19, 2007 Local Planning Agency Hearing, Planning staff introduced the amendment to the Caloosahatchee Shores Plan. Planning staff stated that the proposed addition to the plan was similar to language used within the Bayshore and Buckingham Community Plans. Staff also noted that the County Attorney's Office was concerned about the proposed amendment. The concern raised was based on the implication of the term overriding public necessity, in that, this strict standard would freeze the Future Land Use Map as it existed at that time and would limit the ability of land owners to seek a change to their future land use category. Assistant County Attorney Donna Marie Collins explained that "Overriding Public Necessity" is a very strict standard that could only be met by a use such as a hospital or desperately needed school. The case was continued to allow staff time to calculate the acreage affected by the proposed policy. At the following meeting, held on December 17, 2007, the LPA members again discussed the amendment. The LPA voted unanimously to recommend that the Board of County Commissioners transmit the proposed amendment.

At the Board of County Commissioners' Transmittal Hearing on October 22, 2008, Planning staff provided a brief overview of the amendment and noted that staff and the LPA recommended approval of the proposed amendment. One Commissioner asked what "overriding public necessity" and "rural character" meant. At the time a separate definition was not included in the amendment.

The amendment was reviewed by the state land planning agency and other state agencies. There were no objections or comments from them. At the February 25, 2009 Board of County Commissioners Adoption Hearing CPA 2007-00001 was adopted. Throughout the legislative history on the amendment, neither County Staff nor Commissioners provided a definition for the term or suggested a definition that differed from the common meaning of the terms. Following this historical examination of the amendment, staff also compared the purpose and use of the term "overriding public necessity" in other sections of the Lee Plan.

The phrase "overriding public necessity" is found in three other places within the Lee Plan. These objectives and policies are provided below:

> **OBJECTIVE 17.1: LAND USE.** The primary land use designation for the Buckingham Community is "Rural Community Preserve." Other land use designations exist within the

Buckingham Community, such as Rural, Sub-Outlying Suburban, Conservation Lands, and Wetlands. Public Facilities have also been designated as appropriate. *No land in the Buckingham Community will be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners.* Land use decisions will be guided by preserving the rural and agricultural land use pattern. (Amended by Ordinance No. 00-22, 10-15)

OBJECTIVE 20.1: LAND USE. The existing land use designations of the Lee Plan (as of September 30, 2001) are appropriate to achieving the goal of the Bayshore Plan. *No land use map amendments to a more intensive category will be permitted after March 11, 2003, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.* (Added by Ordinance No. 03-02)

POLICY 26.2.2: Land use amendments that would increase the allowable total density of Alva are discouraged. Land use amendments that would decrease the allowable total density of the area and that are otherwise consistent with the objectives and policies of this goal are encouraged in Alva. *No land use amendments to a more intensive category will be permitted unless a finding of overriding public necessity is made by a supermajority of the members of the Board of County Commissioners*. (Added by Ordinance No. 11-21)

In each of these provisions, a finding of overriding public necessity must be made in order to make a land use amendment to a more intensive category. The only locations in which overriding public necessity is used within the Plan are in provisions relating specifically to rural communities. In each of these provisions, the term is used in a strict manner with a designed purpose to protect the rural character of each community from more intensive development.

In analyzing the purpose of the term "overriding public necessity," Staff analyzed whether the term requires a showing of an overriding public necessity for the proposed amendment (for example, increased density to allow additional residential units); or, whether it requires only an overriding public necessity for the public amenities offered by a developer in furtherance of acquiring the amendment. In the circumstances in which the term is used (Policy 21.1.5, Objective 17.1, Objective 20.1, Policy 21.1.5, and Policy 26.2.2), the purpose of the requirement is to protect an important aspect of each Community's plan, that is to retain its' rural character and rural land use. Each policy specifically references restrictions from intensifying land use categories. There is not discussion regarding the need for additional public amenities. The language does not support a position that the necessity requirement is to be applied to the offered public amenities. Notwithstanding, to suggest that the overriding public necessity phrase requires an analysis of the need for offered public amenities would ignore the purpose of the phrase and would require staff and property owners to assume that, prior to approving any land use amendment in these Communities, a property owner must agree to construct or pay for non-site related public amenities. Staff cannot read the language of the Plan to create this potentially illegal result.

Based on the analysis discussed above, staff finds that the purpose and use of the term "overriding public necessity" for Caloosahatchee Shores should be interpreted in a manner that is consistent with the use and purpose of the term in the Alva, Bayshore, and Buckingham provisions. Staff further finds that the term "overriding public necessity" was intended to have a strict meaning designed to protect the rural character of the community from amendments that will intensify development. Staff also finds that the "overriding public necessity" requirement seeks an analysis of the need for the actual land use amendment that is being requested and not the need for public amenities offered. Finally, staff finds that the use of the term in the Lee Plan was not intended to have a meaning that is different than the common meaning of the words. Therefore, staff has applied the common meaning of the words while reviewing the applicants proposed amendment.

In circumstances where a term is to be given its common meaning, the County Attorney's Office has provided the following guidance concerning the method for determining the common meaning of a term:

> *"Typically the common or ordinary meaning of a word is determined by reference to a standard dictionary. Merriam-Webster's is one of those sources. In law, we typically use Black's Law Dictionary. County Staff may refer to another standard dictionary if they wish to do so.*

Following this research staff has concluded that the common meaning of the words in the phrase should be applied. Staff has used two dictionaries as guidance in understanding the plain meaning of the phrase overriding public necessity. The first was Merriam-Webster.com. The definitions are as follows:

overriding
adjective : more important than anything else

public
adjective
: of, relating to, or affecting all or most of the people of a country, state, etc.
: of, relating to, paid for by, or working for a government
: supported by money from the government and from private contributors rather than by commercials

necessity
noun
: something that you must have or do : something that is necessary
: the quality of being necessary

The second dictionary uses by staff was Dictionary.com. The definitions are as follows:

overriding
adjective
1. taking precedence over all other considerations.

2. to disregard, set aside, or nullify; countermand: to override the board's veto.
3. to take precedence over; preempt or supersede: to override any other considerations.
4. to extend beyond or spread over; overlap.
5. to modify or suspend the ordinary functioning of; alter the normal operation of.

public
adjective
1. of, pertaining to, or affecting a population or a community as a whole: public funds; a public nuisance.
2. done, made, acting, etc., for the community as a whole: public prosecution.
3. open to all persons: a public meeting.
4. of, pertaining to, or being in the service of a community or nation, especially as a government officer: a public official.
5. maintained at the public expense and under public control: a public library; a public road.

necessity
noun
1. something necessary or indispensable: food, shelter, and other necessities of life.
2. the fact of being necessary or indispensable; indispensability: the necessity of adequate housing.
3. an imperative requirement or need for something: the necessity for a quick decision.
4. the state or fact of being necessary or inevitable: to face the necessity of testifying in court.
5. an unavoidable need or compulsion to do something: not by choice but by necessity.

Based on the definitions above, staff has concluded that the common meanings of the words in the overriding public necessity phrase do not create an absurd result and are consistent with the stated purpose and use discussed above. From these definitions staff offers the following as the way to interpret the phrase overriding public necessity:

- Overriding is precedence over all other considerations or interests.
- Public is generally the citizens of Lee County; or, in the case of community plans, public may refer to the citizens within the community planning area. It is staff's opinion that the use of the term overriding public necessity is not intended to require the need analysis to extend to all of Lee County, but to focus on the affected citizens. Therefore, the term public may vary according to the proposed amendment.
- Necessity is an unavoidable or indispensible need.

Based on staff analysis, staff defines "overriding public necessity" as: *An unavoidable or indispensible need of affected citizens that requires precedence over other considerations or interests.* In the context of the Caloosahatchee Shores community planning area, staff applied the following definition for overriding public necessity to review the proposed amendment:

An unavoidable or indispensible need of all the people of Caloosahatchee Shores that requires precedence over other considerations or interests.

Need for Additional Dwelling Units

In this case, the applicant is seeking a land use map amendment to permit additional residential density on the subject Property. Staff finds that the "overriding public necessity" requirement requires an analysis of the need for the actual land use amendment that is being requested and not the need for public amenities being offered.

There are already thousands of acres of designated vacant urban land to the south and west of the subject site. These lands, in addition to being designated for urban/suburban uses are already zoned for residential uses. The River Hall property is currently zoned for 1,999 dwelling units; but, at the current time only 333, or about 16.6 percent, of these units have been constructed.

The Caloosahatchee Shores area contains several older developments that were platted prior to the county's current Development of County Impact regulations or were developed under conventional zoning districts. Some of these include Fort Myers Shores, which is the largest of these subdivisions; Riverdale Shores; Paradise Shores; River Forest; and, Hawks Preserve. Most of these subdivisions are fairly built out, with occasional vacant parcels scattered throughout.

The newer developments, approved under Planned Development zoning, are not as fully developed. The table below identifies more recently approved Planned Developments that include residential dwelling units within the Caloosahatchee Shores Planning area.

	Approved Zoning	**Active Permits**	**Unbuilt**
Project	**Dwellings Units**	**or Occupied**	**Units**
Buckingham 345	690	0	690
Caloosahatchee Estates	90	0	90
Portico	1,178	6	1,172
River Hall	1,999	333	1,666
River Pointe	140	0	140
Verandah	1,700	915	785
Hemingway Pointe	207	0	207
SR 31 Multi-Family RPD	60	0	60
Marina Del Lago	140	0	140
Total Units Area Wide	**6,204**	**1,254**	**4,950**
Percentage of Total Units		20%	80%

*See Attachment 3 for the location of the identified developments.

This large number of approved yet unbuilt dwelling units leads staff to conclude that currently there is not a need to increase allowable densities to add even more dwelling units within this planning community. The applicant has not justified or provided an analysis of

any public need for additional dwelling units, let alone an overriding public need for more units. Based on the information above, Staff finds that there is not an overriding public necessity for additional dwelling units. Staff recommends that the Board of County Commissioners find that there is not an "overriding public necessity" for this plan amendment based on the need for increased density or additional housing units.

Developer Agreement Commitments

In an effort to show an overriding public necessity under Policy 21.1.5, the applicant has offered to construct a number of improvements through a developer's agreement ("Agreement"). The apparent purpose for offering these commitments is to identify community needs and use the construction of those public amenities as a basis for meeting the overriding public necessity requirement. The revised Agreement dated May 12, 2014 is included in the application materials.

The applicant did not provide an analysis on whether there is an overriding public necessity for the land use amendments sought under this application (ie need for additional density). As stated above, staff finds that the analysis required under Policy 21.1.5 concerns the public necessity for the amendment itself, not the necessity for the benefits offered by the applicant. Notwithstanding, staff has reviewed the proposed commitments and does not, for the reasons stated below, find that there is an overriding public necessity for each of the improvements offered.

A. Funding of Traffic Signal at State Road 80:

The applicant is committing to construct a traffic signal at the entrance of the River Hall community on State Road 80. The traffic signal at the intersection of River Hall Parkway and State Road 80 was required as part of the FDOT connection permit issued on February 2, 2005 for development of the River Hall project. This permit was issued based on previous zoning approvals for 1,999 dwelling units. In 2005, a special provision of the connection permit required that the developer pay for and construct the signalization of the intersection once traffic warrants were met. On April 29, 2014, after issuance of the previous staff report and public hearings on this request, FDOT notified Lee County staff that traffic warrants have been met and the applicant is now required to fund the design and construction of the traffic signal. The warrants were triggered as a result of current development within the project and the applicant would be required to construct these improvements regardless of whether the proposed Plan amendment is granted.

The Development Services Staff Engineer has also provided that, while constructing the signal at the intersection of River Hall Parkway and State Road 80 will provide some benefit, the benefit received from the signal will be localized and largely received by the residents of River Hall entering and exiting River Hall Parkway. However, the introduction of a traffic signal will degrade the through capacity of State Road 80 and have a negative effect on other residents within the Caloosahatchee Shores community. Staff does not find, even assuming the overriding public necessity requirement applies to the benefits offered by the applicant, that the signalized intersection is an overriding

public necessity. Furthermore, the developer is already required to construct the traffic signal.

B. Construction of Sidewalk/Bike Path along State Road 80:

(1) Sidewalk/bike path facility along the south side of the right-of-way for State Road 80 between River Hall Parkway and Buckingham Road

Development Services has provided that the Land Development Code (LDC) §10-256(a) requires that all development along an arterial roadway depicted on the bikeways/walkways facilities plan (Map 3D-1) of the Lee Plan must construct the required facility along their frontage. Map 3D-1 indicates a shared use bicycle/pedestrian path on the south side of SR 80 from Buckingham Road to the Hendry County Line, including the project frontage. As a result, a shared use path is required along the River Hall frontage. The Applicant has proposed to construct this facility to Buckingham Road. Most of the property on the south side of SR 80 between River Hall Parkway and Buckingham Road is developed currently with either residential development or small outparcel-type commercial development. Portions the path would eventually be constructed along the frontage of most of the commercial developments as those sites redevelop. However, it is less likely that the pathway would be constructed along the frontage of the existing residential developments. Based on a rough estimate, approximately 60% of this pathway would eventually be built with the remaining 40% of the length of SR 80 from Buckingham Road to River Hall Parkway remaining as gaps in the pathway without this commitment from the Applicant. The Applicant has met with the FDOT to discuss the feasibility of construction of the shared use path, and it appears that sufficient right-of-way is available to accommodate the path. While the proposed construction of the shared use path is a benefit, staff does not find that the construction of this meets an "overriding public necessity".

(2) On-road bicycle facility within the right-of-way for State Road 80 between River Hall Parkway and Joel Boulevard

The applicant is proposing to construct an on-road bicycle facility. Lee County Administrative Code 11-9 (AC-11-9) requires a minimum paved shoulder width of six (6) feet on a roadway with a speed limit of 50 MPH or more with open drainage such as this segment of SR 80. The as-built plans for State Road 80 show that the shoulder is currently 4-feet wide, which would require the addition of two feet of pavement to the north and south sides of State Road 80 between River Hall Parkway and Joel Boulevard.

An on-road bicycle facility is not consistent with Map 3D-1 of The Lee Plan. Map 3D-1 indicates a separated shared use bicycle/pedestrian path on the south side of SR 80 from Buckingham Road to the Hendry County Line. Additional detail is provided in the Development Services memo, which is Attachment 4.

Staff does not find that building an on-road bicycle facility qualifies as an indispensible need and therefore does not qualify as an "overriding public necessity."

C. Construction of Trail:
Design, permit and construct a trail facility that will be available as a private amenity to the residents of River Hall.

This proposed trail is not open to the general public and clearly does not address an overriding public necessity. The originally proposed connection to Hickey's Creek Mitigation Park has been removed from this proposal.

D. Park-n-Trail Facility:
Design, permit and construct a "park-n-trail" facility within the commercial parcel on River Hall Parkway.

The "park and trail" facility, with the sidewalk along SR 80, partially address needs identified in the Lee Plan. Objective 21.5: Community Facilities/Parks directs the county to work with the Caloosahatchee Shores community to provide and facilitate the provision of a broad mix of community facilities. Subsequent policies under the Objective call for the community to work with a variety of governmental entities to provide access to passive recreational opportunities, parks, pedestrian and equestrian trails. These policies also discuss the potential for public/private partnerships to address these needs.

It should be noted that the 2013 Concurrency Report indicates that in Community Park Benefit District #41, which includes the Caloosahatchee Shores planning area, there are 175 acres of recreation facilities available and another 31 acres that are planned for a total of 206 acres of recreation facilities. Existing community park acreage is already in excess of the required 24.4 acres and the desired 61 acres of recreational facilities. A memo received from Lee County Parks and Recreation on May 30, 2014 (Attachment 8) states that "The Lee County Parks and Recreation Department is not currently seeking to go above the desired service levels." Because of the existing and planned recreational facilities staff does not find that the proposed facility addresses an overriding public need.

E. Southern Access: *Within 24 months of the satisfaction of the Contingency, Developer will design, permit and construct an access along its southern boundary at the location and in accordance with the preliminary design attached hereto as Exhibit "F" (hereinafter, the "Southern Access"). No residential development orders may be issued for the Property until this obligation has been fulfilled by the Developer; provided, however, that this will not prohibit the issuance of development orders for infrastructure improvements (including roads, utilities and drainage) for the Property.*

The second access to the River Hall development was a condition of the zoning approval for the site. Specifically, condition #26 of Resolution Z-05-051 requires that access be provided to 75th Street West in Lehigh Acres prior to the issuance of a certificate of occupancy for the 1,598th dwelling unit within the development. To date, the applicant has received nine development order approvals for a total of 1,903 dwelling units. These development orders do not include the second access to Lehigh Acres. As a part of this requested amendment, the Applicant has indicated that they would expedite construction

of the access to Lehigh Acres. The Applicant also indicated that, even though the access would be gated, access could be provided to the Lee County School District and Lee County Fire/EMS emergency vehicles.

The Lee County School District requested access to the community from Lehigh Acres in order to reduce fuel costs and vehicle miles travelled for school bus traffic. Provision of access to emergency vehicles could also benefit the residents of River Hall by potentially reducing response times to the development. However, the closest facilities for ambulances and fire trucks would still access the River Hall Community from the SR 80 entrance. Provision of access to the community through Lehigh Acres will not improve response times from any existing facility.

Besides the ability for the school bus traffic to utilize the new access, the additional access point will primarily serve a limited use for some residents of River Hall since this entrance will be gated and be rarely used. The applicant's rezoning Traffic Impact Statement ("TIS") exemplifies this point. On page 2 of the TIS, it provides "it is anticipated that the secondary access will accommodate less than two percent of the future River Hall external traffic." Staff does not find that expediting the construction of the already required access to Lehigh Acres that will primarily benefit the residents of River Hall qualifies as meeting an "overriding public necessity".

F. Groundwater Monitoring:

This commitment will help the county and SFWMD assure that the residential wells to the north of the property are not impacted by the applicant's proposed development. However, this monitoring was a requirement of the developer's original consumptive use permit. When the permit was renewed this requirement was not carried over. The applicant has stated that they will request that the requirement is added back into the consumptive use permit.

G. Drainage Pass-Through for ECWCD.

The drainage pass through for ECWCD as identified in application materials has been previously approved through Lee County by Development Order DOS2006-00042 which identifies the same area as a "Flow-way Lake." This feature is also identified on the Master Concept Plan approved by Zoning Resolution Z-05-051, which also approved the current maximum 1,999 dwelling units for the project. Staff does not find that the developer is providing any new benefit that addresses an "overriding public necessity" with the already approved "Flow-way Lake."

TRANSPORTATION/TRAFFIC CIRCULATION IMPACTS

The subject property has access to Palm Beach Blvd. (S.R.80) Via River Hall Parkway. This serves as the primary access point for the development. Zoning conditions require that a second, gated access will be built to the south, connecting the River Hall development to Lehigh Acres once 1,598 residential units have been constructed. There are also proposed emergency access points to mostly vacant residential developments to the east.

The Lee County Department of Transportation reviewed the proposed increase in development and provides the following:

> *We accept the applicant's analysis that the following roadway segments will operate at an unacceptable LOS with and without this project in the study area: Buckingham Road from Gunnery Road to SR 80, SR 31 from SR 80 to North River Road, and SR 80 from SR 31 to Tropic Avenue.*
>
> *This project is currently served by River Hall Parkway, the main entrance road from SR 80. The second access is anticipated to be Ruth Avenue in Lehigh Acres. The Lee Tran Transit Development Plan and Vision Plan do not identify public transit routes (existing and future) serving the project. The closest public transit facility is the existing service on SR 80 ending at Buckingham Rd.*
>
> *There are paved shoulders on SR 80 in front of this project. Lee Plan Map 3D-1, the Unincorporated Lee County Bikeways/Walkways Facility Plan, shows future sidewalk, shared use path on SR 80 in front of the project in the future.*

In addition Development Services Traffic Engineer has provided a memo on June 4, 2014 which concludes the following:

> *Based on the analysis provided in this report, the proposed plan amendment will increase the traffic generated by the River Hall development by more than 30% over the course of the entire day. There are some roadway links that are shown to fail under buildout traffic conditions, but these roadway link deficiencies are the result of background traffic projections and traffic projections from already approved developments and not directly attributable to the added River Hall project traffic.*
>
> *The Applicant has proposed several commitments and obligations as a part of a Developer's Agreement to help justify the increase in density at the subject site. Staff finds that the expedition of the construction of the second access has very little public value. Staff also finds that the construction of a traffic signal at River Hall Parkway and SR 80 was already required as a part of the connection permit for the River Hall development (fka Hawk's Haven), so the proposed commitment is required regardless of the proposed plan amendment. Likewise, Staff finds that the provision of a traffic signal at this location has the potential to significantly increase traffic crashes at this location while also degrading the arterial through traffic capacity of SR 80. The Applicant has proposed to construct an off-road shared use path from Buckingham Road to River Hall Parkway along SR 80, and this improvement would complete a continuous pathway that may not be achieved otherwise. Staff finds that provision of an extra foot of on-road paved shoulder along SR 80 from River Hall Parkway to Joel Boulevard along with the provision of a park-n-trail facility will invite additional on-road bicycle traffic when it has been the County's focus to separate the bicycle traffic from the vehicular traffic in this area through the provision of an off-road shared use path. SR 80 is a State maintained roadway, so it is ultimately the State's decision as to what improvements are approved within its right-of-way.*

The Development Services Memo is attached to this staff report as Attachment 4.

As shown in the Need for Additional Dwelling Units section of this report, there are approximately 4,950 recently approved but unbuilt lots, in addition to the undeveloped lots contained in the older platted subdivisions. Lee County DOT states that there will be an unacceptable LOS with or without this amendment on SR 80, SR 31, and Buckingham Road. A basic tenet of land use planning is to strive to have adequate services to serve anticipated development. Sound planning principles would not advocate allowing additional density that would further exacerbate what is already anticipated to be an unacceptable condition.

Approval creates future inconsistency problems for rezoning of the project. Policy 2.2.3 of the Lee Plan states that *"When an area within the county is approaching the capacity of the necessary facilities as described above [road and EMS service], requested rezonings to increase densities and intensities may be deferred or denied to give preference to existing vacant lots and other valid development approvals, provided that a constitutionally mandated reasonable use of land would still be permitted.* The nearly 5,000 vacant lots approved in planned developments along with the undeveloped lots in the older platted areas are dependent on SR 80, SR 31, and Buckingham Road for access and must be given consideration under this policy.

SOILS

The applicant has provided a description of the soils that are found on site. For a detailed description please see the application materials.

ENVIRONMENTAL CONSIDERATIONS

Lee County Division of Environmental Sciences provided a staff report to the Lee County Planning Division on May 22, 2014. Environmental Sciences staff finds that the CPA application and corresponding RPD amendment application demonstrate that there are no proposed impacts to the boundaries of the existing 465.2 acres of upland and wetland preserves that were required during the currently approved MCP for the River Hall development. While no impacts are proposed to the existing 465.2 acres of preserves, Environmental Sciences staff finds that the proposed Comprehensive Plan amendment "does not propose any additional protection of preserved habitat or protection of listed species then the current existing zoning approvals and conservation easements. Environmental Sciences staff is also concerned that the amendment will allow the applicant to add 851 residential units to areas that are adjacent to documented gopher tortoise, burrowing owl, American Alligator, Florida Sandhill Crane, listed wading birds and Florida Scrub Jays; and areas that have suitable habitat for the Florida Panther and Black Bear." Their concern is the increase in potential for negative human/wildlife interactions.

The full report is attached to this staff report as Attachment 1.

NATURAL RESOURCES

Lee County Division of Natural Resources provided written comments to the Lee County Planning Division in a memorandum dated August 15, 2013. Staff had identified that a groundwater monitoring program for the Sandstone Aquifer was not carried forward in a recent renewal of a South Florida Water Management District (SFWMD) Consumptive Use Permit. The applicant has agreed, through the proposed development agreement to reinstate the

groundwater level monitoring program of the Sandstone aquifer and share the collected date with the SFWMD and Lee County. Lee County Staff has coordinated with the staff of the SFWMD, and the District is amenable to reinstatement of the ground water monitoring program. The Division of Natural Resources has found that if this monitoring issue is addressed that they have no concerns with the proposed amendment. The complete Division of Natural Resources' correspondence is attached to this Staff Report as Attachment 5.

FEMA FLOODWAY ISSUE
County records show that the subject site is not located within a FEMA identified floodway.

HISTORIC RESOURCES
Portions of this site are within the level 2 sensitivity areas for archeological and historic resources.

SCHOOL IMPACTS
The Lee County School District provided correspondences to the Lee County Division of Planning dated August 31, 2013 and June 3, 2013. The August 31st memo states that:

> *"This development is approved and consists of 1,999 single family units. This request is to add an additional 1,000 single family units. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level.*
>
> *For single family the generation rate is .299 and further broken down into the following, .150 for elementary, .072 for middle and .077 for high. A total of 299 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development. Currently within the School District, there are sufficient seats available to serve this need."*

The June 3rd memo states:

> *"The District has already responded in reference to capacity and these comments remain the same.*
>
> *There has been discussion in reference to road access to the south of this development through Lehigh Acres. The District would be in support of this access as it would reduce the amount of time students spend on the bus as well as save the District fuel expense."*

SOLID WASTE
The Lee County Solid Waste Division provided correspondence to the applicant on August 29, 2012 stating that they are capable of providing solid waste collection service for the additional 1,000 residents that would be allowed for by the proposed Lee Plan Amendment.

MASS TRANSIT
Lee County Transit provided the applicant a letter dated October 17, 2012 stating the following:

"1) Currently, LeeTran does not provide service to Hawk's Haven (proposed River Hall) as it lies outside of the ¼ mile transit service buffer. The closest transit route to the site is Route 100.

2) Currently, only a small area of the proposed River Hall RDP, in the northwest section of the development, is eligible for ADA service through LeeTran. The remainder of the development lies outside of the ¾ mile ADA transit service buffer.

3) The FY2012-2021 Transit Development Plan does not include the expansion of transit services beyond their current service area, for the Route 100. This also means that there are no plans to expand ADA services in this area."

In an e-mail dated October 18, 2012 to Lee County Planning staff, the following comments were also provided:

"Changing the land-use designation from rural to a sub-urban land-use category could imply a need for services that are either found in urban setting or feed urban settings. In the case of fixed route mass transit or the transportation of ADA riders through the LeeTran Passport Service, I did not find sufficient response to determine how an increase in demand for these services would be funded. As was stated above, there are no plans for expanding the service in this area which would create another potential unfunded need for transit services within the horizon of the 2012-2021 Transit Development Plan. Additionally, a development of this size also requires an expansion of other public uses ranging from parks/open spaces to additional demands on schools. Both could create new demands for transit services beyond the existing service boundaries. These potential additional needs and expansion of services will only be met by an increase in funding or a decrease in systemwide transit service.

I submit the following Lee Plan Policies and Objectives as ones needing to be addressed as a part of the Comprehensive Plan Amendment 2012-00001.

Policy 43.1.4, Policy 43.1.6, Policy 43.1.7, Policy 43.1.8, Objective 43.2, Policy 43.2.1, Policy 43.3.2, Policy 43.4.2 and Policy 43.4.3."

The LeeTran Memo is attached to this staff report as Attachment 6.

POLICE

The Lee County Sheriff's Office provided a letter to the applicant dated on November 28, 2012 stating that the proposed Lee Plan amendment "would not affect the ability of the Lee County Sheriff's Office to provide core levels of service at this time. We will provide law enforcement services primarily from our Fort Myers district office."

FIRE

The Fort Myers Shores Fire and Rescue District provided correspondence stamped Received November 28, 2012 to the applicant stating that "they could provide adequate service to the subject site with the proposed future land use category."

EMS
Lee County EMS provided an analysis of response times to serve the River Hall development on September 16, 2013, after Planning Staff had issued the staff report for the September 25, 2013 BoCC meeting. The memo states that:

> *"It is our determination that the Lee County EMS response time is projected to be between 7:00 [minutes] and 17:00 [minutes]. Approximately 7:00 to reach the development and approximately 17:00 to get the far end of the development…"*

The analysis concludes by stating:

> *"If the primary unit is in quarters, it will depend on where in River Hall the call occurs for LCEMS to be able to respond in 8:59; the further from the entrance, the longer the response time. As build out and full occupation of River Hall is achieved, LCEMS will have difficulty of achieving the goal of 8:59."*

The Lee County Emergency Medical Services Memo is attached to this staff report as Attachment 7.

UTILITIES
Lee County Utilities provided the following correspondence to the applicant on November 28, 2012:

> *Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions will be required.*
>
> *Your firm has indicated that this project will consist of 1,000 single family residential units with an estimated flow demand of approximately 250,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.*
>
> *Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Olga Water treatment Plant.*
>
> *Sanitary sewer service will be provided by the City of Fort Myers North Wastewater Plant. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.*
>
> *Prior to beginning design work on this project, please schedule a meeting with Thom Osterhout to determine the best point of connection and discuss requirements for construction.*

This 1etter is not a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

B. CONCLUSIONS

After weighing all of these factors, and the other issues that are discussed in the staff report, staff is recommending that the Board of County Commissioners not transmit the proposed amendment. Also refer to the Recommendations and Findings of Fact in Part I, Section C of this report.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: June 23, 2014

A. LOCAL PLANNING AGENCY REVIEW

Staff gave an overview of the proposed amendment, including the history of requested Lee Plan amendments for the River Hall property. Staff also identified the circumstances that led to the changes to the staff recommendation.

Mr. Schropp and Mr. Depew, the applicant's representatives, reviewed this project with the LPA along with a PowerPoint presentation. Russell Schropp addressed the LPA to identify concurrent requests that were also being made concerning the River Hall property, and the four proposed amendments that made up the requested Amendment to the Lee Plan. These include the amendments to the Future Land Use Map, a new Policy 5.1.11 that allows density from Conservation Lands to be clustered to other areas of the development, an amendment to Policy 21.1.5 that would give River Hall 2,850 dwelling units, and an amendment to Table 1B of the Lee Plan. Mr. Depew reviewed the River Hall Property, the surrounding properties, and requested Lee Plan amendment in greater detail.

Several members of the LPA asked questions of the applicant following the presentation.

Following the staff and applicant presentations, members the public addressed the LPA concerning the proposed Lee Plan Amendment. Each speaker was limited to 3 minutes. Approximately 20 people addressed the LPA, who were generally not in favor of the Lee Plan amendment.

Following public input several members of the LPA asked follow-up questions of the applicant. One member of the LPA also asked questions of the County Attorney's Office about the definition and interpretation of "Overriding Public Necessity." After all of the questions had been answered each member of the LPA discussed the proposed amendment.

Please refer to the approved June 23, 2014 LPA minutes for CPA2012-01.

A motion was made and seconded that the LPA recommend non-transmittal of CPA2012-01 based on the findings of facts by the staff. The motion passed 4-3.

Following the motion recommending that the Board of County Commissioners not transmit the proposed amendment, the LPA members continued their discussion of the definition of Overriding Public Necessity.

A motion was made to recommend that the Board of County Commissioners include the staff definition of *"Overriding Public Necessity"* into the Comprehensive Plan glossary. The motion failed for lack of a second.

LPA members discussed the possibility of asking the Board of County Commissioners to direct staff to produce a definition that can be considered by the LPA rather than taking the one that has already been put together. It was acknowledged that the Board of County Commissioners may want to use the definition that staff has already produced, but they should not be limited to that definition. The main purpose is to have this defined for future applications.

A motion was made to request that the Board of County Commissioners direct staff on what their interpretation of *"Overriding Public Necessity"* is and to provide direction to staff.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA recommends that the Lee County Board of County Commissioners ***not transmit*** the proposed Lee Plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the basis and recommended findings of fact as advanced by staff.

C. VOTE:

1. Motion to recommend that the BoCC not transmit.

NOEL ANDRESS	**AYE**
DENNIS CHURCH	**NAY**
JIM GREEN	**AYE**
MITCH HUTCHCRAFT	**NAY**
JAMES INK	**AYE**
RICK JOYCE	**AYE**
DAVID MULICKA	**NAY**

2. Motion to ask the BoCC to provide their interpretation of *"Overriding Public Necessity"* and provide direction to staff (Under other Business).

NOEL ANDRESS	**AYE**
DENNIS CHURCH	**NAY**
JIM GREEN	**AYE**
MITCH HUTCHCRAFT	**AYE**
JAMES INK	**AYE**
RICK JOYCE	**AYE**
DAVID MULICKA	**AYE**

PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: October 22, 2014

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

BRIAN HAMMAN	_____
LARRY KIKER	_____
FRANK MANN	_____
JOHN MANNING	_____
CECIL L PENDERGRASS	_____

MORRIS-DEPEW ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
Metro Center 1
2891 Center Pointe Drive, Unit 100
Fort Myers, FL 33916
(239) 337-3993 Office • (239) 337-3994 Fax
#LC26000330

LETTER OF TRANSMITTAL

TO: Janet Miller
Lee Co. Community Development
1500 Monroe Street
Fort Myers, FL 33901
239-533-8585

RECEIVED
MAY 30 2014
COMMUNITY DEVELOPMENT

DATE: 5/30/14 | **MDA PROJECT NO.:** 12061 CPA2012-00001

ATTENTION: Janet

RE: RiverHall LPA Packets

We are sending you ☒ Attached ☐ Under separate cover VIA _____ the following items:

Copies	Date	No.	Description
12	5/30/14		RiverHall LPA Packets

These are transmitted as checked below:

- ☐ For approval
- ☐ For your use
- ☒ As requested
- ☐ For review and comment
- ☐ For bids due _____
- ☐ Approved as submitted
- ☐ Approved as noted
- ☐ Returned for corrections
- ☐ Resubmit _____ copies for approval
- ☐ Submit _____ copies for distribution
- ☐ Return _____ corrected prints
- ☐ _____
- ☐ Prints returned after loan to M-DA

REMARKS: Should you have any questions or concerns please contact me.
Thank you.

COPY TO:

Danielle Grossenbaugh
Planning Technician

SIGNED: _____

Tina Mayfield Ekblad, MPA, AICP, LEED AP
Planner

Henderson|Franklin
ATTORNEYS AT LAW

1715 Monroe Street • Fort Myers, FL 33901
Post Office Box 280 • Fort Myers, FL 33902
Tel: 239.344.1100 • Fax: 239.344.1200 • www.henlaw.com

Bonita Springs • Sanibel

Reply to
Russell P. Schropp
Direct Fax Number 239.344.1535
Direct Dial Number 239.344.1280
E-Mail: russell.schropp@henlaw.com

May 12, 2014

RECEIVED
MAY 30 2014
COMMUNITY DEVELOPMENT

Mary Gibbs, AICP
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: River Hall Plan Amendment, CPA2012-00001

Dear Mary:

GreenPointe Communities, the applicant for the above-referenced plan amendment, held two public meetings at the River Hall Town Hall on April 17, 2014. As a result of those meetings and other discussions, we would like to submit proposed changes to the requested plan amendment to address various issues that arose at these meetings. Pursuant to our recent correspondence, enclosed please find various materials relative to the above-referenced plan amendment, the effect of which is to request the following changes to the plan amendment proposal:

1. GreenPointe is proposing a reduction in the number of additional dwelling units being requested from 1000 to 851, a decrease of 14.9%. The maximum number of dwelling units proposed to be constructed within River Hall is now 2850, rather than the previously proposed 2999.

2. As you are aware, the Florida Department of Transportation has recently determined that a signal at the intersection of State Road 80 and River Hall Parkway meets warrants. GreenPointe now proposes to facilitate the design, permitting and construction of a signal at this location, to be fully funded by the Developer.

3. GreenPointe has expanded its proposal to construct pedestrian and bicycle facilities along State Road 80. The proposed facilities now include a designated bike lane along the north and south sides of State Road 80 from River Hall Parkway east to Joel Boulevard, in addition to the previously proposed bike path and sidewalk along State Road from River Hall Parkway west to Buckingham Road. The end result of this expansion is a biking facility along State Road 80 that extends from Buckingham Road past Hickey's Creek Mitigation Park to Joel Boulevard, a distance of approximately 7.5 miles.

4. In order to facilitate use and access to the new bike path and pedestrian facilities along State Road 80, GreenPointe will provide a "park-n-trail" trailhead facility within the River Hall commercial parcel on the east side of River Hall Parkway just south of State Road 80. This facility is proposed in lieu of the previously proposed community park, which was of significant concern to the current residents of River Hall.

5. Finally, as you are aware, the trail facility which was previously proposed within the FP&L easement to run between Buckingham Road and Hickey's Creek Mitigation Park was the subject of significant concern at the meeting with residents held on April 17, primarily on the basis of security issues. Further, while this facility appears on the Lee Plan Greenways Plan, it is our understanding that the County's Parks and Recreation Department does not desire to have a secondary entrance into Hickey's Creek Mitigation Park. For these reasons, GreenPointe would like to amend its proposal to limit this facility to a private amenity within River Hall which will not be connected to properties outside of the River Hall community. The bike path facility proposed pursuant to paragraph 3 above will serve much the same purpose of providing public bike access to Hickey's Creek Mitigation Park, without creating the security issues for River Hall residents or creating concerns for the County with a "backdoor" entrance to the Park. [I will note in passing that GreenPointe has previously committed to its residents to construct this trail within the community. I have continued to include it in the proposed Development Agreement simply to insure that the timing for construction of the facility is assured.]

The remaining commitments made by GreenPointe as part of this plan amendment remain unchanged and include: expediting construction of the southern access point to facilitate school bus and emergency vehicle access to the community, as well as a secondary access point for residents of River Hall; inclusion of groundwater monitoring requirements into the developer's consumptive use permit; and provision of a drainage pass-through for the East County Water Control District.

I am enclosing for your review the following documents that provide for the changes to the plan amendment discussed above:

1. Attachment A: a redraft of the proposed text amendment to Policy 21.1.5 that caps the number of dwelling units in River Hall at 2850;

2. Attachment B: a Revised Project Summary narrative prepared by Morris-Depew and Associates that addresses the plan amendment in the context of the changes discussed in this letter; and

3. Attachment C: a revised draft Development Agreement that incorporates the changes discussed above.

Thank you for your consideration of these materials, and please advise if you have any questions regarding this proposed plan amendment.

Sincerely,

Russell P. Schropp

RPS/rs
Enclosure
cc: Paul O'Connor
Michael Jacob
Grady Miars

Attachment A

Amended Language, Lee Plan Policy 21.1.5

POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. For the River Hall development located in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,850 dwelling units.

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

Attachment B
River Hall Community, Revised Project Summary

GreenPointe Communities, LLC is seeking to increase the available residential density within the River Hall community by 851 dwelling units (2,850 dwelling units, total), include additional recreational uses within the Commercial portion of the community, provide multi-modal access improvements on the public rights of way leading to the community, provide added connectivity for Lee County's adopted multi-use trail system, and provide more efficient utilization of the urban services that have already been constructed to serve existing levels of development in the community. To accomplish these goals, a Comprehensive Plan Amendment and Planned Development Rezoning Amendment are being requested concurrently. The community is approximately ±1,978 acres, located along Palm Beach Boulevard in the Caloosahatchee Shores Planning Community.

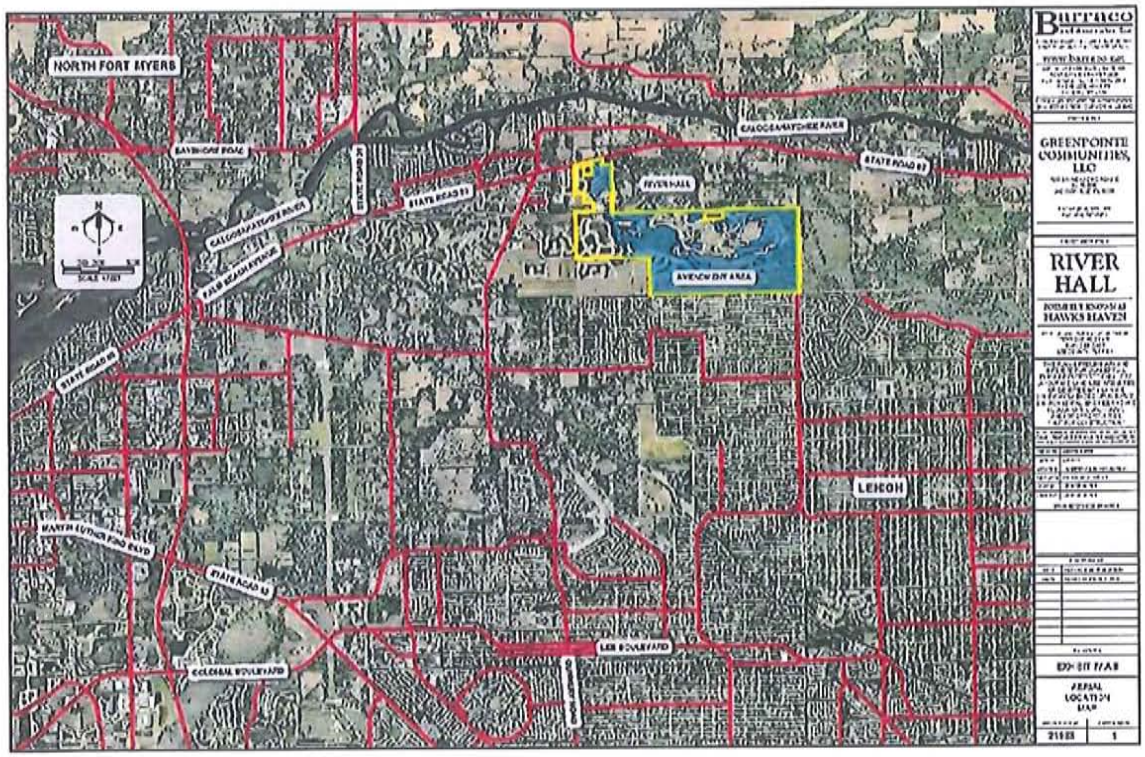


Figure 1: Area Location Map

River Hall is currently approved through Resolution Z-05-051 for 1,999 dwelling units, a golf course, public school, and 45,000 square feet of commercial uses. Multiple Development Orders have been approved for the site infrastructure, golf course, school, amenities, and approximately 1,450 dwelling units. As a result, the site has been mostly

cleared, graded, and public utilities and roadways have been installed. There are approximately ±296 acres of internal lakes and ±445 acres of wetland and upland preservation areas throughout the property. Although changes in FLU designations are proposed, no acreage is to be removed from any of the areas designated for preservation.

Comprehensive Plan Amendment

A Future Land Use Map and Text Amendment are requested under CPA2012-00001, to remove ±1,287 acres of the River Hall Community from the Rural and Wetlands Future Land Use Categories and re-designate this portion of the property as Conservation Wetland and Sub-Outlying Suburban. The existing Suburban Future Land Use will remain; only those lands represented by GreenPointe Communities are included in the Comprehensive Plan Amendment request. The following table demonstrates the acreage reallocation that will occur as part of the proposed amendment.

Amending the Future Land Use on a portion of the property to Sub-Outlying Suburban will allow a maximum density of two dwelling units per acre and recreational uses on approximately ±870 acres of property. Density from the Conservation Wetlands will be transferred at 2du/ac to the proposed Sub-Outlying Suburban lands per Lee Plan Table 1(a) Clarification #8.

Current Future Land Use		**Lee Plan Density**	
Existing FLU	+/- Acres	Dwelling Units/Acre	Dwelling Units permitted
Suburban	79	6	474
Wetland	251	0.05	12.55
Rural	1,648	1	1,648
TOTAL ACRES	1,978	**TOTAL DWELLING UNITS**	**2,135**

Amendment Area			
Proposed FLU	+/- Acres	Dwelling Units/Acre	Dwelling Units permitted
Sub-Outlying Suburban	870	2	1,740
Conservation Wetland	153	2	306
Conservation Upland	264	0	0
TOTAL ACRES	1,287	**TOTAL DWELLING UNITS**	**2,046**

Total Project After Amendment		**Lee Plan Density**	
Non-Amendment Area FLU	+/- Acres	Dwelling Units/Acre	Dwelling Units Permitted
Suburban	79	6	474
Wetland	28	0.05	1.4
Rural	584	1	584
Amendment Area FLU			
Sub-Outlying Suburban	870	2	1,740
Conservation Wetland	153	2	306
Conservation Upland	264	0	0

TOTAL ACRES	1,978	TOTAL DWELLING UNITS	3,105

The additional density will be clustered into the portions of River Hall subject to the Planned Development Amendment. The existing development footprint will be utilized for the additional density promoting the clustering of residential density and uses to improve the efficient use of the land and existing utilities. In addition, ±272 acres will be placed into the Conservation Upland Category and ±153 acres will be placed into the Conservation Wetland category. This change will provide additional protection for the natural resources located with the community, ensuring they are maintained, protected, and conserved in perpetuity. The River Hall Community has existing Suburban, Rural, and Wetland Future Land Uses. When combined with the proposed Future Land Use amendments, the River Hall Community would have a theoretical maximum density of 3,105. This density would be further limited to 2,850 by the concurrent Planned Development Amendment request.[1]

The proposed amendment leaves the Rural Future Land Use Category in place for the existing privately owned development areas within the River Hall Community. No platted lots are being revised or re-platted as a result of this request. As an alternative to this proposal, Lee County could support a Future Land Use Amendment to change all of the Rural Future Land Use to Sub-Outlying Suburban, providing a contiguous Future Land Use Category for the River Hall Community.

The amendment promotes infill development and will provide a transition from the existing adjacent residential developments to the south and west of the community to the rural and conservation land uses to the north and east. The additional recreational uses proposed will provide a trailhead within the existing Commercial Planned Development portion of the property to provide a connection to the proposed multi-use trail and bike path along State Road 80 which are anticipated to eventually connect to existing and proposed bicycle trails to the south and east of the subject property. These uses will be open to residents of the surrounding area as well as the River Hall Community.

The Comprehensive Plan Amendment application is currently under review by Lee County staff. The Planned Development Amendment is requested concurrently, per Chapter 163.3184(12) of the Florida Statutes, to establish the density limit of 2,850

[1] Additionally, an amendment to Lee Plan Policy 21.1.5 could be considered. For example, a text amendment could read, "POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. For the River Hall development located in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,850 dwelling units."

dwelling units and other details related to the recreational and civic uses, which are not necessary to include in a Comprehensive Plan Amendment.

Planned Development Amendment
An amendment is requested to the River Hall Planned Development to promote infill within the existing development footprint and create a well-designed community with a mix of uses that supports the needs and demands of the area's residents – the definition of a Suburban Place. The proposal will integrate the various land uses, facilitate transportation options and provide opportunities for walking, biking, and riding. The additional density requested in the Comprehensive Plan Amendment will be clustered within the existing development footprint of these lands. The existing internal roadways, owned and maintained by the Homeowners Associations, are included to demonstrate access only. No amendments to the roadways are proposed. Authorizations from the necessary Homeowners Associations regarding the roadways are provided.

The proposed Planned Development Amendment would allow for the River Hall Community to utilize the additional density requested via the proposed Comprehensive Plan Amendment while establishing the maximum number of dwelling units at 2,850. The proposed PD Amendment requests an additional 851 dwelling units limiting the total to be developed within the community to a maximum number that is 255 units less than the total allowable density of 3,105. As demonstrated by the table below, the request does not utilize density from the property's Conservation Uplands areas.

	Future Land Use	Acreage	Dwelling units/ acre	Dwelling units permitted
Non-Amendment Area	Suburban	±79	6 du/ac	474
	Wetland	±38	1du/20 ac	1.4
	Rural	±583	1 du/1 ac	583
Amendment Area	Sub-Outlying Suburban	±853	2 du/ac	1,706
	Conservation Wetland	±153	2du/ ac	306
	Conservation Upland	±264	0	0
	TOTAL ACRES	**1,978**	**TOTAL DWELLING UNITS**	**3,071**
TOTAL DWELLING UNITS REQUESTED				**2,850**

The requested PD Amendment seeks a modification to only a portion of the approved River Hall Community. The 4th page of the proposed Master Concept Plan demonstrates the proposed PD MCP Amendment area with Gray shading. The development tracts within these areas are where the additional requested density would be located. It is expected that a majority of the 851 additional units would be located in the southern portion of the property, where adjacent lands are more urban in nature. Consistent with the first sentence of existing Condition 5a., the portion of the project

remaining in the Rural Future Land Use Category will, insofar as those areas are controlled by GreenPointe Communities, maintain the theoretical density of one dwelling unit per acre.

The proposed request promotes the logical extension of the adjacent, existing residential development pattern in this portion of the county characterized by a suburban development pattern, and will permit infill development of the subject property, which is served by existing public infrastructure. The previously approved open space, height and property development regulations relating to lot size of Z-05-051 will not be amended by this request.

In addition to requesting an increase in the residential density, the proposed PD Amendment also requests additional recreational uses and public amenities within the River Hall Community. Multi-family residential and Parks have been added to the uses requested within the Commercial Planned Development to encourage a mix of uses. These additional uses will create a commercial and civic node that provide commercial, residential, and civic recreational uses to the residents of the surrounding area as well as the River Hall Community. This area will include a trailhead which will connect this node to the proposed multi-use path and bike path along State Road 80. These improvements along State Road 80 will significantly improve non-vehicular linkages of the surrounding properties and uses while promoting the expansion of the County's bike path and multi-modal system.

Together the proposed applications provide quality infill development directed toward an existing community to promote the contiguous development of land adjacent to existing infrastructure while maintaining and protecting natural resources and working to create connections to surrounding uses for all area residents.

Attachment C

DRAFT

rev05/12/2014

RIVER HALL DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (hereinafter, "Agreement") is entered into this _____ day of _____ 2014, by and between:

LEE COUNTY, a political subdivision and charter county of the State of Florida (hereinafter "County"), having its principal office at 2115 Second Street, Fort Myers, FL 33901; and

GREENPOINTE COMMUNITIES, LLC, a Florida limited liability corporation (hereinafter "Greenpointe"), and **RH VENTURE I, LLC,** a Florida limited liability corporation (hereinafter "RH Venture"), Greenpointe and RH Venture being collectively referred to herein as "Developer," whose address is 7807 Baymeadows Road East, Suite 205, Jacksonville, FL 32256.

WHEREAS, the Florida Local Development Agreement Act, Sections 163.3220-163.3243, Florida Statutes ("the Act"), authorizes a local government to enter into a development agreement in order to promote certainty in the development approval process, strengthen the public planning process, encourage sound capital improvement planning and financing, assist in assuring there are adequate capital facilities for the development, encourage private participation in comprehensive planning, and reduce the economic costs of development; and

WHEREAS, the County has adopted Chapter 2, Article III of the County's Land Development Code to enable the County to implement the provisions of the Act; and

WHEREAS, RH Venture owns approximately 373+/- acres of land located in Lee County within a mixed use community known as River Hall, said property being legally described in Exhibit "A" attached hereto (hereinafter, "the Property"); and

WHEREAS, a planned development rezoning for River Hall was approved by Lee County in 2005 pursuant to Resolution Z-05-051, which resolution approved 1999 dwelling units, 45,000 sq.ft. of commercial uses, a fire station, an elementary school, and a golf course; and

WHEREAS, Greenpointe, as designated agent for RH Venture and certain other landowners within River Hall, filed an application for a comprehensive plan amendment (hereinafter, "CPA") and an application for amendment to the planned development zoning for River Hall (hereinafter, "PD Amendment"), requesting an increase in the total residential development permitted within River Hall by 1000 dwelling units to allow a total of 2999 dwelling units within River Hall; and

WHEREAS, GreenPointe subsequently modified the CPA and PD Amendment to reduce the dwelling unit increase to 851 dwelling units for a total of 2850 dwelling units within River Hall at buildout; and

WHEREAS, the CPA and PD Amendment were approved by Lee County on _____, 20___; and

WHEREAS, the CPA and PD Amendment provide for the additional 851 dwelling units to be constructed within the Property; and

WHEREAS, the Developer desires to enter into this Agreement to provide for certain improvements both within and outside River Hall, which improvements will be of benefit to both the River Hall community and the general public; and

WHEREAS, the County conducted two public hearings on _____, 2014, and _____, 2014, prior to entering into this Agreement, both of which were properly noticed by publication in the News-Press and by mailed notice to the affected property owners in accordance with Section 163.3225(2), Florida Statutes.

NOW, THEREFORE, in consideration of the covenants and conditions contained herein and of the benefits to accrue to each Party, the County and the Developer agree as follows:

1. Recitals. The foregoing recitations are true and correct and are hereby incorporated herein by reference. All exhibits to this Agreement are deemed a part hereof.

2. Property Subject to this Agreement. The Property described on the attached Exhibit "A" is subject to this Agreement.

3. Ownership. RH Venture represents that it is the fee owner of the Property and as such may lawfully enter into this Agreement.

4. Proposed Development of the Property. The Proposed Development of the Property will comply with the following:

A. A maximum of 851 residential dwelling units and customary accessory uses and structures may be developed on the Property.

B. A golf course not to exceed 18 holes and customary accessory uses may be constructed on the Property.

C. No building shall be more than 45 feet in height, as measured pursuant to the Lee County Land Development Code.

5. Consistency with Comprehensive Plan. As permitted by the CPA and PD Amendment, the County finds that the Proposed Development for the Property set

forth above is consistent with the Lee County Comprehensive Plan and Lee County land development regulations.

6. Public Facilities. The following public facilities will serve the Proposed Development on the Property:

a. Potable Water:	Potable water will be supplied by Lee County Utilities and is presently adequate to serve the Proposed Development.
b. Sanitary Sewer:	Wastewater services will be provided by Lee County Utilities and is presently adequate to serve the Proposed Development.
c. Solid Waste:	Solid waste service will be provided by the hauler franchised by the County and the Lee County waste-to-energy facility, and is presently adequate to serve the Proposed Development.
d. Drainage:	Drainage will be in accordance with the applicable South Florida Water Management District (SFWMD) permit for River Hall, Permit No. _____, which is adequate to serve the Proposed Development.
e. Fire and Rescue	Fire control and rescue services will be provided by the Fort Myers Shores Fire Department, and EMS will be provided by Lee County Public Safety. Such services are adequate to serve the Proposed Development

7. Development Permits Needed for Proposed Development. A description of all governmental permits needed for the Proposed Development is set forth below:

South Florida Water Management District Environmental Resource Permit (Individual Permit modification)
South Florida Water Management District Water Use Permit (dewatering)
South Florida Water Management District Water Use Permit (modification irrigation)
Lee County Development Orders
Lee County Building Permits
FDEP Wastewater Permit
LCDOH Potable Water Permit
Lee County Vegetation Removal Permit

FDEP NPDES NOI/SWP3
ACOE Permit Modification

The failure of this Agreement to address a particular permit, condition, term or restriction shall not relieve the Developer of the necessity of complying with the law governing said permitting requirements, conditions, terms, or restrictions.

8. Developer Commitments and Obligations. The Developer will provide for the following improvements and facilities in accordance with the following terms, conditions and requirements. While this Agreement becomes effective upon recording in the public records of Lee County, the Developer's obligation to undertake the following commitments and improvements is expressly contingent upon and may not be enforced by the County until the expiration of all applicable periods for judicially or administratively appealing or challenging the CPA or PD Amendment without such an appeal or challenge being filed or, if filed, until such appeal or challenge is resolved in a manner that upholds the validity of the CPA and PD Amendment as approved by County and the level of development described in paragraph 4 above (hereinafter, "the Contingency"); provided, however, that the Contingency is not applicable to subparagraph C below.

A. *Funding of Traffic Signal at State Road 80:* The Florida Department of Transportation ("FDOT") has determined that a signal at the intersection of State Road 80 and River Hall Parkway meets warrants for a traffic signal. Developer will fund 100% of the design, permitting and construction costs of the traffic signal at the intersection of State Road 80 and River Hall Parkway in accordance with the design parameters set forth in Exhibit "B" attached hereto. Within thirty (30) days after satisfaction of the Contingency, Developer will post a bond, letter of credit, escrow agreement, or other security acceptable to the County to fund the construction of the traffic signal. The amount of the security will be equal to 110% of an engineer's cost estimate, approved by the County, submitted contemporaneously with the proposed security instrument. Construction of the traffic signal will be completed no later than one year from the satisfaction of the Contingency. Upon completion of construction of the Traffic Signal and acceptance by FDOT, the secured funds will be released to Developer. No residential development orders or plats may be issued for the Property until the Developer has posted the security for the Traffic Signal required by this subparagraph; provided, however, that this will not prohibit the issuance of development orders for infrastructure improvements (including roads, utilities and drainage) for the Property.

B. *Construction of Sidewalk/Bike Path Along State Road 80:*

(1) Within 24 months of the satisfaction of the Contingency, Developer will design, permit and construct a sidewalk/bike path facility along the south side of the right-of-way for State Road 80 between River Hall Parkway and Buckingham Road in accordance with the design parameters attached hereto as Exhibit "C." No residential development orders may be issued for the Property until this obligation has been fulfilled by the Developer; provided, however, that this will not prohibit the

issuance of development orders for infrastructure improvements (including roads, utilities and drainage) for the Property.

(2) Within 36 months of the satisfaction of the Contingency, Developer will design, permit and construct an on-road bicycle facility within the right-of-way for State Road 80 between River Hall Parkway and Joel Boulevard. The bike path will be designed so as to provide adequate pavement and striping adjacent to the existing pavement for State Road 80 in accordance with design standards established by FDOT, and will be located on both the east-bound and west-bound sides of State Road 80. No residential development orders may be issued for the Property until this obligation has been fulfilled by the Developer; provided, however, that this will not prohibit the issuance of development orders for infrastructure improvements (including roads, utilities and drainage) for the Property.

C. *Construction of Trail:* No later than January 1, 2016, Developer will design, permit and construct a trail facility that will be available as a private amenity to the residents of River Hall within the Florida Power and Light (FP&L) easement within River Hall as shown on the map and plans attached as Exhibit "D." The trail will run from River Hall Parkway to the eastern end of the FP&L easement within River Hall. The trail will be adequately secured to prevent unauthorized access from outside the community. No residential development orders may be issued for the Property until this obligation has been fulfilled by the Developer; provided, however, that this will not prohibit the issuance of development orders for infrastructure improvements (including roads, utilities and drainage) for the Property.

D. *Park-n-Trail Facility:* Developer will design, permit and construct a "park-n-trail" facility within the commercial parcel on River Hall Parkway as shown on Exhibit "E" attached hereto. The facility will be open to the general public and will provide bikers and pedestrians with a trailhead to access the sidewalk and bike paths to be constructed along State Road 80 pursuant to paragraph 8.B above. This facility will be completed within 24 months of the satisfaction of the Contingency. No residential development orders may be issued for the Property until the Developer has posted security in an amount and form acceptable to the Lee County Attorney to cover the costs of this facility; provided, however, that this will not prohibit the issuance of development orders for infrastructure improvements (including roads, utilities and drainage) for the Property.

E. *Southern Access:* Within 24 months of the satisfaction of the Contingency, Developer will design, permit and construct an access along its southern boundary at the location and in accordance with the preliminary design attached hereto as Exhibit "F" (hereinafter, the "Southern Access"). No residential development orders may be issued for the Property until this obligation has been fulfilled by the Developer; provided, however, that this will not prohibit the issuance of development orders for infrastructure improvements (including roads, utilities and drainage) for the Property.

F. *Groundwater Monitoring.* The consumptive use permit (Permit

No. 36-04006-W) for River Hall, originally issued by the SFWMD in 2006, was renewed in 2013 without the inclusion of certain groundwater monitoring conditions that were provided in the original 2006 permit. Within thirty (30) days of the satisfaction of the Contingency, Developer will submit a request to the SFWMD for a letter modification to Permit No. 36-04006-W to re-incorporate the groundwater monitoring requirements contained in conditions 31, 32, and 33 of the original 2006 permit into the 2013 permit renewal. If the SFWMD approves the requested modification, all monitoring reports filed with the SFWMD pursuant to the permit will also be simultaneously filed with the Lee County Department of Natural Resources.

G. *Drainage Pass-Through for ECWCD.* The Developer will include within the surface water management permit for River Hall provision for drainage from the ECWCD to pass through the River Hall surface water management system in order to lower flood stages within the ECWCD. The intent of this commitment is to provide for a stormwater conveyance from the existing ECWCD canal along the southern boundary of River Hall during major storm events. Documentation of compliance with this requirement will be provided by the Developer to the County prior to the issuance of any residential development orders or plats for the Property; provided, however, that this will not prohibit the issuance of development orders for infrastructure improvements (including roads, utilities and drainage) for the Property.

In the event that any of the facilities described in subparagraphs A through G above cannot be permitted by the appropriate governmental entities having jurisdiction (or cannot be permitted in a timely manner so as to allow Developer to meets its obligations in a timely manner), then County and Developer shall negotiate in good faith to identify an alternative facility of approximate equivalent cost to substitute for the non-permittable facility that will allow the Developer to meet its obligations in a timely manner or, if such a substitute facility cannot be identified and agreed upon by the parties, Developer will contribute cash to the County in an amount equal to the cost of providing the un-permittable facility which the County shall use to provide an equivalent facility at its own discretion.

In the event that permits to allow for the proposed development of the Property identified in paragraph 4 above are the subject of judicial or administrative proceedings or appeals, the time periods for Developer to meet its obligations identified in subparagraphs A. through G. above shall be tolled until said proceedings and appeals have been resolved or decided in a manner that allows the proposed development to be constructed as described herein.

9. Applicable Land Use Regulations. Pursuant to Section163.3233, Florida Statutes, the Proposed Development within the Property shall be subject to the County's land development regulations and policies governing development as of the Effective Date of this Agreement. The County may apply subsequently adopted regulations and policies only in accordance with Section 163.3233(2), Florida Statutes.

10. Duration of Agreement. This Agreement shall remain in full force and effect for thirty (30) years from its Effective Date unless terminated earlier as

provided in Paragraphs 11 and 12 of this Agreement. The duration of the Agreement may be extended with the Parties' mutual consent in accordance with Section 163.3229, Florida Statutes.

11. Amendment and Termination.

A. This Agreement may be amended or terminated with the Parties' mutual consent, in writing signed by both Parties.

B. Developer may terminate this Agreement at any time by declaring buildout of the Proposed Development provided, however, that such termination will not relieve the Developer of its obligations hereunder unless expressly released by the County in writing.

12. Periodic Review. The County will annually review the development authorized by this Agreement each year this Agreement is in effect, beginning on the first anniversary of the Effective Date of this Agreement, to determine if there has been good faith compliance with the terms of this Agreement. If the County determines, on the basis of substantial competent evidence, that there has been a failure to comply in good faith with the terms of this Agreement, the County may, after notice to Developer and a public hearing, modify this Agreement to ensure good faith compliance or may terminate the Agreement.

13. Status Reports. Developer shall provide an annual written status report to the County to allow the County to conduct its periodic review in accordance with paragraph 12 above. The status report will be filed by the Developer thirty (30) days prior to the anniversary of the Effective Date of this Agreement. The status report will include the following information:

A. a summary of the development completed for the prior year on the Property;

B. a cumulative total of all development completed to date on the Property;

C. the significant local, state, and federal permits which have been obtained or which are pending for the Property by agency, type of permit, permit number, and purpose of permit; and

D. the status of the Developer's Commitments and Obligations identified in paragraph 8 above.

14. Notices. All notices required or permitted under this Agreement shall be in writing and shall be mailed by certified mail, return receipt requested to the following addresses, or to such other person or address as any Party may designate from time to time in writing:

If to the Developer: Greenpointe Communities, LLC
7807 Baymeadows Road East, Suite 205
Jacksonville, FL 32256
Attn: Ed Burr

with a copy to: Henderson, Franklin, Starnes & Holt, P.A.
1715 Monroe St.
Fort Myers, Florida 33901
Attn: Russell P. Schropp

If to the County: Lee County
2115 Second Street
Fort Myers, FL 33901
Attn: County Manager

with a copy to: Lee County
2115 Second Street
Fort Myers, FL 33901
Attn: Lee County Attorney

15. Remedies. Any material breach of this Agreement may be enforced by either Party as against the other by appropriate action in law or equity filed in a court of competent jurisdiction; provided, however, no such action may be brought until the defaulting Party has been given notice and ninety (90) days in which to cure the default. If the default can not reasonably be cured within the ninety (90) day period, such period shall be extended if the cure is commenced within such ninety (90) days and the defaulting Party is proceeding with due diligence for such period of time reasonably required to complete such cure.

16. Governing Law. This Agreement shall be construed and interpreted according to the laws of the State of Florida, and venue with respect to any litigation between the Parties related to this Agreement shall be exclusively in Lee County, Florida.

17. Severability. If any part, term, or provision of this Agreement is held to be illegal, void, or unenforceable, the remaining portions or provisions of this Agreement shall not be affected or impaired, each remaining provision shall remain in full force and effect, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

18. Entire Agreement; Termination of Prior Agreements. This Agreement embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, regarding the Proposed Development of the Property between the Parties.

19. Conflict of Laws. Pursuant to Section 163.3241, Florida Statutes, if state or federal laws are enacted subsequent to the execution of this Agreement which are applicable to and preclude either Party's compliance with the terms of this Agreement, this Agreement shall be modified as is necessary to comply with the relevant state or federal laws.

20. Covenants Running with the Land and Successors and Assigns. The obligations imposed and entitlements created pursuant to this Agreement shall run with and bind the Property as covenants running with the land, and this Agreement shall be binding upon and enforceable by and against the Parties hereto, their personal representatives, heirs, successors, grantees, and assigns. The obligations of the Developer may be assigned to one or more successor developers, property owners associations or to one or more CDDs, and the Developer shall thereafter be relieved of future obligations hereunder.

21. Effective Date. This Agreement will become effective upon full execution by both Parties and recording of the Agreement in the Public Records of Lee County pursuant to paragraph 22 below. As provided in paragraph 8 above, Developer's obligation to undertake the commitments and improvements contained in paragraph 8 is expressly contingent upon and may not be enforced by the County until the expiration of all applicable periods for judicially or administratively appealing or challenging the CPA or PD Amendment without such an appeal or challenge being filed or, if filed, until such appeal or challenge is resolved in a manner that upholds the validity of the CPA and PD Amendment as approved by County.

22. Recording of Agreement. This Agreement will be recorded in the Public Records of Lee County by the County within fourteen (14) days of approval by the Lee County Board of County Commissioners. The costs of recording this Agreement will be paid by the Developer.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year written below.

Exhibits:

A. Legal Description and Sketch of Property
B. Design Parameters and Preliminary Cost Estimate for SR80 Signal
C. Design Parameters for Sidewalk/Bike Path Along SR80 West of River Hall
D. Map and Design Parameters for Trail
E. Design Parameters for Park-n-Trail Facility
F. Preliminary Design of Southern Access

EXHIBIT A

Sketch and Legal Description of Property

DESCRIPTION - PARCEL 1

Parcel in
Section 35, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Section 35, Township 43 South, Range 26 East, Lee county, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southwest corner of said Section 35 run N00°59'34"W along the West line of said Section 35 for 318.68 feet to an intersection with the Southerly line of the record plat of Hampton Lakes at River Hall, Phase One, as recorded in Instrument Number 2005000153004, Lee County Records; thence run the following fourteen courses along the Southerly line of said record plat: N89°00'26"E for 30.00 feet; N68°29'16"E for 216.50 feet to a point on a non-tangent curve; southeasterly along an arc of curve to the left of radius 275.00 feet (delta 04°58'32") (chord bearing S24°00'00"E) (chord 23.87 feet) for 23.88 feet; N63°30'44"E for 154.69 feet to a point on a non-tangent curve; northerly along an arc of curve to the right of radius 124.00 feet (delta 28°51'11") (chord bearing N15°25'47"W) (chord 61.79 feet) for 62.44 feet to a point of tangency; N01°00'12"W for 599.64 feet to a point of curvature; northerly along an arc of curve to the right of radius 224.00 feet (delta 23°18'53") (chord bearing N10°39'15"E)(chord 90.52 feet) for 91.15 feet to a point of reverse curvature; northerly along an arc of curve to the left of radius 576.00 feet (delta 03°35'29") (chord bearing N20°30'57"E) (chord 36.10 feet) for 36.11 feet; N88°59'48"E for 176.06 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 1,426.00 feet (delta 43°35'06") (chord bearing N67°12'15"E)(chord 1,058.79 feet) for 1,084.76 feet; N89°44'44"E along a non-tangent line for 25.94 feet; N01°59'18"E for 49.74 feet to a point on a non-tangent curve; northeasterly along an arc of curve to the left of radius 1,411.00 feet (delta 12°25'24") (chord bearing N36°58'46"E) (chord 305.34 feet) for 305.94 feet and N83°24'51"E along a non-tangent line for 56.16 feet to an intersection with the Southerly line of the record plat of Hampton Lakes at River Hall, Phase Two, as recorded in Instrument Number 2007000059747, Lee County Records; thence run the following eight courses along the Southerly line of said record plat: S24°38'18"E for 30.24 feet to a point of curvature; southeasterly along an arc of curve to the left of radius 35.00 feet (delta 22°30'46") (chord bearing S35°53'41"E)(chord 13.66 feet) for 13.75 feet to a point of reverse curvature; southeasterly along an arc of curve to the right of radius 576.00 feet (delta 15°36'40") (chord bearing S39°20'43"E) (chord 156.46 feet) for 156.94 feet to a point of compound curvature; southeasterly along an arc of curve to the right of radius 2,500.00 feet (delta 02°25'05") (chord bearing S30°19'51"E) (chord

105.50 feet) for 105.51 feet to a point of reverse curvature; easterly along an arc of curve to the left of radius 35.00 feet (delta 85°13'32") (chord bearing S71°44'04"E) (chord 47.39 feet) for 52.06 feet to a point of tangency; N65°39'10"E for 505.30 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 35.00 feet (delta 56°13'08") (chord bearing N37°32'36"E)(chord 32.98 feet) for 34.34 feet and S80°33'58"E along a non-tangent line for 1.77 feet to an intersection with Westerly line of lands as described in Official Record Book 4429, at Page 3000, Lee County Records; thence run the following ten courses along said Westerly line: S00°00'03"E for 71.26 feet to a point of curvature; southerly along an arc of curve to the left of radius 540.00 feet (delta 24°55'08") (chord bearing S12°27'37"E)(chord 233.01 feet) for 234.86 feet to a point of tangency; S24°55'11"E for 289.32 feet to a point of curvature; southerly along an arc of curve to the right of radius 660.00 feet (delta 22°22'21") (chord bearing S13°44'00"E)(chord 256.08 feet) for 257.71 feet to a point of tangency; S02°32'50"E for 159.42 feet to a point of curvature; southerly along an arc of curve to the left of radius 340.00 feet (delta 31°31'00") (chord bearing S18°18'20"E)(chord 184.67 feet) for 187.02 feet to a point of tangency; S34°03'50"E for 230.14 feet to a point of curvature; southerly along an arc of curve to the right of radius 260.00 feet (delta 31°56'27") (chord bearing S18°05'37"E)(chord 143.07 feet) for 144.94 feet to a point of tangency; S02°07'23"E for 78.82 feet to a point of curvature; southwesterly along an arc of curve to the right of radius 260.00 feet (delta 91°01'29") (chord bearing S43°23'21"W)(chord 370.97 feet) for 413.06 feet and S01°05'54"E along a non-tangent line for 37.91 feet to an intersection with the South line of the Southeast Quarter (SE 1/4) of said Section 35; thence run S88°54'06"W along said South line for 74.07 feet to the South Quarter corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.
Containing 88.19 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the South line of the Southwest Quarter (SW 1/4) of said Section 35 to bear S88°53'41"W.

DESCRIPTION - PARCEL 2
Parcel in
Section 35, Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Section 35, Township 43 South, Range 26 East, Lee county, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 35 run S88°54'06"W along the South line of said Section 35 for 2,569.55 feet to an intersection with Easterly line of lands described in deed recorded in Official Record Book 4429, at Page 2959, Lee County Records; thence run the following eleven courses along said Easterly line: N01°05'54"W for 37.91 feet to a point on a non-tangent curve; northeasterly along an arc of curve to the left of radius 260.00 feet (delta 91°01'29") (chord bearing N43°23'21"E) (chord 370.97 feet) for 413.06 feet to a point of tangency; N02°07'23"W for 78.82 feet to a point of curvature; northerly along an arc of curve to the left of radius 260.00 feet (delta 31°56'27") (chord bearing N18°05'37"W)(chord 143.07 feet) for 144.94 feet to a point of tangency; N34°03'50"W for 230.14 feet to a point of curvature; northerly along an arc of curve to the right of radius 340.00 feet (delta 31°31'00") (chord bearing N18°18'20"W)(chord 184.67 feet) for 187.02 feet to a point of tangency; N02°32'50"W for 159.42 feet to a point of curvature; northerly along an arc of curve to the left of radius 660.00 feet (delta 22°22'21") (chord bearing N13°44'00"W)(chord 256.08 feet) for 257.71 feet to a point of tangency; N24°55'11"W for 289.32 feet to a point of curvature; northerly along an arc of curve to the right of radius 540.00 feet (delta 24°55'08") (chord bearing N12°27'37"W)(chord 233.01 feet) for 234.86 feet to a point of tangency and N00°00'03"W for 71.26 feet to an intersection with the Southerly line of the record plat of Hampton Lakes at River Hall, Phase Two, as recorded in Instrument Number 2007000059747, Lee County Records; thence run the following eleven courses along the Southerly, Easterly and Northerly line of said record plat: S80°33'58"E for 35.84 feet; S32°18'12"E for 193.40 feet to a point on a non-tangent curve; northeasterly along an arc of curve to the left of radius 425.00 feet (delta 03°51'06") (chord bearing N55°46'15"E) (chord 28.56 feet) for 28.57 feet; S24°20'50"E for 153.39 feet to a point on a non-tangent curve; northeasterly along an arc of curve to the left of radius 576.00 feet (delta 01°29'33") (chord bearing N56°13'22"E) (chord 15.00 feet) for 15.00 feet to a point of reverse curvature; easterly along an arc of curve to the right of radius 35.00 feet (delta 81°53'39") (chord bearing S83°34'35"E) (chord 45.88 feet) for 50.03 feet to a point of tangency; S42°37'45"E for 15.70 feet; N47°22'15"E for 151.00 feet; N45°49'31"E for 50.02 feet; N47°22'15"E for 136.00 feet and N42°37'45"W for 722.03 feet to an intersection with the Southerly line of the record plat of River Hall Country Club, Phase One, as recorded in Instrument Number 2005000153068, Lee County Records;

DESCRIPTION(Cont.)

thence run the following three courses along the Southerly line of said record plat: N65°12'55"E for 304.89 feet to a point on a non-tangent curve; northwesterly along an arc of curve to the right of radius 440.00 feet (delta 40°02'00") (chord bearing N23°18'48"W) (chord 301.22 feet) for 307.43 feet and N86°42'12"E along a non-tangent line for 80.00 feet to a point on a non-tangent curve and an intersection with the Southerly line of the record plat of River Hall Country Club, Phase Two, as recorded in Instrument Number 2006000409514, Lee County Records; thence run the following twelve courses along the Southerly line of said record plat: southeasterly along an arc of curve to the left of radius 360.00 feet (delta 58°01'05") (chord bearing S32°18'21"E) (chord 349.16 feet) for 364.54 feet to a point of reverse curvature; southeasterly along an arc of curve to the right of radius 840.00 feet (delta 25°16'08") (chord bearing S48°40'49"E) (chord 367.47 feet) for 370.46 feet to a point of tangency; S36°02'45"E for 587.54 feet to a point of curvature; southeasterly along an arc of curve to the left of radius 910.00 feet (delta 08°53'51") (chord bearing S40°29'40"E)(chord 141.17 feet) for 141.31 feet; N41°50'37"E for 153.51 feet to a point of curvature; northerly along an arc of curve to the left of radius 617.00 feet (delta 58°16'05") (chord bearing N12°42'35"E)(chord 600.78 feet) for 627.47 feet to a point of reverse curvature; northeasterly along an arc of curve to the right of radius 80.00 feet (delta 80°21'13") (chord bearing N23°45'09"E) (chord 103.22 feet) for 112.19 feet to a point of reverse curvature; northerly along an arc of curve to the left of radius 199.00 feet (delta 120°43'26") (chord bearing N03°34'02"E) (chord 345.93 feet) for 419.30 feet; N33°12'19"E along a non-tangent line for 103.92 feet; S69°21'19"E for 585.07 feet to a point of curvature; easterly along an arc of curve to the left of radius 175.00 feet (delta 23°42'43") (chord bearing S81°12'40"E)(chord 71.91 feet) for 72.42 feet to a point of tangency; N86°55'59"E for 507.21 feet and S42°30'21"E for 130.55 feet to an intersection with the East line of said Section 35; thence run S00°43'38"E along said East line for 2,497.08 feet to the POINT OF BEGINNING.
Containing 134.88 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 35 to bear S88°54'06"W.

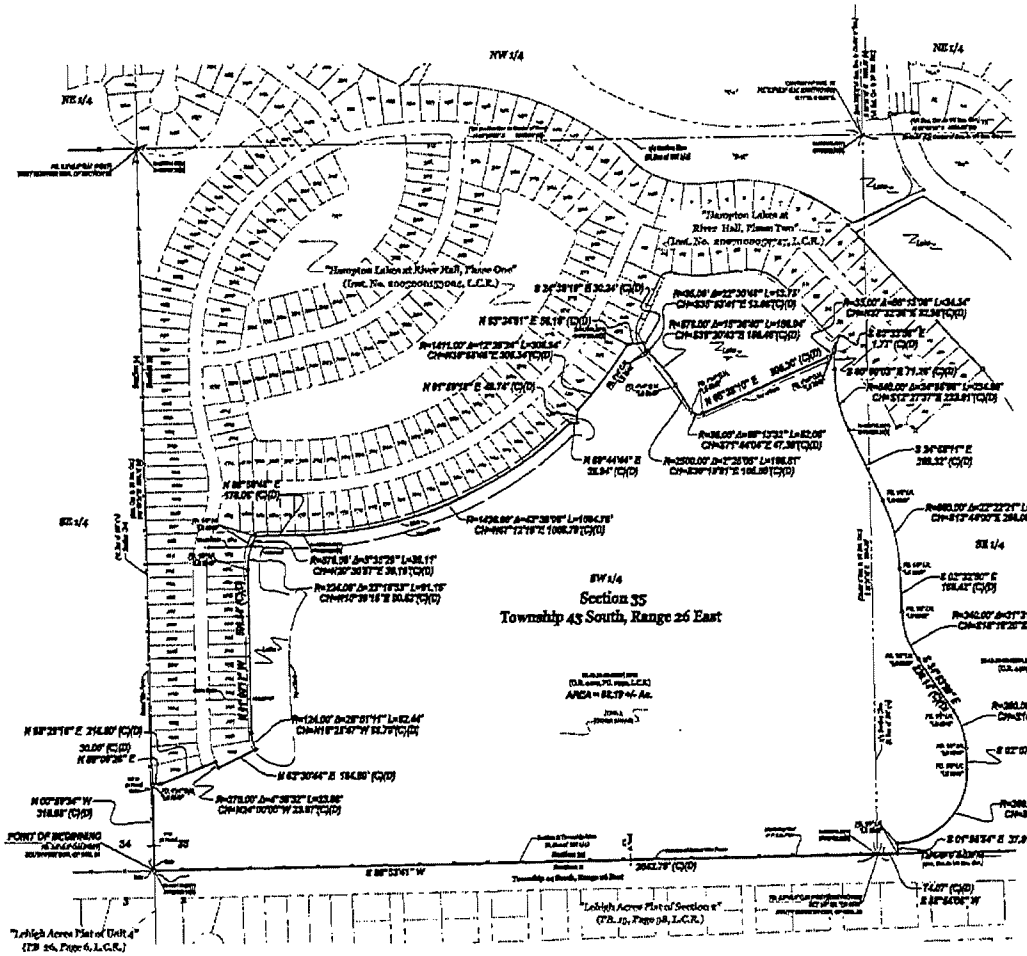
DESCRIPTION - PARCEL 3
Parcel in
Section 36, Township 43 South, Range 26 East
Lee County, Florida

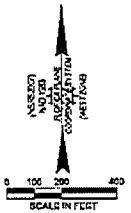
All of Section 36, Township 43 South, Range 26 East, Lee County, Florida.

Less and Except the portion of the following described record plats which lie in said Section 36:

RIVER HALL COUNTRY CLUB, PHASE ONE as recorded in Instrument Number 2005000153068, Lee County Records.

RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.





LEGEND

B.M.	BENCHMARK
(C)	CALCULATED
C/L	CENTER LINE
C.C.M.B.	COUNTY COMMISSIONERS MINUTES BOOK
CONC.	CONCRETE
C.M.	CONCRETE MONUMENT
COR.	CORNER
(D)	DEED
D.B.	DEED BOOK
EL.	ELEVATION
(F)	FIELD
FD.	FOUND
FRAC.	FRACTION
GOVT.	GOVERNMENT
INST. No.	INSTRUMENT No.
I.P.	IRON PIPE
I.R.	IRON ROD
L.B.	LICENSED BUSINESS
L.C.R.	LEE COUNTY RECORDS
(M)	MEASURED
O.R.	OFFICIAL RECORD BOOK
(P)	PLAT
P.O.	PAGE
P.L.	PROPERTY LINE
P.R.M.	PERMANENT REFERENCE MONUMENT
PROP.	PROPERTY
P.V.C.	POLY VINYL CHLORIDE PIPE
R.C.P.	REINFORCE CONCRETE PIPE
R/W	RIGHT-OF-WAY
SEC.	SECTION
WIT.	WITNESS
●	ROUND NAIL AS NOTED
■	SET 1/2" IRON ROD WITH CAP STAMPED LB#4480
▲	SET 4"x4" CONC. MONUMENT STAMPED LB#4480
▲	SET P.K. NAIL WITH DISC STAMPED LB#4480
●	FOUND CONC. MONUMENT AS NOTED
○	FOUND IRON PIPE OR IRON ROD AS NOTED
⊠	DRAINAGE INLET
◉	DRAINAGE MANHOLE
⊞	MITERED END SECTION
☼	LIGHT POLE
⊕	CONCRETE POWER POLE
⊕	WOOD POWER POLE
⊥	GUY ANCHOR
⊙	CABLE/LINE MARKER
☎	TELEPHONE RISER
⊛	WATER BOX
⊡	ELECTRIC BOX
⊙	SIGN
⊠	FIRE HYDRANT
⋈	WATER VALVE
⊛	SANITARY MANHOLE
⊙	SANITARY CLEAN OUT
⊛	SANITARY SEWER VALVE

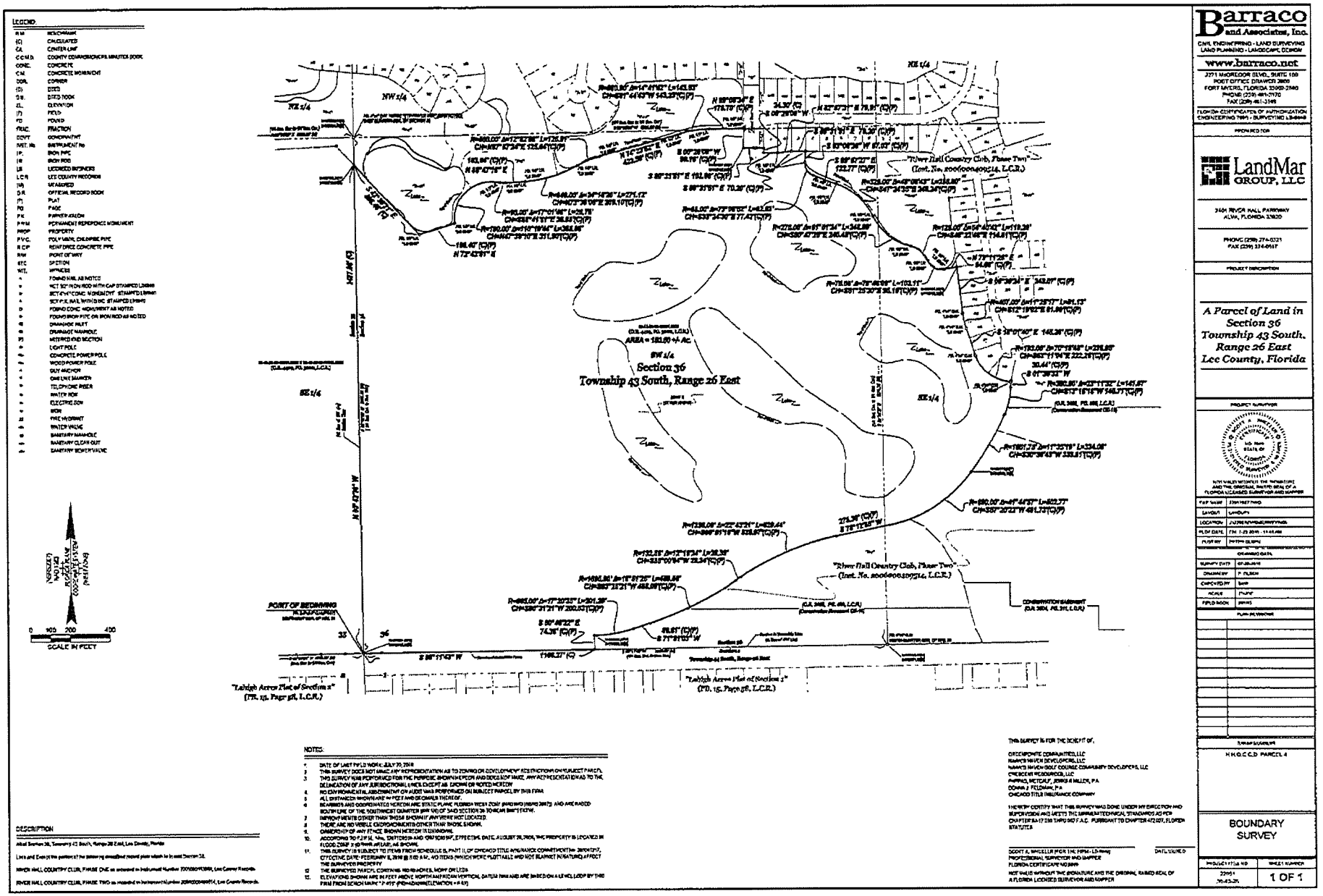
NOTES:

1. DATE OF LAST FIELD WORK: JULY 19, 2019
2. THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT PERMISSIONS ON SUBJECT PARCEL.
3. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON
4. NO PHYSICAL/MATERIAL ACROSSMAP OR AGENT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
5. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF
6. BEARINGS AND COORDINATES HEREON ARE STATE PLANE FLORIDA WEST ZONE (NAD'83) (NSRS 2007) AND ARE BASED SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 35 TO BEAR S89°53'01"W.
7. IMPROVEMENTS OTHER THAN THOSE SHOWN OF ANY NATURE NOT LOCATED
8. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
9. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN
10. ACCORDING TO F.I.R.M. MAP NUMBER 12071C0535F, LEE COUNTY, FLORIDA AND INCORPORATED AREAS, EFFECTIVE DATE: AUGUST 28, 2008, THE PROPERTY IS LOCATED IN FLOOD ZONE X (OTHER AREAS), AS SHOWN.
11. THIS SURVEY IS SUBJECT TO ITEMS FROM SCHEDULE B, PART II OF CHICAGO TITLE INSURANCE COMMITMENT No. 2020H0234, EFFECTIVE DATE: FEBRUARY 3, 2019 @ 8:00 A.M. NO ITEMS (WHICH WERE PLOTTABLE AND NOT BLANKET IN NATURE) AFFECT THE SURVEYED PROPERTY.
12. THE SURVEYED PARCEL CONTAINS 88.19 ACRES, MORE OR LESS.
13. ELEVATIONS SHOWN ARE IN FEET ABOVE NORTH AMERICAN VERTICAL DATUM 1988 AND ARE BASED ON A LEVEL LOOP BY THIS FIRM FROM BENCH MARK "P 413" (RECORDED ELEVATION = 6.43)

DESCRIPTION:

A tract or parcel of land lying in Section 35, Township 43 South, Range 26 East, Lee County, Florida, and being more particularly described as follows:

Beginning at the Southwest corner of said Section 35 run N89°53'01"W along the West line of said Section 35 for 2642.78 feet to the intersection with the Easterly line of the current plat of Hampton Lakes at River Hall, Phase One, as recorded in Instrument Number 2005000109046, Lee County Records; thence run the following fourteen courses along the Easterly line of said current plat: N00°06'59"E for 30.00 feet; run N89°53'01"W for 216.80 feet to a point on a non-tangent curve, counterclockwise along an arc of curve to the left of radius 275.00 feet (delta 26°47'52") (chord bearing N76°29'57"E) (chord 127.46 feet); run N63°05'53"E for 21.97 feet; run N26°54'07"E for 21.00 feet; run N63°05'53"E for 164.88 feet to a point on a non-tangent curve, northerly along an arc of curve to the right of radius 124.00 feet (delta 26°51'11") (chord bearing N13°29'43"E) (chord 57.59 feet); run N00°04'07"E for 82.64 feet to a point of intersection; N00°09'29"W for 1969.60 feet to a point of curvature; northwesterly along an arc of curve to the right of radius 275.00 feet (delta 26°47'52") (chord bearing N13°29'57"W) (chord 127.46 feet); run N26°54'07"W for 21.00 feet; run N63°05'53"E for 21.97 feet; run N26°54'07"W for 164.88 feet to a point on a non-tangent curve, northerly along an arc of curve to the right of radius 124.00 feet (delta 26°51'11") (chord bearing N13°29'43"E) (chord 57.59 feet); run N00°04'07"E for 82.64 feet to a point of intersection; N00°09'29"W for 1969.60 feet to a point of curvature; northwesterly along an arc of curve to the right of radius 275.00 feet (delta 26°47'52") (chord bearing N13°29'57"W) (chord 127.46 feet); run N26°54'07"W for 21.00 feet; run N63°05'53"E for 164.88 feet to a point on a non-tangent curve, northeasterly along an arc of curve to the left of radius 1,411.00 feet (delta 12°35'24") (chord bearing N69°16'45"E) (chord 309.53 feet); run N62°59'03"E along a non-tangent line for 96.16 feet to the most northerly corner of the Easterly line of the current plat of Hampton Lakes at River Hall, Phase Two, as recorded in Instrument Number 2007000209747, Lee County Records; thence run the following eight courses along the Easterly line of said current plat: N26°54'07"W for 30.94 feet to a point of curvature; northwesterly along an arc of curve to the left of radius 71.00 feet (delta 22°39'46") (chord bearing N37°14'01"W) (chord 27.89 feet); run N47°33'54"W for 12.70 feet; run N42°26'06"E for 4.00 feet; run N47°33'54"W for 71.39 feet to a point of curvature; northwesterly along an arc of curve to the right of radius 474.00 feet (delta 14°19'49") (chord bearing N40°23'59"W) (chord 118.26 feet); run N33°14'04"W for 39.81 feet to a point of curvature; northwesterly along an arc of curve to the right of radius 2,288.00 feet (delta 12°29'05") (chord bearing N26°59'31"W) (chord 497.58 feet); run N20°44'58"W for 126.61 feet to a point of curvature; northerly along an arc of curve to the left of radius 25.00 feet (delta 64°12'23") (chord bearing N11°39'47"E) (chord 26.55 feet); run N43°46'09"E for 57.76 feet to a point of tangency; run N46°13'51"W for 190.00 feet to a point of curvature; northwesterly along an arc of curve to the left of radius 25.00 feet (delta 89°47'37") (chord bearing N01°19'57"W) (chord 35.28 feet); run N43°33'54"W for 24.54 feet; run S46°26'06"W for 4.00 feet; run N43°33'54"W for 60.00 feet; run N46°26'06"E for 4.00 feet; run N43°33'54"W for 12.70 feet; run N46°26'06"E for 71.24 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 950.00 feet (delta 37°22'23") (chord bearing N27°15'07"E) (chord 608.70 feet); run N08°33'54"W for 252.34 feet to a point of tangency; S89°53'01"E for 268.33 feet; to a point of curvature; northerly along an arc of curve to the right of radius 250.00 feet (delta 27°27'27") (chord bearing N13°47'02"E) (chord 237.71 feet) to a point of reverse curvature; northerly along an arc of curve to the left of radius 240.00 feet (delta 34°57'08") (chord bearing N14°19'26"E) (chord 144.09 feet) to a point of tangency; N03°09'08"W for 207.71 feet to a point of tangency; N02°50'52"E for 189.45 feet to a point of curvature; northerly along an arc of curve to the left of radius 240.00 feet (delta 34°57'08") (chord bearing N14°19'26"E) (chord 144.09 feet) to a point of tangency; N03°09'08"W for 226.31 feet to a point of curvature; northerly along an arc of curve to the right of radius 250.00 feet (delta 27°27'27") (chord bearing N13°47'02"E) (chord 237.71 feet) to a point of reverse curvature; northerly along an arc of curve to the left of radius 950.00 feet (delta 37°22'23") (chord bearing N27°15'07"E) (chord 608.70 feet); run N08°33'54"W for 252.34 feet to a point of curvature; northwesterly along an arc of curve to the left of radius 25.00 feet (delta 89°47'37") (chord bearing N53°27'57"W) (chord 35.28 feet); run S81°38'54"W for 4.00 feet; run N08°21'06"W for 60.00 feet; run N81°38'54"E for 4.00 feet; run N08°21'06"W for 12.70 feet; run N81°38'54"E for 71.24 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 950.00 feet (delta 14°19'49") (chord bearing N74°48'59"E) (chord 236.99 feet); run N67°59'04"E for 39.81 feet to a point of curvature; northeasterly along an arc of curve to the right of radius 474.00 feet (delta 14°19'49") (chord bearing N74°48'59"E) (chord 118.26 feet); run N81°38'54"E for 126.61 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 2,288.00 feet (delta 12°29'05") (chord bearing N75°24'27"E) (chord 497.58 feet); run N69°09'59"E for 39.81 feet to a point of curvature; northeasterly along an arc of curve to the right of radius 25.00 feet (delta 64°12'23") (chord bearing N37°03'47"E) (chord 26.55 feet); run N74°57'36"E for 57.76 feet to a point of tangency; run S15°02'24"E for 190.00 feet to a point of curvature; southeasterly along an arc of curve to the left of radius 25.00 feet (delta 89°47'37") (chord bearing S29°51'13"E) (chord 35.28 feet); run S74°39'54"E for 24.54 feet; run S15°20'06"E for 60.00 feet; run N74°39'54"W for 4.00 feet; run S15°20'06"E for 12.70 feet; run N74°39'54"W for 71.24 feet to a point of curvature; southwesterly along an arc of curve to the right of radius 950.00 feet (delta 37°22'23") (chord bearing S27°15'07"W) (chord 608.70 feet); run S08°33'54"E for 252.34 feet to a point of curvature; southeasterly along an arc of curve to the left of radius 250.00 feet (delta 27°27'27") (chord bearing S13°47'02"E) (chord 237.71 feet) to a point of reverse curvature; southerly along an arc of curve to the right of radius 240.00 feet (delta 34°57'08") (chord bearing S14°19'26"E) (chord 144.09 feet) to a point of tangency; S03°09'08"E for 207.71 feet to a point of tangency; S02°50'52"W for 189.45 feet to a point of curvature; southerly along an arc of curve to the right of radius 240.00 feet (delta 34°57'08") (chord bearing S14°19'26"W) (chord 144.09 feet) to a point of tangency; S03°09'08"E for 226.31 feet to a point of curvature; southerly along an arc of curve to the right of radius 250.00 feet (delta 27°27'27") (chord bearing S13°47'02"E) (chord 237.71 feet) to a point of reverse curvature; southerly along an arc of curve to the left of radius 950.00 feet (delta 37°22'23") (chord bearing S27°15'07"E) (chord 608.70 feet); run S08°33'54"E for 252.34 feet to a point of curvature; southeasterly along an arc of curve to the left of radius 25.00 feet (delta 89°47'37") (chord bearing S53°27'57"E) (chord 35.28 feet); run S81°38'54"E for 4.00 feet; run S08°21'06"W for 60.00 feet; run N81°38'54"W for 4.00 feet; run S08°21'06"W for 12.70 feet; run N81°38'54"W for 71.24 feet to a point of curvature; southwesterly along an arc of curve to the right of radius 950.00 feet (delta 14°19'49") (chord bearing S74°48'59"W) (chord 236.99 feet); run S67°59'04"W for 39.81 feet to a point of curvature; southwesterly along an arc of curve to the left of radius 474.00 feet (delta 14°19'49") (chord bearing S74°48'59"W) (chord 118.26 feet); run S81°38'54"W for 126.61 feet to a point of curvature; southwesterly along an arc of curve to the right of radius 2,288.00 feet (delta 12°29'05") (chord bearing S75°24'27"W) (chord 497.58 feet); run S69°09'59"W for 39.81 feet to a point of curvature; southwesterly along an arc of curve to the left of radius 25.00 feet (delta 64°12'23") (chord bearing S37°03'47"W) (chord 26.55 feet); run S74°57'36"W for 57.76 feet to a point of tangency; run N15°02'24"W for 190.00 feet to a point of curvature; northwesterly along an arc of curve to the right of radius 25.00 feet (delta 89°47'37") (chord bearing N29°51'13"W) (chord 35.28 feet); run N74°39'54"W for 24.54 feet; run N15°20'06"W for 60.00 feet; run S74°39'54"E for 4.00 feet; run N15°20'06"W for 12.70 feet; run S74°39'54"E for 71.24 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 950.00 feet (delta 37°22'23") (chord bearing N27°15'07"E) (chord 608.70 feet); run N08°33'54"W for 252.34 feet to a point of curvature; northwesterly along an arc of curve to the left of radius 25.00 feet (delta 89°47'37") (chord bearing N53°27'57"W) (chord 35.28 feet); run S81°38'54"W for 4.00 feet; run N08°21'06"W for 60.00 feet; run N81°38'54"E for 4.00 feet; run N08°21'06"W for 12.70 feet; run N81°38'54"E for 71.24 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 950.00 feet (delta 14°19'49") (chord bearing N74°48'59"E) (chord 236.99 feet); run N67°59'04"E for 39.81 feet to a point of curvature; northeasterly along an arc of curve to the right of radius 474.00 feet (delta 14°19'49") (chord bearing N74°48'59"E) (chord 118.26 feet); run N81°38'54"E for 126.61 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 2,288.00 feet (delta 12°29'05") (chord bearing N75°24'27"E) (chord 497.58 feet); run N69°09'59"E for 39.81 feet to a point of curvature; northeasterly along an arc of curve to the right of radius 25.00 feet (delta 64°12'23") (chord bearing N37°03'47"E) (chord 26.55 feet); run N74°57'36"E for 57.76 feet to a point of tangency; run S15°02'24"E for 190.00 feet to a point of curvature; southeasterly along an arc of curve to the left of radius 25.00 feet (delta 89°47'37") (chord bearing S29°51'13"E) (chord 35.28 feet); run S74°39'54"E for 24.54 feet; run S15°20'06"E for 60.00 feet; run N74°39'54"W for 4.00 feet; run S15°20'06"E for 12.70 feet; run N74°39'54"W for 71.24 feet to a point of curvature; southwesterly along an arc of curve to the right of radius 950.00 feet (delta 37°22'23") (chord bearing S27°15'07"W) (chord 608.70 feet); run S08°33'54"E for 252.34 feet to a point of curvature; southeasterly along an arc of curve to the left of radius 25.00 feet (delta 89°47'37") (chord bearing S53°27'57"E) (chord 35.28 feet); run S81°38'54"E for 4.00 feet; run S08°21'06"W for 60.00 feet; run N81°38'54"E for 4.00 feet; run S



LEGEND

BM	BENCHMARK
(C)	CALCULATED
CL	CENTER LINE
C.C.M.B.	COLLIER COUNTY MONUMENT BOOK
CONC.	CONCRETE
C.M.	CONCRETE MONUMENT
COR.	CORNER
(D)	DEED
D.B.	DEED BOOK
EL.	ELEVATION
(F)	FIELD
FD	FOUND
FRAC.	FRACTION
CONTY	CONCRETE
INST. No.	INSTRUMENT No
I.P.	IRON PIPE
I.R.	IRON ROD
LB	LICENSED BUSINESS
L.C.R.	LEE COUNTY RECORDS
(M)	MEASURED
O.R.	OFFICIAL RECORD BOOK
(P)	PLAT
PG	PAGE
P.C.	POINT OF CURVATURE
P.R.M.	PERMANENT REFERENCE MONUMENT
PROP.	PROPERTY
P.V.C.	POLY VINYL CHLORIDE PIPE
R.C.P.	REINFORCED CONCRETE PIPE
R/W	POINT OF WAY
SEC.	SECTION
WIT.	WITNESS
▲	FOUND NAIL AS NOTED
●	NOT 50" IRON ROD WITH CAP STAMPED LB6949
●	SET 4"x4" CONC. MONUMENT STAMPED LB6949
▲	SET P.K. NAIL WITH ID INC. STAMPED LB6949
⊙	FOUND CONC. MONUMENT AS NOTED
⊙	FOUND IRON PIPE OR IRON ROD AS NOTED
⊞	DRAINAGE INLET
⊞	DRAINAGE MANHOLE
⊞	METERED END SECTION
☼	LIGHT POLE
⊸	CONCRETE POWER POLE
⊸	WOOD POWER POLE
⊸	GUY ANCHOR
⊸	GAS LINE MARKER
⊸	TELEPHONE RISER
⊸	WATER BOX
⊸	ELECTRIC BOX
⊸	WELL
⊸	FIRE HYDRANT
⊸	WATER VALVE
⊸	SANITARY MANHOLE
⊸	SANITARY CLEAN OUT
⊸	SANITARY BOWTY VALVE

DESCRIPTION

Allad Section 36, Township 43 South, Range 26 East, Lee County, Florida

Lots and Tracts in the portion of the following described recent plats which lie in said Section 36.

RIVER HALL COUNTRY CLUB, PHASE ONE as recorded in Instrument Number 2006000409214, Lee County Records.

RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409214, Lee County Records.

NOTES:

1. DATE OF LAST FIELD WORK: JULY 30, 2018
2. THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT IMPLY ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES, EXCEPT AS SHOWN OR NOTED HEREON
4. NO ENVIRONMENTAL ASSESSMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
5. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
6. BEARINGS AND COORDINATES HEREON ARE STATE PLANE, FLORIDA WEST ZONE (NAD 83/90) (1990 ADJ.) AND ARE BASED SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 36 TO HAVE A BEARING OF S 89°11'43" W.
7. IMPROVEMENTS OTHER THAN THOSE SHOWN IF ANY WERE NOT LOCATED.
8. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
9. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN.
10. ACCORDING TO FIRM NO. 12071C0535 H AND 12071C0540 H, EFFECTIVE DATE: AUGUST 28, 2008, THE PROPERTY IS LOCATED IN FLOOD ZONE: X (0.2% ANNUAL CHANCE), AS SHOWN.
11. THIS SURVEY IS SUBJECT TO ITEMS FROM SCHEDULE B, PART II, OF CHICAGO TITLE INSURANCE COMMITMENT NO. 2800737, EFFECTIVE DATE: FEBRUARY 8, 2018 @ 8:00 A.M., AND ITEMS (WHICH WERE PLOTTABLE AND NOT BLANKET IN NATURE) AFFECT THE SURVEYED PROPERTY
12. THE SURVEYED PARCEL CONTAINS 181.60 ACRES, MORE OR LESS.
13. ELEVATIONS SHOWN ARE IN FEET ABOVE NORTH AMERICAN VERTICAL DATUM 1988 AND ARE BASED ON A LEVEL LOOP BY THIS FIRM FROM BENCH MARK "J 415" (PUBLISHED ELEVATION = 8.63)

THIS SURVEY IS FOR THE BENEFIT OF:

GROSSPOINTE COMMUNITIES, LLC
NAMES HAVEN DEVELOPERS, LLC
NAMES HAVEN GOLF COURSE COMMUNITY DEVELOPERS, LLC
CRESCENT RE DURRCO, LLC
PHIPPS, MITCHELL, JENKS & MILLER, P.A.
DONNA J. FELDMAN, P.A.
CHICAGO TITLE INSURANCE COMPANY

I HEREBY CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECTION AND SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 61G17-6 THRU 61G17-7 F.A.C. PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES

SCOTT A. WHEELER FOR THE FIRM - LB 6949
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6249

DATE SIGNED

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE, DESIGN
www.barraco.net
3271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2940
PHONE (239) 481-1772
FAX (239) 481-3146
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB 6949

PREPARED FOR

LandMar GROUP, LLC
9404 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0917

PROJECT DESCRIPTION

A Parcel of Land in Section 36 Township 43 South, Range 26 East Lee County, Florida

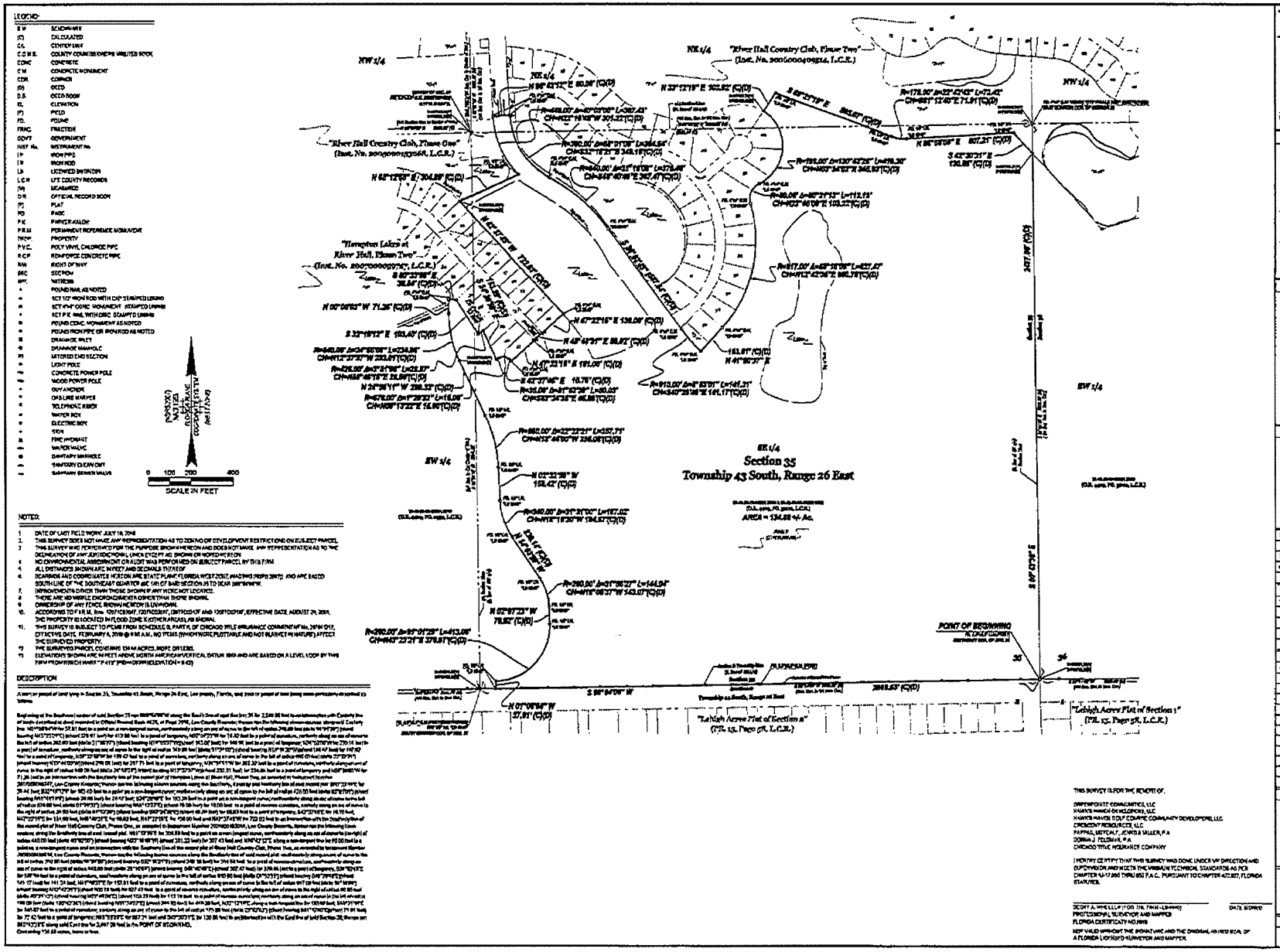
PROJECT SURVEYOR

FIELD WORK	2ND PARTY PARTY
LAYOUT	S.WHEELER
LOCATION	J:\2018\18-0548\SURVEY\18-0548.DWG
PLOT DATE	TUE, 1-29-2019 - 11:45 AM
PLOTTED BY	SCOTT WHEELER
DRAWING DATA	
SURVEY DATE	07-30-2018
DRAWN BY	P. FLINCH
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	2018-03
PLAN REVISIONS	

H.K.G.C.C.D. PARCEL 4

BOUNDARY SURVEY

PROJECT NUMBER	SHEET NUMBER
2018-0548	1 OF 1



LEGEND:

B.M.	BENCHMARK
(C)	CALCULATED
C.L.	CENTERLINE
C.C.M.E.	COLLIER COUNTY COMMISSIONER'S MINUTES BOOK
CONC	CONCRETE
C.M.	CONCRETE MONUMENT
COR	CORNER
(D)	DEED
D.B.	DEED BOOK
EL	ELEVATION
(F)	FIELD
FD.	FOUND
FRAC	FRACTION
GOVT	GOVERNMENT
INST No.	INSTRUMENT No.
I.P.	IRON PIPE
I.R.	IRON ROD
L.B.	LICENSED BUSINESS
L.C.R.	LEE COUNTY RECORDS
MEAS.	MEASURED
O.R.	OFFICIAL RECORD BOOK
(P)	PLAT
PG.	PAGE
P.K.	PARKER-KALON
P.R.M.	PERMANENT REFERENCE MONUMENT
PROP.	PROPERTY
P.V.C.	POLY VINYL CHLORIDE PIPE
R.C.P.	REINFORCE CONCRETE PIPE
R/W	RIGHT OF WAY
SEC	SECTION
WTR.	WATER(S)
•	FOUND NAIL AS NOTED
○	SET 1/2" IRON ROD WITH CAP STAMPED LB#3913
⊕	SET 4"x4" CONC. MONUMENT STAMPED LB#3913
⊕	SET P.K. NAIL WITH DISC STAMPED LB#3913
⊕	FOUND CONC. MONUMENT AS NOTED
⊕	FOUND IRON PIPE OR IRON ROD AS NOTED
⊠	DRAINAGE INLET
⊠	DRAINAGE MANHOLE
⊠	MITERED END SECTION
○	LIGHT POLE
⊸	CONCRETE POWER POLE
⊸	WOOD POWER POLE
⊸	GUY ANCHOR
⊠	GAS LINE MARKER
⊠	TELEPHONE RISER
⊠	WATER BOX
⊠	ELECTRIC BOX
⊠	SIGN
⊠	FIRE HYDRANT
⊠	VALVE MARKER
⊠	SANITARY MANHOLE
⊠	SANITARY CLEAN OUT
—	SANITARY SEWER MAIN

NOTES:

1. DATE OF LAST FIELD WORK: JULY 19, 2018
2. THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.
4. NO ENVIRONMENTAL ASSESSMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
5. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
6. BEARINGS ARE COORDINATE VECTOR ARE STATE PLANE FLORIDA WEST ZONE, (NAD'83/90 (1990 ADJ.)) AND ARE BASED SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 35 TO BEAR S89°39'09"W.
7. IMPROVEMENTS OTHER THAN THOSE SHOWN IF ANY WERE NOT LOCATED.
8. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
9. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN.
10. ACCORDING TO F.I.R.M. Nos. 12071C0547F, 12071C0551F, 12071C0553F AND 12071C0554F, EFFECTIVE DATE: AUGUST 28, 2008, THE PROPERTY IS LISTED IN FLOOD ZONE X (OTHER AREAS), AS SHOWN.
11. THIS SURVEY IS SUBJECT TO ITEMS FROM SCHEDULE B, PART II, OF CHICAGO TITLE INSURANCE COMMITMENT No. 2018W 0117, EFFECTIVE DATE: FEBRUARY 6, 2018 @ 8:00 A.M., NO ITEMS (WHICH WERE PLOTTABLE AND NOT BLANKET IN NATURE) AFFECT THE SURVEYED PROPERTY.
12. THE SURVEYED PARCEL CONTAINS 134.44 ACRES, MORE OR LESS.
13. ELEVATIONS SHOWN ARE IN FEET ABOVE NORTH AMERICAN VERTICAL DATUM 1988 AND ARE BASED ON A LEVEL LOOP BY THIS FIRM FROM BENCH MARK "PATE" (PID=DR0910, ELEVATION = 9.42)

DESCRIPTION:

A parcel of land lying in Section 35, Township 43 South, Range 26 East, Lee County, Florida, and being more particularly described as follows:

Beginning at the Southeast corner of said Section 35; thence S89°39'09"W along the South line of said Section 35 for 2,644.88 feet to the intersection with the Easterly line of lands described in Official Record Book 4428, at Page 3998, Lee County Records; thence run the following eleven courses along said Easterly line: N01°08'54"W for 57.81 feet to a point on a non-tangent curve, northeasterly along an arc of said curve for 394.48 feet (said arc to be N 74°37'39" E) (chord bearing N61°33'23"E) (chord being 391.01 feet) to a point of tangency; N65°07'27"E for 78.42 feet to a point of curvature; northerly along an arc of curve to the left of radius 262.00 feet (delta 21°56'27") (chord bearing N53°09'33"E) (chord being 99.68 feet) for 100.34 feet to a point of tangency; N41°10'39"E for 220.14 feet to a point of curvature; northerly along an arc of curve to the right of radius 74.00 feet (delta 91°29'03") (chord bearing N86°55'11"E) (chord being 106.24 feet) for 118.17 feet to a point of compound curvature; N32°39'43"E for 199.42 feet to a point of curvature; northerly along an arc of curve to the left of radius 490.00 feet (delta 23°39'31") (chord bearing N20°49'58"E) (chord being 276.56 feet) for 281.21 feet to a point of tangency; N09°00'13"W for 262.30 feet to a point of curvature; northerly along an arc of curve to the right of radius 648.00 feet (delta 24°16'53") (chord bearing N21°08'39"E) (chord being 272.57 feet) for 274.66 feet to a point of tangency and N33°17'06"E for 21.36 feet to an intersection with the Southerly line of the recorded plat of Hampton Lakes at River Hall, Phase Two, as recorded in Instrument Number 2007000097747, Lee County Records; thence run the following eleven courses along the Southerly, Easterly and Northerly line of said recorded plat: S57°42'54"E for 79.44 feet; S32°17'06"E for 150.43 feet to a point on a non-tangent curve; northeasterly along an arc of curve to the left of radius 412.00 feet (delta 57°56'00") (chord bearing N86°45'06"E) (chord being 399.37 feet) for 416.62 feet to a point of tangency; S64°13'54"E for 116.70 feet; N42°32'06"E for 134.00 feet; N64°13'54"W for 116.70 feet; N47°46'06"E for 150.00 feet; N42°32'06"E for 722.02 feet to an intersection with the Southwesterly line of the recorded plat of River Hall Country Club, Phase One, as recorded in Instrument Number 2005000109564, Lee County Records, thence run the following three courses along the Southerly line of said recorded plat: N65°18'39"E for 304.89 feet to a point on a non-tangent curve; northeasterly along an arc of curve to the right of radius 440.00 feet (delta 45°50'30") (chord bearing N22°18'39"E) (chord being 342.70 feet) for 351.93 feet to a point of reverse curvature; northeasterly along an arc of curve to the left of radius 440.00 feet (delta 25°16'09") (chord bearing N48°48'48"E) (chord being 192.47 feet) for 194.11 feet to a point of tangency; S24°33'07"E for 54.94 feet to a point of curvature; southeasterly along an arc of curve to the left of radius 370.00 feet (delta 24°16'53") (chord bearing S36°41'33"E) (chord being 155.66 feet) for 156.79 feet to a point of tangency; S48°50'00"E for 141.34 feet; N41°10'00"E for 150.31 feet to a point of curvature; northeasterly along an arc of curve to the left of radius 617.00 feet (delta 18° 58'00") (chord bearing N31°41'00"E) (chord being 203.19 feet) for 204.20 feet; N22°12'00"E for 113.19 feet to a point of curvature; northerly along an arc of curve to the right of radius 183.00 feet (delta 49°31'10") (chord bearing N46°57'35"E) (chord being 153.27 feet) for 158.16 feet to a point of reverse curvature; northeasterly along an arc of curve to the left of radius 1190.00 feet (delta 13°07'26") (chord bearing N51°43'12"E) (chord being 271.92 feet) for 272.60 feet; N45°09'29"E for 345.87 feet to a point of curvature; northerly along an arc of curve to the left of radius 170.00 feet (delta 53°52'42") (chord bearing N18°13'08"E) (chord being 154.01 feet) for 159.86 feet to a point of tangency; N08°43'13"E for 77.42 feet to a point of tangency; N81°53'51"E for 87.21 feet; and S47°30'21"E for 130.98 feet to an intersection with the East line of said Section 35; thence run S01°43'31"E along said East line for 2,497.39 feet to the POINT OF BEGINNING.

Containing 134.58 acres, more or less.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
7277 McGREGOR BLVD., SUITE 160
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33912-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION ENGINEERING #3991 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
7401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-2221
FAX (239) 274-0117

PROJECT DESCRIPTION:

A Parcel of Land in Section 35 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

STATE OF FLORIDA — JOHN E. WHEELER — LICENSE NO. 6345

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

FILE NAME	2018-1885 DWG
LAYOUT	LAYOUT1
LOCATION	J:\2018\1885\SURVEY\DWG
PLOT DATE	TUE, 8-21-2018 - 9:09 AM
PLOT BY	PETER D. SPIK
DRAWING DATA	
SURVEY DATE	07-19-2018
DRAWN BY	P. OLSEN
CHECKED BY	JEW
SCALE	1"=400'
FIELD BOOK	24 Misc 47

08-31-2018	REV. CHORD BEARING CORRECTION

STAMP NUMBERS

H.H.G.C.C.D. PARCEL A

BOUNDARY SURVEY

PROJECT FILE NO.	SHEET NUMBER
2018-1885	1 OF 1

THIS SURVEY IS FOR THE BENEFIT OF:

GREENPOINTE CONSULTING, LLC
HAWKS HAVEN DEVELOPERS, LLC
HAWKS HAVEN GOLF COURSE COMMUNITY DEVELOPER, LLC
CROSSKEY RESOURCES, LLC
PAPPAS, METCALF, JENNINGS & MILLER, P.A.
DORINA J. FELDMAN, P.A.
CHICAGO TITLE INSURANCE COMPANY

I HEREBY CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECTION AND SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 61-17 #60 THRU #62 F.A.C. PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

JOHN E. WHEELER FOR THE FIRM - LB#3913
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6345

DATE SIGNED

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

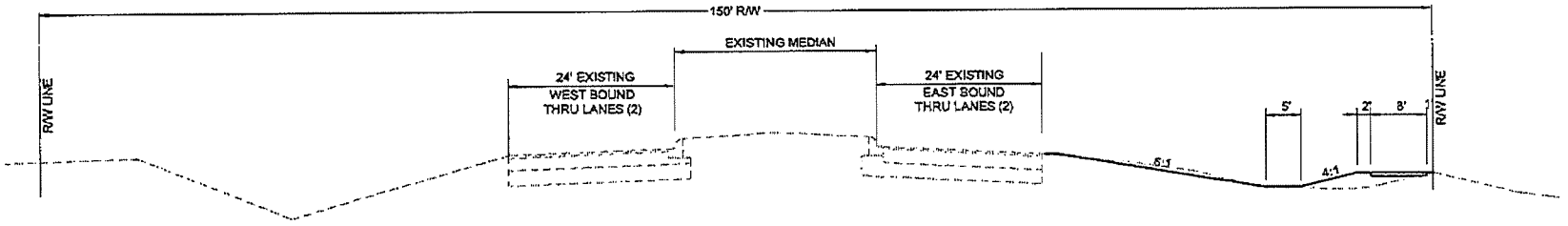
EXHIBIT B

Design Parameters and Preliminary Cost Estimate for SR80 Signal

[TO BE PROVIDED]

EXHIBIT C

Design Parameters for Sidewalk/Bike Path Facility Along SR 80 West of River Hall



SR-80 (PALM BEACH BOULEVARD) PROPOSED SIDEWALK
(LOOKING EAST)

NTS

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7955 - SURVEYING LB 6988

PREPARED FOR

HAWK'S HAVEN DEVELOPERS, LLC

2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0321
FAX (239) 274-0317

LandMar Group, LLC

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

OFF-SITE IMPROVEMENTS

PART OF SECTIONS 27 AND 28
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT ENGINEER

PROPERTY OF RECORD
CARL A. BARRACO, P.E.
FOR THE FIRM
2271 McGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
FLORIDA P.E. NO. 34126
CARL@BARRACO.NET

ANY UNAUTHORIZED REPRODUCTION OF ALL OR ANY PART OF THIS PLAN IS A VIOLATION OF © COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC. AND SUBJECT TO LEGAL ACTION.

FILE NAME	21988_SECTION EXHIBIT.DWG
LAYOUT	LAYOUT
LOCATION	J:\Projects\21988\
PLOT DATE	9/10/2013 - 4:55 PM
PLOT BY	MARK VOLLE
DESIGN BY	NOT SHOWN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

NUMBER	ITEM, L.C.M. COMMENTS

PLAN STATUS

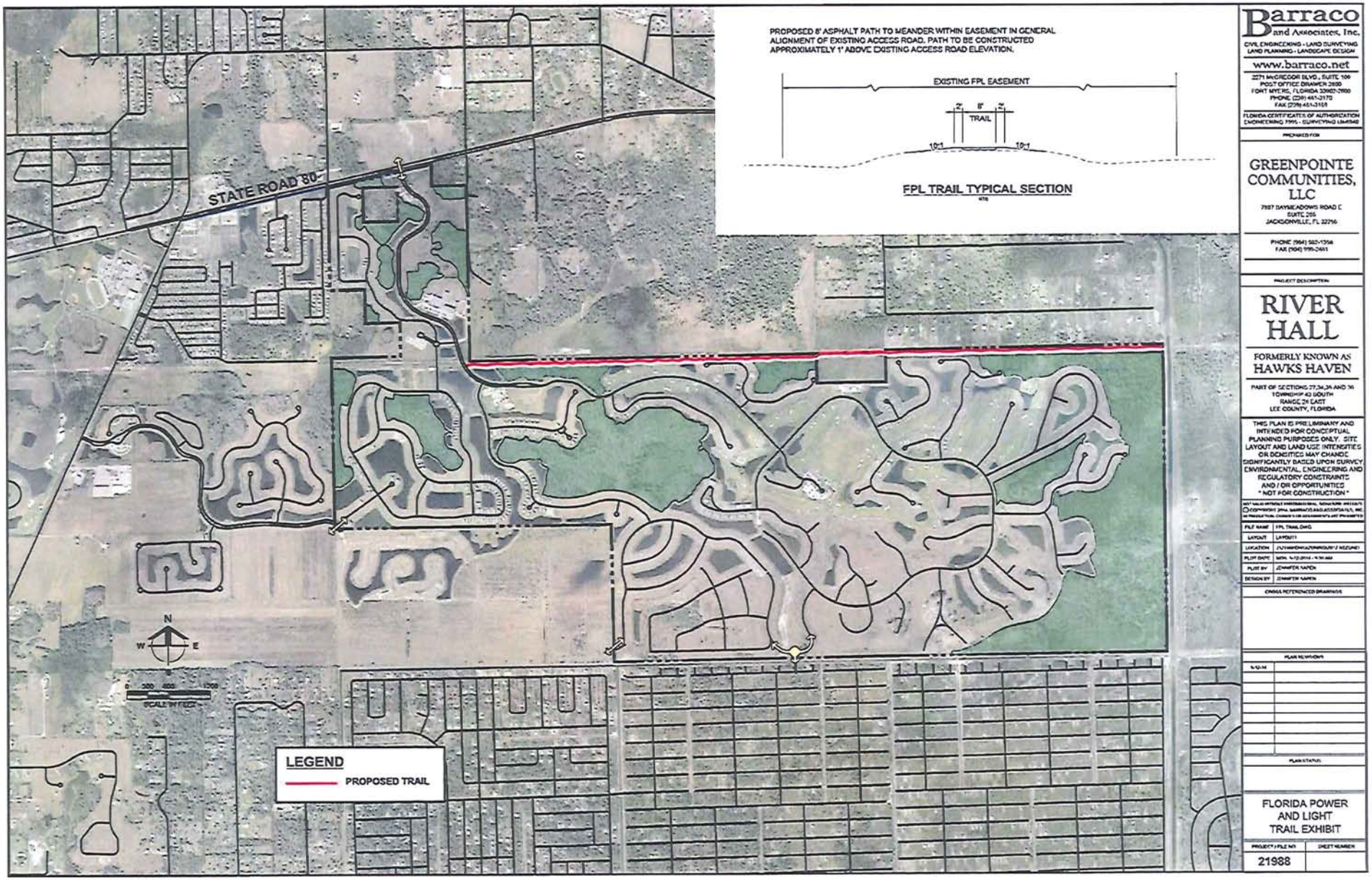
EXHIBIT ONLY

S.R. 80
TYPICAL SECTION
EXHIBIT

PROJECT FILE NO	SHEET NUMBER
21988	

EXHIBIT D

Map and Design Parameters for Trail



Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-2170
FAX (239) 461-3155
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB#3540

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 997-1358
FAX (904) 995-2661

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 24 EAST
LEE COUNTY, FLORIDA

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

THESE PLANS AND INTERNET IMPLEMENTATIONS, INCLUDING WEBSITES, ARE COPYRIGHTED BY BARRACO AND ASSOCIATES, INC. AND PROTECTED UNDER FEDERAL COPYRIGHT LAWS AND PROHIBITED FROM BEING COPIED OR REPRODUCED IN ANY FORM OR MANNER WHATSOEVER NOR HAVE ANY DERIVATIVE WORKS PREPARED THEREFROM, IN WHOLE OR IN PART, WITHOUT WRITTEN PERMISSION OF BARRACO AND ASSOCIATES, INC. ALL RIGHTS RESERVED.

FILE NAME	FPL TRAIL.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\PHASE\DRAWINGS\EXHIBITS
PLOT DATE	MON, 4-12-2014 - 9:30 AM
PLOT BY	JENNIFER YAPEN
DESIGN BY	JENNIFER YAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

4-12-14	

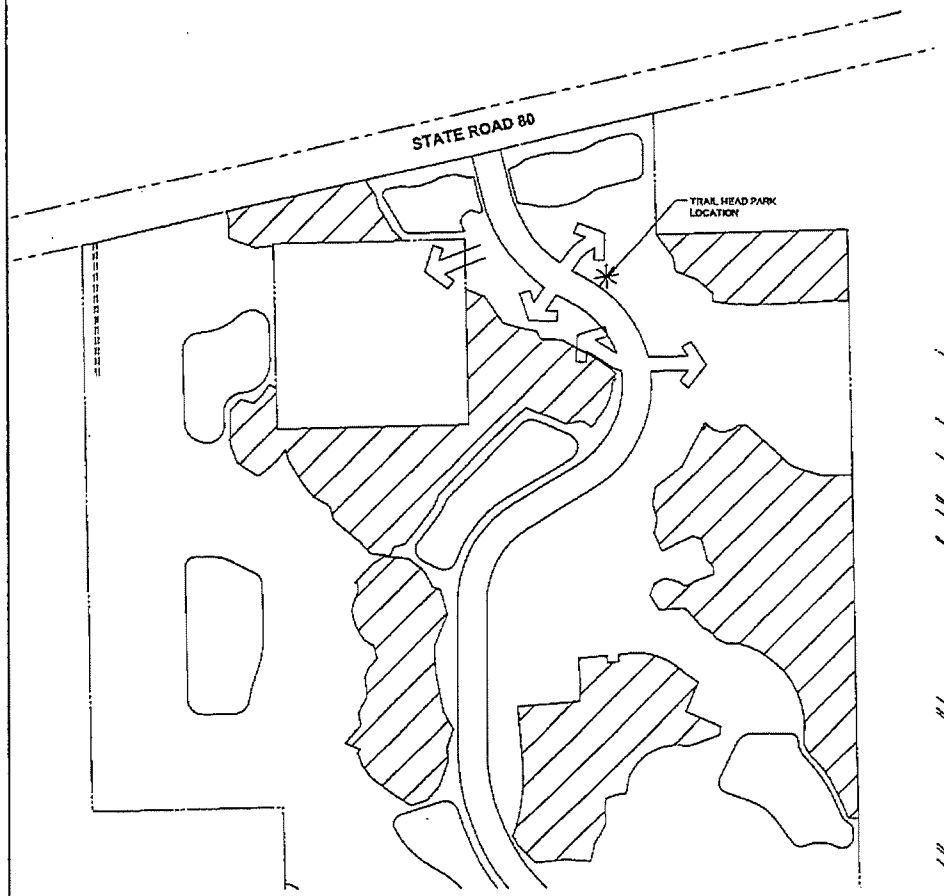
PLAN STATUS

FLORIDA POWER AND LIGHT TRAIL EXHIBIT

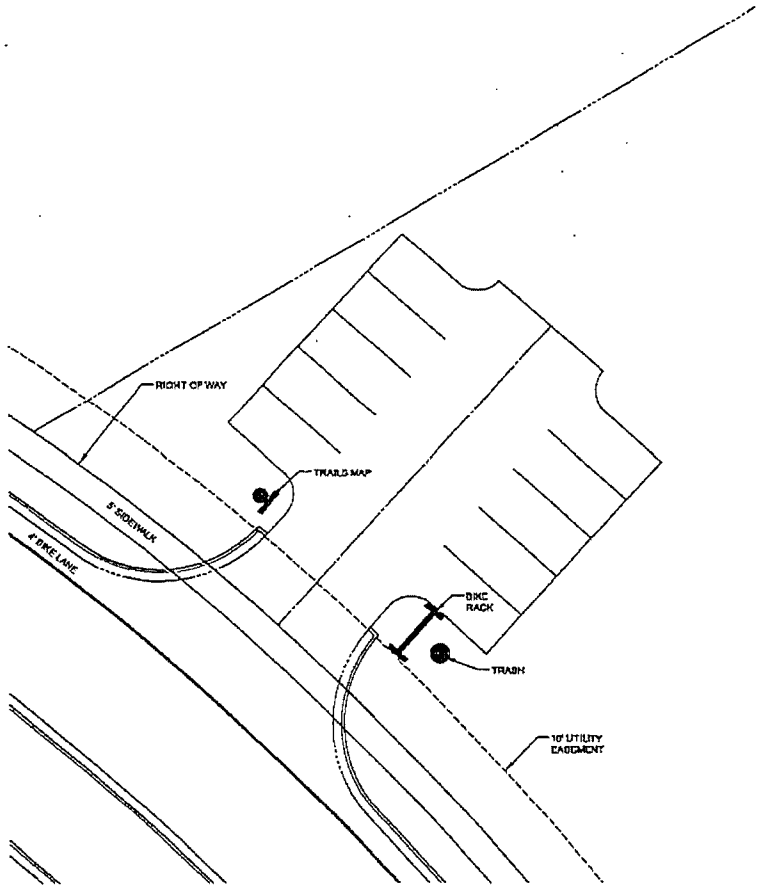
PROJECT / FILE NO.	SHEET NUMBER
21988	

EXHIBIT E

Design Parameters for Park-n-Trail Facility



SITE PLAN



TRAIL HEAD PARK DETAIL

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
3271 McGREGOR BLVD., SUITE 109
POST OFFICE DRAWER 3000
FORT MYERS, FLORIDA 33902-3000
PHONE (239) 481-3170
FAX (239) 481-3179
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7918 - SURVEYING LB 6946

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256
PHONE (904) 562-1259
FAX (904) 996-2401

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

COPYRIGHT 2014, BARRACO AND ASSOCIATES, INC.

FILE NAME	TRAILHEAD-TRAILHEAD.dwg
LAYOUT	Layout1
LOCATION	J:\21988\DWG\PLAN
PLOT DATE	9/22, 8:47:39 AM - 9:48 PM
PLOT BY	JESSICA DAILEY
STAMP BY	STAMP LEGEND

ORDER NOT TO SCALE DRAWINGS

PLAN REVISIONS

PLAN STATUS

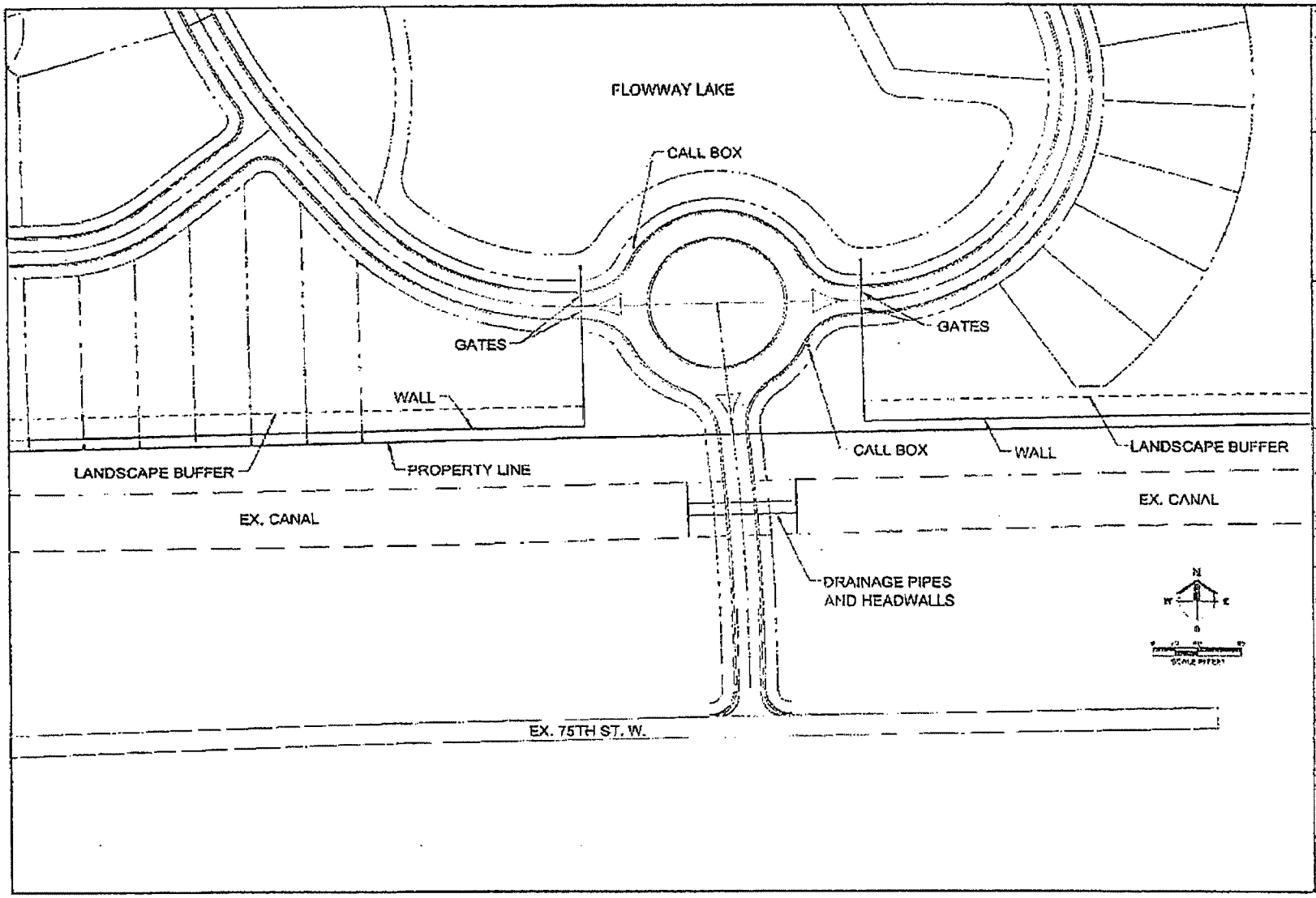
FOR CONCEPT USE ONLY

TRAILHEAD PARK SITE PLAN

PROJECT FILE NO.	SHEET NUMBER
21988	-

EXHIBIT F

Preliminary Design of Southern Access



Barraco and Associates, Inc.
www.barraco.net

GREENPOINTE COMMUNITIES, LLC

RIVER HALL
FORMERLY KNOWN AS
HAWKS HAVEN

RIVER HALL
SOUTH
ACCESS

21988

Henderson|Franklin
ATTORNEYS AT LAW

1715 Monroe Street • Fort Myers, FL 33901
Post Office Box 280 • Fort Myers, FL 33902
Tel: 239.344.1100 • Fax: 239.344.1200 • www.henlaw.com

Bonita Springs • Sanibel

Reply to
Russell P. Schropp
Direct Fax Number 239.344.1535
Direct Dial Number 239.344.1280
E-Mail: russell.schropp@henlaw.com

April 11, 2014

Mary Gibbs, AICP
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: GreenPointe/Lee County Mediated Agreement
CPA2012-00001 (River Hall)

Dear Mary:

Thank you for meeting with us on Thursday, April 3, pursuant to paragraph 1.A. of the above-referenced agreement. As required by the agreement, this letter will serve as GreenPointe's notification of the modifications, if any, that it desires to make to Plan Amendment CPA2012-00001 for the River Hall project.

As background, CPA2012-00001 currently consists of three parts, as follows:

1. An amendment to the Future Land Use Map (FLUM) that proposes to change 1064 acres of Rural and 223 acres of Wetlands to 870 acres of Sub-Outlying Suburban, 153 acres of Conservation Wetlands, and 264 acres of Conservation Uplands.

2. A text amendment to Lee Plan Policy 5.1.10 that would allow for the internal transfer of density during the planned development rezoning process from Conservation Uplands to lands designated Sub-Outlying Suburban at upland density rates. In the Staff Report dated August 16, 2013, as updated on September 13, 2013 (the "Staff Report"), staff recommended a new Policy 5.1.11 be adopted in lieu of GreenPointe's proposed text amendment that would essentially achieve the same result for the River Hall project.

3. An amendment to Table 1(b) of the Lee Plan to modify the allocations for various land use classifications within the Fort Myers Shores Planning Community. Again, in the Staff Report, staff recommended alternative amendments to Table 1(b) be transmitted in lieu of GreenPointe's proposed amendments.

The Staff Report recommended that the County Commission transmit CPA2012-00001, as amended by staff.

At our meeting with staff on April 3, we discussed various modifications to CPA2012-00001. After reviewing these possible modifications, GreenPointe does not believe any modifications to CPA2012-00001 are technically necessary at this time. However, in the event staff feels that modifications to CPA2012-00001 would be appropriate to address certain issues, GreenPointe would agree to the following modifications:

Modification #1: Express Limitation on Total Dwelling Units. One of the issues that arose during the hearings on CPA2012-00001, which we discussed in detail on April 3, was that the plan amendment allows in excess of the desired 2999 total dwelling units sought by GreenPointe for River Hall. Staff and GreenPointe identified this issue early in the plan amendment process, but decided that the issue was best addressed through a concurrent planned development rezoning that would establish the overall density for River Hall at 2999 dwelling units. However, during the hearing process before both the LPA and the County Commission, it became apparent that relying on the concurrent rezoning was of concern to some members of the public since it would not preclude GreenPointe from asking for rezoning for the total number of dwelling units achievable under the plan amendment (calculated at 3633 dwelling units).

In order to resolve this issue and provide more certainty with the Lee Plan itself as to the actual density allowed by CPA2012-00001, a text amendment could be included that limits the total residential unit count in River Hall to 2999 dwelling units. Specific language for your consideration is provided in Attachment "A" to this letter. In addition to providing clarity and certainty as to the number of dwelling units permitted by this plan amendment, this change would make the plan amendment consistent with the traffic and other analyses provided with the application for CPA2012-00001, which evaluated a "worst case" scenario of 2999 dwelling units within River Hall.

Modification #2: Elimination of Text Amendment to Existing Policy 5.1.10 or Proposed Policy 5.1.11. As noted above, CPA2012-00001 proposed an amendment to existing Lee Plan Policy 5.1.10 to allow the internal transfer of density from the Conservation Uplands land use classification. Instead of this text amendment, staff recommended the creation of new Policy 5.1.11. During our meeting on April 3, staff expressed some reservations about new Policy 5.1.11 and suggested that GreenPointe reconsider whether this text amendment was necessary. Subsequent to our April 3 meeting, GreenPointe evaluated the overall density permitted by the FLUM amendment referenced above, and has tentatively determined that neither our proposed amendment to Policy 5.1.10 nor staff's new Policy 5.1.11 are necessary to achieve the desired density in River Hall. Included within Attachment "B" to this letter is GreenPointe's calculation of the density permitted within River Hall after the FLUM amendment described above is made (which could be further limited by the text amendment

suggested as Modification #1). Assuming that: (1) staff concurs with the calculations shown in Attachment "B," and (2) staff no longer sees merit in proposed Policy 5.1.11, then GreenPointe has no objection to eliminating the proposed text amendment to existing Policy 5.1.10 and proposed Policy 5.1.11.

In summary, if the above modifications to CPA2012-00001 are made, the plan amendment would continue to consist of three parts, as follows:

1. An amendment to the FLUM that proposes to change 1064 acres of Rural and 223 acres of Wetlands to 870 acres of Sub-Outlying Suburban, 153 acres of Conservation Wetlands, and 264 acres of Conservation Uplands.

2. A text amendment to Lee Plan Policy 21.1.5 that limits the total residential unit count at River Hall to 2999 dwelling units.

3. An amendment to Table 1(b) of the Lee Plan to modify the allocations for various land use classifications within the Fort Myers Shores Planning Community. From GreenPointe's perspective, the staff-recommended alternative amendments to Table 1(b) contained in the Staff Report are acceptable.

If these modifications are acceptable to staff, we would encourage their inclusion into the Staff Report and Recommendation required by paragraph 1.D of the Mediated Agreement.

Thank you for your continued assistance with this plan amendment.

Sincerely,

Russell P. Schropp

RPS/rs
cc (w/enc) Paul O'Connor, AICP
Michael Jacob, Esq.
Grady Miars
S. William Moore, Esq.
David W. Depew, AICP
Carl Barraco, PE
Jennifer Sapen
Tina Ekblad, AICP
Stephen Leung
Alicia Dixon

Attachment A

Amended Language, Lee Plan Policy 21.1.5

POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. For the River Hall development located in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,999 dwelling units.

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

Attachment B
River Hall Community, Revised Project Summary

GreenPointe Communities, LLC is seeking to increase the available residential density within the River Hall community by 1,000 dwelling units (2,999 dwelling units, total), include additional recreational uses within the Commercial portion of the community, provide multi-modal access improvements on the public rights of way leading to the community, provide added connectivity for Lee County's adopted multi-use trail system, and provide more efficient utilization of the urban services that have already been constructed to serve existing levels of development in the community. To accomplish these goals, a Comprehensive Plan Amendment and Planned Development Rezoning Amendment are being requested concurrently. The community is approximately ±1,978 acres, located along Palm Beach Boulevard in the Caloosahatchee Shores Planning Community.

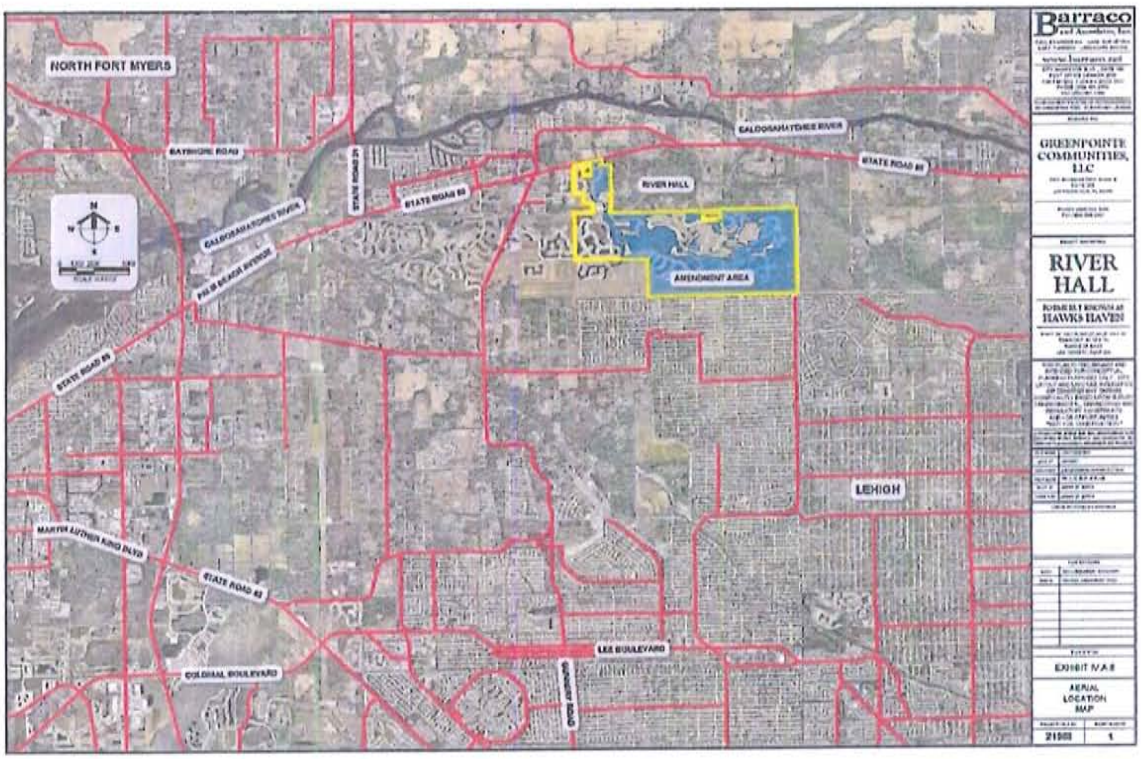


Figure 1: Area Location Map

River Hall is currently approved through Resolution Z-05-051 for 1,999 dwelling units, a golf course, public school, and 45,000 square feet of commercial uses. Multiple Development Orders have been approved for the site infrastructure, golf course, school, amenities, and approximately 1,450 dwelling units. As a result, the site has been mostly

cleared, graded, and public utilities and roadways have been installed. There are approximately ±296 acres of internal lakes and ±445 acres of wetland and upland preservation areas throughout the property. Although changes in FLU designations are proposed, no acreage is to be removed from any of the areas designated for preservation.

Comprehensive Plan Amendment

A Future Land Use Map and Text Amendment are requested under CPA2012-00001, to remove ±1,287 acres of the River Hall Community from the Rural and Wetlands Future Land Use Categories and re-designate this portion of the property as Conservation Wetland, Conservation Upland and Sub-Outlying Suburban. The existing Suburban Future Land Use will remain. Amending the Future Land Use on a portion of the property to Sub-Outlying Suburban will allow a maximum density of two dwelling units per acre and recreational uses on approximately ±870 acres of property. Density from the Conservation Wetlands will be transferred at 2du/ac to the proposed Sub-Outlying Suburban lands per Lee Plan Table 1(a) Clarification #8. The following table demonstrates the acreage reallocation that will occur as part of the proposed amendment.

Current Future Land Use		**Lee Plan Density**	
Existing FLU	+/- Acres	Dwelling Units/Acre	Dwelling Units permitted
Suburban	79	6	474
Wetland	251	0.05	12.55
Rural	1,648	1	1,648
TOTAL ACRES	1,978	**TOTAL DWELLING UNITS**	**2,135**

Amendment Area			
Proposed FLU	+/- Acres	Dwelling Units/Acre	Dwelling Units permitted
Sub-Outlying Suburban	870	2	1,740
Conservation Wetland	153	2	306
Conservation Upland	264	0	0
TOTAL ACRES	1,287	**TOTAL DWELLING UNITS**	**2,046**

Total Project After Amendment		**Lee Plan Density**	
Non-Amendment Area FLU	+/- Acres	Dwelling Units/Acre	Dwelling Units Permitted
Suburban	79	6	474
Wetland	28	0.05	1.4
Rural	584	1	584
Amendment Area FLU			
Sub-Outlying Suburban	870	2	1,740
Conservation Wetland	153	2	306
Conservation Upland	264	0	0
TOTAL ACRES	1,978	**TOTAL DWELLING UNITS**	**3,105**

The additional density will be clustered into the portions of River Hall subject to the Planned Development Amendment. The existing development footprint will be utilized for the additional density promoting the clustering of residential density and uses to improve the efficient use of the land and existing utilities. In addition, ±272 acres will be placed into the Conservation Upland Category and ±153 acres will be placed into the Conservation Wetland category. This change will provide additional protection for the natural resources located with the community, ensuring they are maintained, protected, and conserved in perpetuity. The River Hall Community has existing Suburban, Rural, and Wetland Future Land Uses. When combined with the proposed Future Land Use amendments, the River Hall Community would have a theoretical maximum density of 3,105. This density would be further limited to 2,999 by the concurrent Planned Development Amendment request.[1]

The proposed amendment leaves the Rural Future Land Use Category in place for the existing privately owned development areas within the River Hall Community. No platted lots are being revised or re-platted as a result of this request. As an alternative to this proposal, Lee County could support a Future Land Use Amendment to change all of the Rural Future Land Use to Sub-Outlying Suburban, providing a contiguous Future Land Use Category for the River Hall Community.

The amendment promotes infill development and will provide a transition from the existing adjacent residential developments to the south and west of the community to the rural and conservation land uses to the north and east. The additional recreational uses proposed will provide recreational and civic opportunities within the existing Commercial Planned Development portion of the property. A trailhead and trail are also proposed to connect these areas to a proposed trail along the northerly perimeter of the property which are anticipated to eventually connect to existing and proposed bicycle trails to the south and east of the subject property. These uses will be open to residents of the surrounding area as well as the River Hall Community.

The Comprehensive Plan Amendment application is currently under review by Lee County staff. The Planned Development Amendment is requested concurrently, per Chapter 163.3184(12) of the Florida Statutes, to establish the density limit of 2,999 dwelling units and other details related to the recreational and civic uses, which are not necessary to include in a Comprehensive Plan Amendment.

Planned Development Amendment

[1] Additionally, an amendment to Lee Plan Policy 21.1.5 could be considered. For example, a text amendment could read, "POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. For the River Hall development located in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,999 dwelling units."

An amendment is requested to the River Hall Planned Development to promote infill within the existing development footprint and create a well-designed community with a mix of uses that supports the needs and demands of the area's residents – the definition of a Suburban Place. The proposal will integrate the various land uses, facilitate transportation options and provide opportunities for walking, biking, and riding. The additional density requested in the Comprehensive Plan Amendment will be clustered within the existing development footprint of these lands. The existing internal roadways, owned and maintained by the Homeowners Associations, are included to demonstrate access only. No amendments to the roadways are proposed. Authorizations from the necessary Homeowners Associations regarding the roadways are provided.

The proposed Planned Development Amendment would allow for the River Hall Community to utilize the additional density requested via the proposed Comprehensive Plan Amendment while establishing the maximum number of dwelling units at 2,999. The proposed PD Amendment requests an additional 1,000 dwelling units limiting the total to be developed within the community to a maximum number that is 106 units less than the total allowable density of 3,105. As demonstrated by the table below, the request does not utilize density from the property's Conservation Uplands areas.

	Future Land Use	Acreage	Dwelling units/ acre	Dwelling units permitted
Non-Amendment Area	Suburban	±79	6 du/ac	474
	Wetland	±38	1du/20 ac	1.4
	Rural	±583	1 du/1 ac	583
Amendment Area	Sub-Outlying Suburban	±853	2 du/ac	1,706
	Conservation Wetland	±153	2du/ ac	306
	Conservation Upland	±264	0	0
	TOTAL ACRES	**1,978**	**TOTAL DWELLING UNITS**	**3,071**
TOTAL DWELLING UNITS REQUESTED				**2,999**

The requested PD Amendment seeks a modification to only a portion of the approved River Hall Community. The 4th page of the proposed Master Concept Plan demonstrates the proposed PD MCP Amendment area with Gray shading. The development tracts within these areas are where the additional requested density would be located. It is expected that a majority of the 1,000 additional units would be located in the southern portion of the property, where adjacent lands are more urban in nature. Consistent with the first sentence of existing Condition 5a., the portion of the project remaining in the Rural Future Land Use Category will, insofar as those areas are controlled by GreenPointe Communities, maintain the theoretical density of one dwelling unit per acre.

The proposed request promotes the logical extension of the adjacent, existing residential development pattern in this portion of the county characterized by a suburban development pattern, and will permit infill development of the subject property, which is served by existing public infrastructure. The previously approved open space, height and property development regulations relating to lot size of Z-05-051 will not be amended by this request.

In addition to requesting an increase in the residential density, the proposed PD Amendment also requests additional recreational uses and public amenities within the River Hall Community. Multi-family residential and Parks have been added to the uses requested within the Commercial Planned Development to encourage a mix of uses. These additional uses will create a commercial and civic node that provides commercial, residential, and civic recreational uses to the residents of the surrounding area as well as the River Hall Community. This area will include a trailhead and trails which will connect this node to the proposed trail along the northerly perimeter of the property. The trail is proposed to connect to existing and proposed bicycle trails to the south and east of River Hall, and GreenPointe Communities intends to work with Lee County to provide a connection through the adjacent residential subdivisions to Buckingham Road as a westerly extension to the trail system. This trail will significantly improve non-vehicular linkages of the surrounding properties and uses while promoting the expansion of the County's trail system.

Together the proposed applications provide quality infill development directed toward an existing community to promote the contiguous development of land adjacent to existing infrastructure while maintaining and protecting natural resources and working to create connections to surrounding uses for all area residents.

LEE COUNTY
SOUTHWEST FLORIDA

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 533-8585
FAX: (239) 485-8319

APPLICATION FOR A 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 completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT – PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Signature of Owner or Authorized Representative — Date: 9-26-2012

David W. Depew, PhD, AICP, LEED®AP - President
Printed Name of Owner or Authorized Representative

I. APPLICANT/AGENT/OWNER INFORMATION

Applicant: Greenpoint Communities, LLC
Address: 7807 Baymeadows Rd. East, Suite 205
City, State, Zip: Jacksonville, FL 32256
Phone Number: 352-799-9898 Fax Number: 239-851-3225
Email: gmiars@greenpointellc.com

Agent*: David W. Depew & Tina M. Ekblad – Morris-Depew Associates, Inc.
Address: 2914 Cleveland Avenue
City, State, Zip: Fort Myers, FL 33901
Phone Number: 239-337-3993 Fax Number: 239-337-3994
Email: planning@m-da.com, tekblad@m-da.com

Owner(s) of Record: RH Venture II, LLC & RH Venture III, LLC c/o GreenPointe Communities, LLC
Address: 7807 Baymeadows Rd. East, Suite 205
City, State, Zip: Jacksonville, FL 32256
Phone Number: 352-799-9898 Fax Number: 239-851-3225
Email: gmiars@greenpointellc.com

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☒ Text Amendment

☒ Future Land Use Map Series Amendment (Maps 1 thru 24)
List Number(s) of Map(s) to be amended:
Map 1

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):
Removal of approximately ±1,287 acres of property from the Rural and Wetlands FLU Categories to re-designate the property as Conservation Upland, Conservation Wetland and Sub-Outlying Suburban.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:
1. Site Address: See Ownership Report
2. STRAP(s): See Ownership Report

B. Property Information:
Total Acreage of Property: ±1,978
Total Acreage included in Request: ±1,287
Total Uplands: ±264
Total Wetlands: ±153
Current Zoning: Residential Planned Development
Current Future Land Use Designation: Rural & Wetlands
Area of each Existing Future Land Use Category: Rural 1,064 acres Wetlands 223 acres
Existing Land Use: Residential

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:
Removal of 1,287 acres of property from the Rural and Wetlands Future Land Use Category to re-designate the property as Conservation Upland, Conservation Wetland and Sub-Outlying Suburban.

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density	1,648 1 unit/ acre in Rural
Commercial intensity	45,000SF per Z-05-051
Industrial intensity	N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density	2,574 2 units/acre in Sub-Outlying Suburban, Conservation Wetlands & Conservation Uplands**
Commercial intensity	45,000SF ***
Industrial intensity	N/A

**Per Policy 5.1.10 Amendment. ***Per Concurrent Planned Development Amendment request.

IV. AMENDMENT SUPPORT DOCUMENTATION

Please see the attached supporting documentation providing a response to these items.

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 each 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;

f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

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

I, Grayton Myers, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature of Applicant

9-13-12
Date

G. Grayton Myers
Printed Name of Applicant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 9-13-12 (date) by Grayton E. Myers (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

ELLEN JOHNSON
MY COMMISSION # EE 084559
EXPIRES: May 28, 2015
Bonded Thru Notary Public Underwriters

Ellen Johnson
Signature of Notary Public

Ellen Johnson
(Name typed, printed or stamped)

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

River Hall Comprehensive Plan Amendment
ADDITIONAL AGENTS

Mr. Russell P. Schropp, Esq
Henderson Franklin Starnes and Holt, P.A.
PO Box 280
Fort Myers, FL 33902
Ph: 239-344-1280
Fx: 239-344-1535
E: Russell.schropp@henlaw.com

Steve Leung
David Plummer Associates, Inc
2149 McGregor Boulevard
Fort Myers, FL 33901
Ph: 239-332-2617
Fx: 239-332-2645
E: Stephen.leung@dplummer.com

Carl Barraco, PE
Barraco and Associates, Inc.
2271 McGregor Boulevard
Suite 100
Fort Myers, FL 33901
Ph: 239-461-3170
Fx: 239-461-3170
E: CarlB@barraco.net

Kenneth Passarella
Passarella and Associates, Inc
13620 Metropolis Avenue – Suite 200
Fort Myers, Fl 33912
Ph: 239-274-0067
Fx: 239-274-0069
E: kenp@passarella.net

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

LETTER OF AUTHORIZATION

TO WHOM IT MAY CONCERN:

PLEASE BE ADVISED THAT I AM AUTHORIZED REPRESENTATIVE OF GREENPOINTE COMMUNITIES, LLC AND THAT MORRIS-DEPEW ASSOCIATES, INC. AND HENDERSON, FRANKLIN, STARNES & HOLT P.A. HAVE BEEN AUTHORIZED TO REPRESENT US FOR THE BELOW REFERENCED PARCELS IN ALL MATTERS PERTAINING TO A LEE COUNTY RESIDENTIAL PLANNED DEVELOPMENT APPLICATION REQUEST AND COMPREHENSIVE PLAN AMENDMENT REQUEST. THIS AUTHORITY TO REPRESENT OUR INTEREST INCLUDES ANY AND ALL DOCUMENTS REQUIRED BY THE RESIDENTIAL PLANNED DEVELOPMENT APPLICATION REQUEST AND COMPREHENSIVE PLAN AMENDMENT REQUEST SUBMITTED ON OUR BEHALF BY MORRIS-DEPEW ASSOCIATES, INC. AND HENDERSON FRANKLIN STARNES & HOLT P.A.

STRAP NUMBER OR LEGAL DESCRIPTION:

STRAP# : SEE ATTACHED OWNERSHIP REPORT

Greenpointe Communities, LLC

APPLICANT NAME

By: _____

GRAYDON E MIARS, President

STATE OF FLORIDA

COUNTY OF Hernando

The foregoing instrument was acknowledged before me this 6th day of May, 2013, by Graydon E. Miars who is personally known to me or has produced _____ as identification and did not take an oath.

My Commission Expires:

ELLEN JOHNSON
MY COMMISSION # EE 084559
EXPIRES: May 28, 2015
Bonded Thru Notary Public Underwriters

(Seal)

Ellen Johnson
Notary Public

Ellen Johnson
Notary Printed Name

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 113, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (850) 224-0688
414 SW 140th Terrace, Suite 1000, Newberry Florida 32669 Telephone: (352) 378-3450 Fax: (239) 337-3994
Toll Free: (866) 337-7341

RH VENTURE II, LLC

AUTHORIZED BY:
ROGER POSTLETHWAITE, VICE PRESIDENT

RH VENTURE III, LLC

AUTHORIZED BY:
ROGER POSTLETHWAITE, VICE PRESIDENT

RIVER HALL COUNTRY CLUB H.O.A.

AUTHORIZED BY:
GRAYDON E. MIARS, PRESIDENT

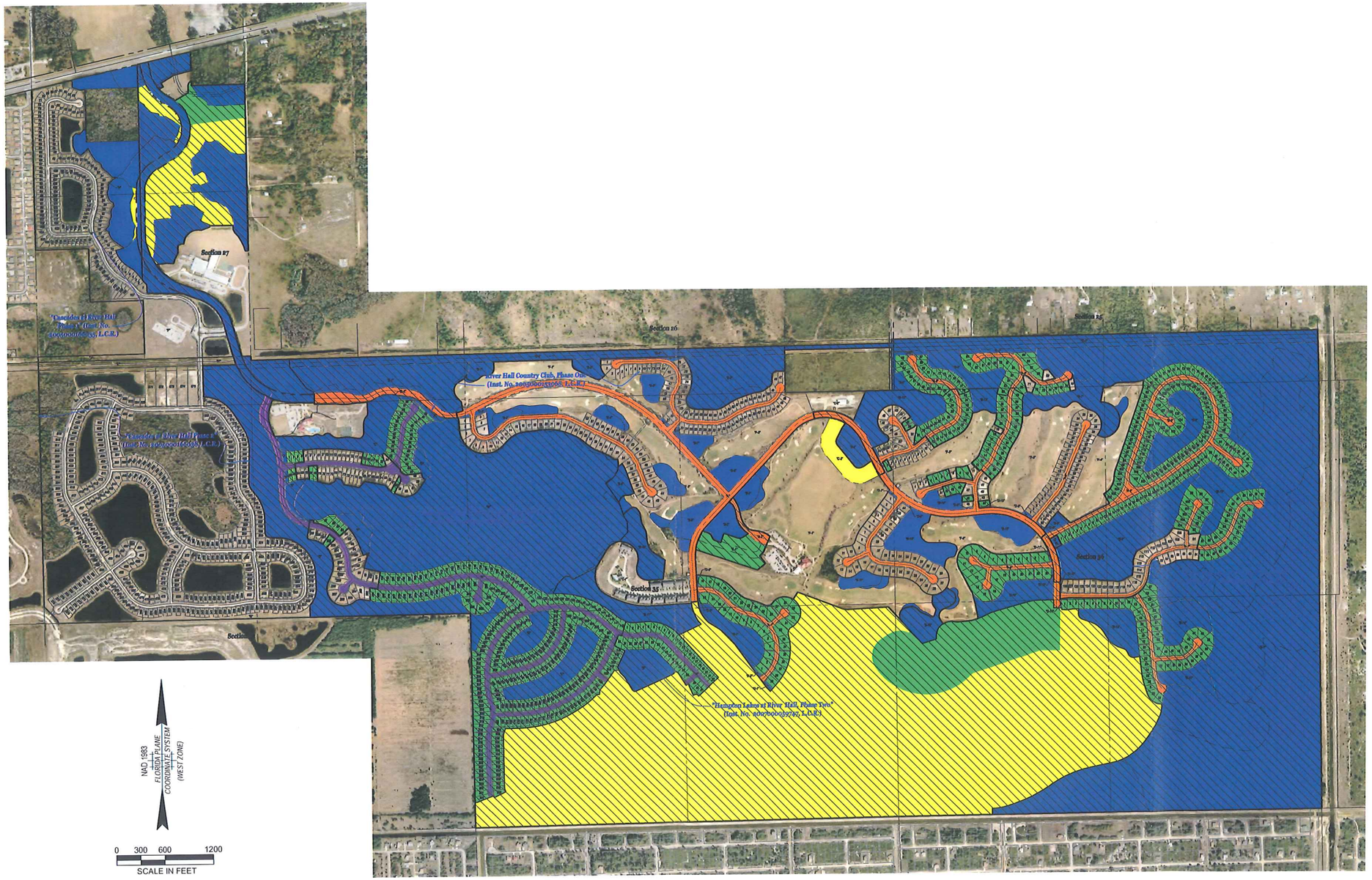
HAMPTON LAKES AT RIVER HALL H.O.A.

AUTHORIZED BY:
GRAYDON E. MIARS, PRESIDENT

RIVER HALL C.D.D.

AUTHORIZED BY:
GRAYDON E. MIARS, CHAIRMAN

PROPOSED COMPREHENSIVE PLAN AMENDMENT AREA



NAD 1983
FLORIDA PLANE
COORDINATE SYSTEM
(WEST ZONE)

0 300 600 1200
SCALE IN FEET

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

Exhibit of

RIVER HALL

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

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

FILE NAME	22951X06.DWG
LAYOUT	CPA
LOCATION	J:\22951\DWG\SURVEYING\EXHIBITS\
PLOT DATE	TUE. 3-26-2013 - 5:35 PM
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	*03-26-2013*
DRAWN BY	*P. OLSEN*
CHECKED BY	
SCALE	*1" =600'*
FIELD BOOK	
PLAN REVISIONS	
STRAP NUMBERS	

OWNERSHIP AND AUTHORIZATION EXHIBIT

COMPREHENSIVE PLAN AMENDEMENT

PROJECT / FILE NO.	*SHEET NUMBER*
22951 *25-43-26*	***1 OF 1***

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

LETTER OF AUTHORIZATION

TO WHOM IT MAY CONCERN:

PLEASE BE ADVISED THAT I AM AUTHORIZED BY THE AUTHORIZED REPRESENTATIVE OF THE PROPERTY DESCRIBED BELOW AND THAT MORRIS-DEPEW ASSOCIATES, INC. AND HENDERSON, FRANKLIN, STARNES & HOLT P.A. HAVE BEEN AUTHORIZED TO REPRESENT US FOR THE BELOW REFERENCED PARCELS IN ALL MATTERS PERTAINING TO A LEE COUNTY RESIDENTIAL PLANNED DEVELOPMENT APPLICATION REQUEST AND COMPREHENSIVE PLAN AMENDMENT REQUEST. THIS AUTHORITY TO REPRESENT OUR INTEREST INCLUDES ANY AND ALL DOCUMENTS REQUIRED BY THE RESIDENTIAL PLANNED DEVELOPMENT APPLICATION REQUEST AND COMPREHENSIVE PLAN AMENDMENT REQUEST SUBMITTED ON OUR BEHALF BY MORRIS-DEPEW ASSOCIATES, INC., HENDERSON FRANKLIN STARNES & HOLT P.A., and GREENPOINTE COMMUNITIES, LLC.

STRAP NUMBER OR LEGAL DESCRIPTION:

STRAP# : SEE ATTACHED OWNERSHIP REPORT

RH Venture II, LLC, a Florida limited liability company

APPLICANT NAME

By: **SEE ATTACHED SIGNATURE PAGE**

SIGNATURE

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____day of _____, who is personally known to me or has produced _____as identification and did not take an oath.

My Commission Expires: _____

Notary Public

(Seal) _____

Notary Printed Name

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 202, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (850) 224-6689
408 West University Avenue, Suite PH, Gainesville, Florida 32601 Telephone: (352) 378-3450 Fax: (352) 379-0385
Toll Free: (866) 337-7341

RH VENTURE II, LLC – SIGNATURE PAGE:

RH VENTURE II, LLC
a Florida limited liability company
By: River Hall Investment Group, LLC
a Delaware limited liability company
Its: Sole Member
By: GreenPointe Communities, LLC
a Florida limited liability company
Its: Managing Member
By: GreenPointe Holdings, LLC
a Florida limited liability company
Its: Managing Member

By: _____
Edward E. Burr
Its: Managing Member

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7th day of May, 2013, by EDWARD E. BURR, who is the Managing Member of GreenPointe Holdings, LLC, which is the Managing Member of GreenPointe Communities, LLC, which is the Managing Member of River Hall Investment Group, LLC, which is the Sole Member of RH Venture II, LLC, on behalf of the companies. He is [X] personally known to me, or [ ] has produced _____ as identification.

Laura Zur Gersbeck
Signature of Notary Public

Laura Zur Gersbeck
Name Printed or Stamped



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

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

I, EDWARD E. BURR (name), as **SEE ATTACHED SIGNATURE PAGE** (title) of **RH VENTURE II, LLC** (company), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

RH VENTURE II, LLC
*Name of Entity (corporation, partnership, LLP, LC, etc.)

SEE ATTACHED SIGNATURE PAGE
Signature

(Typed or printed name)

(title of signatory)

STATE OF FLORIDA
COUNTY OF DUVAL

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

Signature of person taking oath or affirmation

Name typed, printed or stamped

Title or rank

Serial number, if any

Notes:
- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

RH VENTURE II, LLC – SIGNATURE PAGE:

RH VENTURE II, LLC
a Florida limited liability company
By: River Hall Investment Group, LLC
a Delaware limited liability company
Its: Sole Member
By: GreenPointe Communities, LLC
a Florida limited liability company
Its: Managing Member
By: GreenPointe Holdings, LLC
a Florida limited liability company
Its: Managing Member

By: _____
Edward E. Burr
Its: Managing Member

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7th day of May, 2013, by EDWARD E. BURR, who is the Managing Member of GreenPointe Holdings, LLC, which is the Managing Member of GreenPointe Communities, LLC, which is the Managing Member of River Hall Investment Group, LLC, which is the Sole Member of RH Venture II, LLC, on behalf of the companies. He is [X] personally known to me, or [__] has produced _____ as identification.

Laura Zur Gersbeck
Signature of Notary Public

Laura Zur Gersbeck
Name Printed or Stamped

Notary Public State of Florida
Laura Zur Gersbeck
My Commission EE044636
Expires 01/03/2015

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

STRAP NO. See attached Exhibit PH-3.A.1 **CASE NO.** _____

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

Name and Address	Percentage of Ownership
RH Venture II, LLC, a Florida limited liability company	100%
c/oGreenPointe Communities, LLC	
7807 Baymeadows Road East, Suite 205	
Jacksonville, FL 32256	

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

Name and Address	Percentage of Stock
River Hall Investment Group, LLC, a Delaware limited liability company	100%
c/o GreenPointe Communities, LLC	
7807 Baymeadows Road East , Suite 205	
Jacksonville, FL 32256	
(See Exhibit Ph-2.B.1-Attachment B for the owners of this entity.)	

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

Name and Address	Percentage of Interest

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

Name and Address	Percentage of Ownership

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

Name and Address	Percentage of Stock

Date of Contract: _____

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

Name and Address	Percentage of Stock

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

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

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

SEE ATTACHED SIGNATURE PAGE	RH VENTURE II, LLC
Signature	(Typed or printed name)

STATE OF FLORIDA
COUNTY OF DUVAL

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

_____
Signature of Notary Public

_____
Printed Name of Notary Public

RH VENTURE II, LLC – SIGNATURE PAGE:

RH VENTURE II, LLC
a Florida limited liability company
By: River Hall Investment Group, LLC
a Delaware limited liability company
Its: Sole Member
By: GreenPointe Communities, LLC
a Florida limited liability company
Its: Managing Member
By: GreenPointe Holdings, LLC
a Florida limited liability company
Its: Managing Member

By: _____
Edward E. Burr
Its: Managing Member

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7th day of May, 2013, by EDWARD E. BURR, who is the Managing Member of GreenPointe Holdings, LLC, which is the Managing Member of GreenPointe Communities, LLC, which is the Managing Member of River Hall Investment Group, LLC, which is the Sole Member of RH Venture II, LLC, on behalf of the companies. He is [X] personally known to me, or [ ] has produced _____ as identification.

Laura Zur Gersbeck
Signature of Notary Public

Laura Zur Gersbeck
Name Printed or Stamped

Notary Public State of Florida
Laura Zur Gersbeck
My Commission EE044636
Expires 01/03/2015

EXHIBIT PH-2.B.1-ATTACHMENT B
OWNERSHIP INTERESTS*

River Hall Investment Group, LLC -- Members:

RH Venture I, LLC a Florida limited liability company	4.99%
GreenPointe Communities, LLC a Florida limited liability company	0.01%
River Hall Recovery Acquisition, LLC a Delaware limited liability company *(owned 100% by publicly-traded company)*	95.0%

RH Venture I, LLC – Members:

Edward E. Burr	49.95%
Carnace M. Orender	49.95%
GreenPointe Communities, LLC a Florida limited liability company	00.1%

GreenPointe Communities, LLC – Members:

GreenPointe Holdings, LLC a Florida limited liability company	80%
Graydon E. Miars	20%

GreenPointe Holdings, LLC – Members:

Edward E. Burr	99%
Monique A. Burr Family Trust	01%

Monique A. Burr Family Trust – Beneficiaries:

Edward E. Burr
Minor children of Edward and Monique Burr

---

*Addresses are all:

c/o GreenPointe Communities, LLC
7807 Baymeadows Road East, Suite 205
Jacksonville, FL 32256

RESOLUTION BY WRITTEN CONSENT OF
THE SOLE MEMBER OF
RH VENTURE II, LLC

The undersigned, being the Sole Member of **RH VENTURE II, LLC**, a Florida limited liability company (the "**Company**"), does hereby adopt the following resolutions and approve all actions specified or contemplated herein.

WHEREAS, RIVER HALL INVESTMENT GROUP, LLC, a Delaware limited liability company ("**RHIG**") is the Sole Member of the Company;

WHEREAS, Section 6.2 of the Operating Agreement for the Company (the "**Agreement**"), permits RHIG to appoint officers for the Company in its sole discretion;

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be, and hereby are appointed to the office indicated opposite their name and authorized to take actions and perform the duties applicable to such office as described in the Agreement:

Edward Burr	President
Roger F. Postlethwaite	Vice President/Secretary/Treasurer
Graydon E. Miars	Vice President
Erik Wilson	Vice President

BE IT FURTHER RESOLVED, that the above described officers are authorized and directed to execute and deliver any papers or documents as may be appropriate or necessary to consummate and carry out the business of the Company and each of their duties and obligations as an Officer for the Company in furtherance of any purposes of the Company.

Dated as of July 5, 2012.

RIVER HALL INVESTMENT GROUP, LLC
a Delaware limited liability company
By: GreenPointe Communities, LLC,
a Florida limited liability company
Its: Manager

By: _____
Roger F. Postlethwaite, Vice President

RESOLUTION BY WRITTEN CONSENT OF
THE SOLE MEMBER OF
RH VENTURE II, LLC

The undersigned, being the Sole Member of **RH VENTURE II, LLC**, a Florida limited liability company (the "**Company**"), does hereby adopt the following resolutions and approve all actions specified or contemplated herein.

WHEREAS, RIVER HALL INVESTMENT GROUP, LLC, a Delaware limited liability company ("**RHIG**") is the Sole Member of the Company;

WHEREAS, Section 6.2 of the Operating Agreement for the Company (the "**Agreement**"), permits RHIG to appoint officers for the Company in its sole discretion;

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be, and hereby are appointed to the office indicated opposite their name and authorized to take actions and perform the duties applicable to such office as described in the Agreement:

Edward Burr	President
Roger F. Postlethwaite	Vice President/Secretary/Treasurer
Graydon E. Miars	Vice President
Erik Wilson	Vice President

BE IT FURTHER RESOLVED, that the above described officers are authorized and directed to execute and deliver any papers or documents as may be appropriate or necessary to consummate and carry out the business of the Company and each of their duties and obligations as an Officer for the Company in furtherance of any purposes of the Company.

Dated as of July 5, 2012.

RIVER HALL INVESTMENT GROUP, LLC
a Delaware limited liability company
By: GreenPointe Communities, LLC,
a Florida limited liability company
Its: Manager

By: _____
Roger F. Postlethwaite, Vice President

RH VENTURE III, LLC – SIGNATURE PAGE:

RH VENTURE III, LLC
a Florida limited liability company
By: River Hall Investment Group, LLC
a Delaware limited liability company
Its: Sole Member
By: GreenPointe Communities, LLC
a Florida limited liability company
Its: Managing Member
By: GreenPointe Holdings, LLC
a Florida limited liability company
Its: Managing Member

By: _____
Edward E. Burr
Its: Managing Member

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7th day of May, 2013, by EDWARD E. BURR, who is the Managing Member of GreenPointe Holdings, LLC, which is the Managing Member of GreenPointe Communities, LLC, which is the Managing Member of River Hall Investment Group, LLC, which is the Sole Member of RH Venture III, LLC, on behalf of the companies. He is [X] personally known to me, or [__] has produced _____ as identification.

Laura Zur Gersbeck
Signature of Notary Public

Laura Zur Gersbeck
Name Printed or Stamped

Notary Public State of Florida
Laura Zur Gersbeck
My Commission EE044636
Expires 01/03/2015

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000530

LETTER OF AUTHORIZATION

TO WHOM IT MAY CONCERN:

PLEASE BE ADVISED THAT I AM AUTHORIZED BY THE AUTHORIZED REPRESENTATIVE OF THE PROPERTY DESCRIBED BELOW AND THAT MORRIS-DEPEW ASSOCIATES, INC. AND HENDERSON, FRANKLIN, STARNES & HOLT P.A. HAVE BEEN AUTHORIZED TO REPRESENT US FOR THE BELOW REFERENCED PARCELS IN ALL MATTERS PERTAINING TO A LEE COUNTY RESIDENTIAL PLANNED DEVELOPMENT APPLICATION REQUEST AND COMPREHENSIVE PLAN AMENDMENT REQUEST. THIS AUTHORITY TO REPRESENT OUR INTEREST INCLUDES ANY AND ALL DOCUMENTS REQUIRED BY THE RESIDENTIAL PLANNED DEVELOPMENT APPLICATION REQUEST AND COMPREHENSIVE PLAN AMENDMENT REQUEST SUBMITTED ON OUR BEHALF BY MORRIS-DEPEW ASSOCIATES, INC., HENDERSON FRANKLIN STARNES & HOLT P.A., and GREENPOINTE COMMUNITIES, LLC.

STRAP NUMBER OR LEGAL DESCRIPTION:

STRAP# : SEE ATTACHED OWNERSHIP REPORT

RH Venture III, LLC, a Florida limited liability company

APPLICANT NAME

By: **SEE ATTACHED SIGNATURE PAGE**

SIGNATURE

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____day of _____, who is personally known to me or has produced _____as identification and did not take an oath.

My Commission Expires:

_____

Notary Public

(Seal)

_____

Notary Printed Name

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 202, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (850) 224-6689
408 West University Avenue, Suite PH, Gainesville, Florida 32601 Telephone: (352) 378-3450 Fax: (352) 379-0385
Toll Free: (866) 337-7341

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

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

I, EDWARD E. BURR (name), as SEE ATTACHED SIGNATURE PAGE (title) of RH VENTURE III, LLC (company), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

RH VENTURE III, LLC
*Name of Entity (corporation, partnership, LLP, LC, etc.)

SEE ATTACHED SIGNATURE PAGE
Signature

(Typed or printed name)

(title of signatory)

STATE OF FLORIDA
COUNTY OF DUVAL

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

Signature of person taking oath or affirmation

Name typed, printed or stamped

Title or rank

Serial number, if any

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

RH VENTURE III, LLC – SIGNATURE PAGE:

RH VENTURE III, LLC
a Florida limited liability company
By: River Hall Investment Group, LLC
a Delaware limited liability company
Its: Sole Member
By: GreenPointe Communities, LLC
a Florida limited liability company
Its: Managing Member
By: GreenPointe Holdings, LLC
a Florida limited liability company
Its: Managing Member

By: _____
Edward E. Burr
Its: Managing Member

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7th day of May, 2013, by EDWARD E. BURR, who is the Managing Member of GreenPointe Holdings, LLC, which is the Managing Member of GreenPointe Communities, LLC, which is the Managing Member of River Hall Investment Group, LLC, which is the Sole Member of RH Venture III, LLC, on behalf of the companies. He is [X] personally known to me, or [__] has produced _____ as identification.

Laura Zur Gersbeck
Signature of Notary Public

Laura Zur Gersbeck
Name Printed or Stamped

NOTARY PUBLIC STATE OF FLORIDA
Notary Public State of Florida
Laura Zur Gersbeck
My Commission EE044636
Expires 01/03/2015

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

STRAP NO. See attached Exhibit PH-3.A.1 **CASE NO.** _____

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

Name and Address	Percentage of Ownership
RH Venture III, LLC, a Florida limited liability company	100%
c/oGreenPointe Communities, LLC	
7807 Baymeadows Road East, Suite 205	
Jacksonville, FL 32256	

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

Name and Address	Percentage of Stock
River Hall Investment Group, LLC, a Delaware limited liability company	100%
c/o GreenPointe Communities, LLC	
7807 Baymeadows Road East , Suite 205	
Jacksonville, FL 32256	
(See Exhibit Ph-2.B.1-Attachment B for the owners of this entity.)	

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

Name and Address	Percentage of Interest

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

Name and Address	Percentage of Ownership

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

Name and Address	Percentage of Stock

Date of Contract:_____

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

Name and Address	Percentage of Stock

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

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

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

SEE ATTACHED SIGNATURE PAGE	**RH VENTURE III, LLC**
Signature	(Typed or printed name)

STATE OF FLORIDA
COUNTY OF DUVAL

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

_____
Signature of Notary Public

_____
Printed Name of Notary Public

RH VENTURE III, LLC – SIGNATURE PAGE:

RH VENTURE III, LLC
a Florida limited liability company
By: River Hall Investment Group, LLC
a Delaware limited liability company
Its: Sole Member
By: GreenPointe Communities, LLC
a Florida limited liability company
Its: Managing Member
By: GreenPointe Holdings, LLC
a Florida limited liability company
Its: Managing Member

By: _____
Edward E. Burr
Its: Managing Member

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7th day of May, 2013, by EDWARD E. BURR, who is the Managing Member of GreenPointe Holdings, LLC, which is the Managing Member of GreenPointe Communities, LLC, which is the Managing Member of River Hall Investment Group, LLC, which is the Sole Member of RH Venture III, LLC, on behalf of the companies. He is [X] personally known to me, or [__] has produced _____ as identification.

Laura Zur Gersbeck
Signature of Notary Public

Laura Zur Gersbeck
Name Printed or Stamped

Notary Public State of Florida
Laura Zur Gersbeck
My Commission EE044636
Expires 01/03/2015

EXHIBIT PH-2.B.1-ATTACHMENT B
OWNERSHIP INTERESTS*

River Hall Investment Group, LLC -- Members:

RH Venture I, LLC a Florida limited liability company	4.99%
GreenPointe Communities, LLC a Florida limited liability company	0.01%
River Hall Recovery Acquisition, LLC a Delaware limited liability company *(owned 100% by publicly-traded company)*	95.0%

RH Venture I, LLC – Members:

Edward E. Burr	49.95%
Carnace M. Orender	49.95%
GreenPointe Communities, LLC a Florida limited liability company	00.1%

GreenPointe Communities, LLC – Members:

GreenPointe Holdings, LLC a Florida limited liability company	80%
Graydon E. Miars	20%

GreenPointe Holdings, LLC – Members:

Edward E. Burr	99%
Monique A. Burr Family Trust	01%

Monique A. Burr Family Trust – Beneficiaries:
Edward E. Burr
Minor children of Edward and Monique Burr

---

*Addresses are all:
c/o GreenPointe Communities, LLC
7807 Baymeadows Road East, Suite 205
Jacksonville, FL 32256

RESOLUTION BY WRITTEN CONSENT OF
THE SOLE MEMBER OF
RH VENTURE III, LLC

The undersigned, being the Sole Member of **RH VENTURE III, LLC**, a Florida limited liability company (the "**Company**"), does hereby adopt the following resolutions and approve all actions specified or contemplated herein.

WHEREAS, RIVER HALL INVESTMENT GROUP, LLC, a Delaware limited liability company ("**RHIG**") is the Sole Member of the Company;

WHEREAS, Section 6.2 of the Operating Agreement for the Company (the "**Agreement**"), permits RHIG to appoint officers for the Company in its sole discretion;

NOW, THEREFORE, BE IT RESOLVED, that the following individuals be, and hereby are appointed to the office indicated opposite their name and authorized to take actions and perform the duties applicable to such office as described in the Agreement:

Edward Burr	President
Roger F. Postlethwaite	Vice President/Secretary/Treasurer
Graydon E. Miars	Vice President
Erik Wilson	Vice President

BE IT FURTHER RESOLVED, that the above described officers are authorized and directed to execute and deliver any papers or documents as may be appropriate or necessary to consummate and carry out the business of the Company and each of their duties and obligations as an Officer for the Company in furtherance of any purposes of the Company.

Dated as of July 5, 2012.

RIVER HALL INVESTMENT GROUP, LLC
a Delaware limited liability company
By: GreenPointe Communities, LLC,
a Florida limited liability company
Its: Manager

By: _____
Roger F. Postlethwaite, Vice President

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

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

I, Graydon E. Miars, as President of Hampton Lakes at River Hall Homeowners Association, Inc., swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Hampton Lakes at River Hall Homeowners Association, Inc.
*Name of Entity (corporation, partnership, LLP, LC, etc.)

Signature — Graydon E. Miars (Typed or printed name)

President
(title of signatory)

ELLEN JOHNSON
MY COMMISSION # EE 084559
EXPIRES: May 28, 2015
Bonded Thru Notary Public Underwriters

STATE OF FLORIDA
COUNTY OF Hernando

The foregoing instrument was sworn to (or affirmed) and subscribed before me on January 4, 2013 (date) by Graydon E. Miars (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Signature of person taking oath or affirmation — Ellen Johnson (Name typed, printed or stamped)

Title or rank — Serial number, if any

Notes:
- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

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

2013 FLORIDA NON PROFIT CORPORATION ANNUAL REPORT

FILED
Jan 16, 2013
Secretary of State

DOCUMENT# N05000008291

Entity Name: HAMPTON LAKES AT RIVER HALL HOMEOWNERS ASSOCIATION, INC.

Current Principal Place of Business:

1600 W COLONIAL DRIVE
ORLANDO, FL 32804

Current Mailing Address:

1600 W COLONIAL DRIVE
ORLANDO, FL 32804 US

FEI Number: 20-3815882

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

HANSON, JACK
1600 WEST COLONIAL DRIVE
ORLANDO, FL 32804 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent — Date

Officer/Director Detail Detail :

Title	DP	Title	DVP
Name	MIARS, GRAYDON E	Name	NELSON, ROBERT
Address	2401 RIVER HALL PKWY	Address	2401 RIVER HALL PKWY.
City-State-Zip:	ALVA FL 33920	City-State-Zip:	ALVA FL 33920

Title	STD
Name	DURAND, CARLA
Address	2401 RIVER HALL PKWY.
City-State-Zip:	ALVA FL 33920

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: GRAYDON E MIARS PRESIDENT 01/16/2013

Electronic Signature of Signing Officer/Director Detail — Date

the MELROSE management partnership

Hampton Lakes at River Hall Homeowners Association, Inc.
MINUTES OF ANNUAL MEETING
January 15th, 2013

Present: Grady Miars, President
Robert Nelson, Vice President

Also Present: Jack Hanson, President of The Melrose Management Partnership, LLC. and Danielle Wright, Regional and Community Manager for The Melrose Management Partnership. Owners present were asked to sign in next to their name.

The meeting was called to order at 5:30 P.M by President, Grady Miars.

Mrs. Wright entered the Affidavit of Notice for the meeting into the official records (attached hereto).

Appointment of Directors: Grady Miars, President
Robert Nelson, Vice President
Carla Durand, Secretary and Treasurer

Mrs. Wright presented an overview of the state of affairs of the community. Mr. Miars also educated homeowners on the HOA's future plans of development.

There was a question and answer period for approximately 30 minutes, primarily about security concerns, gate concerns, and future development.

There being no further business, the meeting was adjourned at 6:10 P.M.

Respectfully submitted,
Danielle Wright
Regional and Community Association Manager
The Melrose Management Partnership, LLC.

2401 River Hall Parkway • Alva, FL 33920
Phone: 239-425-2041 • 800-647-0055
Fax: 239-425-2042
Daytona Beach • Fort Myers • Jacksonville • Orlando • Palm Harbor • Sarasota • Tampa • Port Charlotte
www.melrosemanagement.com

the MELROSE management partnership

Hampton Lakes at River Hall Homeowners Association, Inc.

Board Meeting Minutes

January 4th, 2013
1:35 PM

Welcome Center
2401 River Hall Parkway
Alva, FL 33920

MINUTES

Called to order at 1:35 P.M. by President, Grady Miars. A Quorum was established to hold the meeting. Directors present were: Robert Nelson and Grady Miars. Also present was Danielle Wright representing The Melrose Management Partnership, LLC, Managing Agent for the Association.

Robert Nelson, as Vice President, made a motion for the Board of Directors to approve the President, Grady Miars, to sign authorization required by Lee County in order for Green Pointe to continue with its comprehensive plan rezoning amendments as to the developable lands with River Hall. This will not affect the use or nature of the common areas owned by the Homeowners Association, and is only a technical requirement by Lee County.

Motion was seconded by Grady Miars. All present were in favor. Motion passed.

Motion to adjourn at 1:38 P.M. by Grady Miars. Motion seconded by Robert Nelson.

2401 River Hall Parkway • Alva, FL 33920
Phone: 239-425-2041 • 800-647-0055
Fax: 239-425-2042
Daytona Beach • Fort Myers • Jacksonville • Orlando • Palm Harbor • Sarasota • Tampa • Port Charlotte
www.melrosemanagement.com

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

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

I, Graydon E. Miars, as President of Town Hall Amenities Center Association, Inc., swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Town Hall Amenities Center Association, Inc.
*Name of Entity (corporation, partnership, LLP, LC, etc.)

Signature

Graydon E. Miars
(Typed or printed name)

President
(title of signatory)

ELLEN JOHNSON
MY COMMISSION # EE 08455[illegible]
EXPIRES: May 28, 2015
Bonded Thru Notary Public Underwri[illegible]

STATE OF FLORIDA
COUNTY OF Hernando

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 01/04/13 (date) by Graydon E. Miars (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Signature of person taking oath or affirmation

Ellen Johnson
Name typed, printed or stamped

Title or rank

Serial number, if any

Notes:
- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

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

the MELROSE management partnership

TOWN HALL AMENTIES CENTER ASSOCIATION, INC.

Board Meeting Minutes

January 4th, 2013
1:40 PM

Welcome Center
2401 River Hall Parkway
Alva, FL 33920

MINUTES

Called to order at 1:40 P.M. by President, Grady Miars. A Quorum was established to hold the meeting. Directors present were: Robert Nelson and Grady Miars. Also present was Danielle Wright representing The Melrose Management Partnership, LLC, Managing Agent for the Association.

Robert Nelson, as Vice President, made a motion for the Board of Directors to approve the President, Grady Miars, to sign authorization required by Lee County in order for Green Pointe to continue with its comprehensive plan rezoning amendments as to the developable lands with River Hall.. This will not affect the use or nature of the common areas owned by the Homeowners Association, and is only a technical requirement by Lee County

Motion was seconded by Grady Miars. All present were in favor. Motion passed.

Motion to adjourn at 1:45 P.M. by Grady Miars. Motion seconded by Robert Nelson.

2401 River Hall Parkway • Alva, FL 33920
Phone: 239-425-2041 • 800-647-0055
Fax: 239-425-2042
Daytona Beach • Fort Myers • Jacksonville • Orlando • Palm Harbor • Sarasota • Tampa • Port Charlotte
www.melrosemanagement.com

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

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

I, Graydon E. Miars, as President of River Hall Country Club Homeowners Association, Inc., swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

River Hall Country Club Homeowners Association, Inc.
*Name of Entity (corporation, partnership, LLP, LC, etc.)

Signature — Graydon E. Miars (Typed or printed name)

President (title of signatory)

ELLEN JOHNSON
MY COMMISSION # EE 084559
EXPIRES: May 28, 2015
Bonded Thru Notary Public Underwriters

STATE OF FLORIDA
COUNTY OF Hernando

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 01/04/13 (date) by Graydon E. Miars (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Ellen Johnson — Signature of person taking oath or affirmation

Ellen Johnson — Name typed, printed or stamped

Title or rank

Serial number, if any

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

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

2013 FLORIDA NON PROFIT CORPORATION ANNUAL REPORT

FILED
Jan 16, 2013
Secretary of State

DOCUMENT# N05000008293

Entity Name: RIVER HALL COUNTRY CLUB HOMEOWNERS ASSOCIATION, INC.

Current Principal Place of Business:

1600 W COLONIAL DRIVE
ORLANDO, FL 32804

Current Mailing Address:

1600 W COLONIAL DRIVE
ORLANDO, FL 32804

FEI Number: 20-3815888

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

HANSON, JACK
1600 WEST COLONIAL DRIVE
ORLANDO, FL 32804 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent — Date

Officer/Director Detail Detail :

Title	DP	Title	DVP
Name	MIARS, GRAYDON E	Name	NELSON, ROBERT
Address	2401 RIVER HALL PARKWAY	Address	2401 RIVER HALL PKWY
City-State-Zip:	ALVA FL 33920	City-State-Zip:	ALVA FL 33920

Title	DST
Name	DURAND, CARLA
Address	2401 RIVER HALL PKWY.
City-State-Zip:	ALVA FL 33920

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: GRAYDON E MIARS PRESIDENT 01/16/2013

Electronic Signature of Signing Officer/Director Detail — Date

the MELROSE management partnership

River Hall Country Club at River Hall Homeowners Association, INC.
MINUTES OF ANNUAL MEETING
JANUARY 15, 2013

Present: Grady Miars, President
Robert Nelson, Vice President

Also Present: Jack Hanson, President of The Melrose Management Partnership, LLC. and Danielle Wright, Regional and Community Manager for The Melrose Management Partnership, LLC. Owners present were asked to sign next to their name.

The meeting was called to order at 7:30 P.M by President, Grady Miars.

Mrs. Wright entered the Affidavit of Notice for the meeting into the official records (attached hereto).

Appointment of Directors: Grady Miars, President
Robert Nelson, Vice President
Carla Durand, Secretary and Treasurer

Mrs. Wright presented an overview of the state of affairs of the community. Mr. Miars also educated home owners on the HOA, while informing the owners that HOA has received proposals regarding the security contract of River Hall HOA.

There was a question and answer period for approximately 30 minutes, primarily about the past and future of River Hall.

There being no further business, the meeting was adjourned at 7:45 P.M.

Respectfully submitted,
Danielle Wright
Regional and Community Association Manager
The Melrose Management Partnership, LLC.

2401 River Hall Parkway • Alva, FL 33920
Phone: 239-425-2041 • 800-647-0055
Fax: 239-425-2042
Daytona Beach • Fort Myers • Jacksonville • Orlando • Palm Harbor • Sarasota • Tampa • Port Charlotte
www.melrosemanagement.com

the MELROSE management partnership

River Hall Country Club Homeowners Association, Inc.

Board Meeting Minutes

January 4th, 2013
1:30 P.M.

Welcome Center
2401 River Hall Parkway
Alva, FL 33920

MINUTES

Called to order at 1:30 P.M. by President, Grady Miars. A Quorum was established to hold the meeting. Directors present were: Robert Nelson and Grady Miars. Also present was Danielle Wright representing The Melrose Management Partnership, LLC, Managing Agent for the Association.

Robert Nelson, as Vice President, made a motion for the Board of Directors to approve the President, Grady Miars, to sign authorization required by Lee County in order for Green Pointe to continue with its comprehensive plan rezoning amendments as to the developable lands with River Hall.. This will not affect the use or nature of the common areas owned by the Homeowners Association, and is only a technical requirement by Lee County.

Motion was seconded by Grady Miars. All present were in favor. Motion passed.

Motion to adjourn at 1:35 P.M. by Grady Miars. Motion seconded by Robert Nelson.

2401 River Hall Parkway • Alva, FL 33920
Phone: 239-425-2041 • 800-647-0055
Fax: 239-425-2042
Daytona Beach • Fort Myers • Jacksonville • Orlando • Palm Harbor • Sarasota • Tampa • Port Charlotte
www.melrosemanagement.com

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

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

I, Graydon E. Miars, as Chairman of the River Hall Community Development District, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

River Hall Community Development District
*Name of Entity (corporation, partnership, LLP, LC, etc.)

Signature

Graydon E. Miars
(Typed or printed name)

Chairman
(title of signatory)

ELLEN JOHNSON
MY COMMISSION # EE 084559
EXPIRES: May 28, 2015
Bonded Thru Notary Public Underwriters

STATE OF FLORIDA
COUNTY OF Hernando

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 01/04/13 (date) by Graydon E. Miars (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Ellen Johnson
Signature of person taking oath or affirmation

Ellen Johnson
Name typed, printed or stamped

Title or rank

Serial number, if any

Notes:
- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

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

RESOLUTION 2013-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RIVER HALL COMMUNITY DEVELOPMENT DISTRICT REAPPOINTING THE OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the River Hall Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Lee County, Florida; and

WHEREAS, the Board of Supervisors of the District desires to reappoint the Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF RIVER HALL COMMUNITY DEVELOPMENT DISTRICT:

Section 1. Grayden Miars is appointed Chairperson.

Section 2. Roger Postelwaite is appointed Vice Chairperson.

Section 3. Pete Williams is appointed Secretary.

Section 4. Robert Nelson is appointed Assistant Secretary.
Patti McDonald is appointed Assistant Secretary.
Carla Durand is appointed Assistant Secretary.
Molly A. Syvret is appointed Assistant Secretary.
Kari L. Hardwick is appointed Assistant Secretary.

Section 5. William Rizzetta is appointed Treasurer.

Section 6. Joe Kennedy is appointed Assistant Treasurer.

Section 7. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 1st DAY OF NOVEMBER, 2012.

RIVER HALL COMMUNITY DEVELOPMENT DISTRICT

Chair/Vice Chair

Attest:

Secretary/Assistant Secretary

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

River Hall Community
PROJECT SUMMARY

GreenPointe Communities is seeking to increase the available residential density within the River Hall community by 1,000 dwelling units and include additional recreational uses within the Commercial portion of the community. To accomplish these goals, a Comprehensive Plan Amendment and Planned Development Amendment are being requested concurrently. The community is approximately ±1,978 acres, located along Palm Beach Boulevard in the Caloosahatchee Shores Planning Community.

River Hall is currently approved through Resolution Z-05-051 for 1,999 dwelling units, a golf course, public school, and 45,000 square feet of commercial uses. Multiple Development Orders have been approved for the site infrastructure, golf course, school, amenities, and approximately 1,450 dwelling units. As a result, the site has been mostly cleared, graded, and public utilities and roadways have been installed. There are approximately ±296 acres of internal lakes and ±445 acres of wetland and upland preserves throughout the property.

As an existing subdivision, there are multiple owners of property within the River Hall Community. GreenPointe represents the owners; RH Venture III, LLC and RH Venture II, LLC. GreenPointe has also received authorization from the River Hall County Club Homeowners Association, Inc, Hampton Lakes at River Hall Homeowners Association, Inc, Town Hall Amenities Center Association, Inc, and the River Hall Community Development District to undertake the Comprehensive Plan and Planned Development Amendments. An ownership map demonstrating the area each entity represents is provided with the authorizations.

Comprehensive Plan Amendment

A Future Land Use Map and Text Amendment are requested under CPA2012-00001, to remove ±1,287 acres of the River Hall Community from the Rural and Wetlands Future Land Use Categories and re-designate this portion of the property as Conservation Upland, Conservation Wetland, and Sub-Outlying Suburban. The existing Suburban Future Land Use will remain and lands not under the representation of GreenPointe Communities will not be affected. Therefore, these areas are not included in the Comprehensive Plan Amendment request. The following table demonstrates the acreage reallocation that will occur as part of the proposed amendment.

Future Land Use	Rural	Wetland	Wetland Conservation	Upland Conservation	Sub-Outlying Suburban
Current Acres ±	1,064	223	--	--	--
Proposed Acres ±	--	--	153	264	870

Amending the Future Land Use on a portion of the property to Sub-Outlying Suburban will allow a maximum density of two dwelling units per acre and recreational uses on approximately ±870 acres of the Community property. The proposed text amendment will allow for the density associated with the ±264 acres of Upland Conservation to be transferred to the contiguous Sub-Outlying Suburban Uplands. Density from the Conservation Wetlands will be transferred at 2du/ac to the proposed Sub-Outlying Suburban lands per Lee Plan Table 1(a) Clarification #8.

Current Future Land Use			
Existing FLU	**Acreage**	**Dwelling units/ acre**	**Dwelling units permitted**
Suburban	±79	6 du/ac	474
Wetland	±251	1du/20 ac	12.5
Rural	±1,648	1 du/1 ac	1,648
TOTAL ACRES	**1,978**	**TOTAL DWELLING UNITS**	**2,134**

Amendment Area			
Proposed FLU	**Acreage**	**Dwelling units/ acre**	**Dwelling units permitted**
Sub-Outlying Suburban	±870	2 du/ac	1,740
Conservation Wetland	±153	2 du/ ac	306
Conservation Upland	±264	2du/ac**	528
TOTAL ACRES	**1,287**	**TOTAL DWELLING UNITS**	**2,574**

Total Project After Amendment				
	FLU	**Acreage**	**Dwelling units/acre**	**Dwelling units permitted**
Non-Amendment Area	**Suburban**	±79	6 du/ac	474
	Wetland	±28	1du/20 ac	1.4
	Rural	±584	1 du/1 ac	583
Amendment Area	**Sub-Outlying Suburban**	±870	2 du/ac	1,740
	Conservation Wetland	±153	2 du/ac	306
	Conservation Upland	±264	2du/ac**	528
TOTAL ACRES		**1,978**	**TOTAL DWELLING UNITS**	**3,633**

**Per proposed Text Amendment to Policy 5.1.10

The additional density will be clustered into the portions of River Hall subject to the Planned Development Amendment. The existing development footprint will be utilized for the additional density promoting the clustering of residential density and uses to improve the efficient use of the land and existing utilities. In addition, ±264 acres will be placed into the

Conservation Upland Category and ±153 acres will be placed into the Conservation Wetland category. This change will provide additional protection for the natural resources located with the community, ensuring they are maintained, protected, and conserved in perpetuity.

The proposed Text Amendment will revise Policy 5.1.10 to allow density from the multiple Future Land Use Categories within the community to be allocated across the PD Amendment area. The amendment will also allow lands preserved in the Upland Conservation Future Land Use Category and placed into a conservation easement by the required Planned Development to reallocate density from these areas to contiguous developable lands at the rate of the requested Sub-Outlying Suburban Future Land Use Category. The River Hall Community has existing Suburban, Rural, and Wetland Future Land Uses. Together with the Proposed Future Land Uses the River Hall Community has a maximum density of 3,633. This density will be limited to 2,999 by the concurrent Planned Development Amendment request.

The proposed Future Land Use Map demonstrates the area of River Hall to be amended by this request. This area includes lands under the following ownership; RH Venture III, LLC, RH Venture II, LLC, Hampton Lakes at River Hall Homeowners Association, Inc., Town Hall Amenities Center Association, Inc., River Hall County Club Homeowners Association, Inc., and River Hall Community Development District. GreenPointe has submitted authorizations from these entities authorizing the Comprehensive Plan Amendment request.

The proposed Future Land Use Amendment is not contiguous across the subject property as a result of River Hall being an existing, partially built subdivision. The proposed amendment leaves the Rural Future Land Use Category in place for the existing privately owned development areas within the River Hall Community. As an alternative to this proposal, Lee County could support a Future Land Use Amendment to change the Rural Future Land Use to Sub-Outlying Suburban, providing a contiguous Future Land Use Category for the River Hall Community. This amendment could be undertaken in conjunction with the requested amendment by GreenPointe Communities or at a later time.

These amendments promote infill development and will provide a transition from the existing adjacent residential developments to the south and west of the community to the rural and conservation land uses to the north and east. The additional recreational uses proposed will provide recreational and civic opportunities within the existing Commercial Planned Development portion of the property. A trailhead and trail are also proposed to connect these areas to a proposed trail along the northerly perimeter of the property which will ultimately connect to Hickey's Creek Mitigation Park and the adjacent residential communities. These uses will be open to residents of the surrounding area as well as the River Hall Community.

The Comprehensive Plan Amendment application is currently under review by Lee County staff. The Planned Development Amendment is requested concurrently, per Chapter 163.3184(12) of the Florida Statutes, to establish the density limit of 2,999 dwelling units and other details related to the recreational and civic uses, which are not necessary to include in a Comprehensive Plan Amendment.

Planned Development Amendment

An amendment is requested to the River Hall Planned Development to promote infill within the existing development footprint and create a well-designed community with a mix of uses that supports the needs and demands of the area's residents – the definition of a Suburban Place. The proposal will integrate the various land uses, facilitate transportation options and provide opportunities for walking, biking, and riding. The portions of the community included in the Planned Development Amendment are limited further than the Comprehensive Plan Amendment. The PD Amendment area is only those lands owned by RH Venture II, LLC and RH Venture III, LLC, which are represented by GreenPointe Communities. The additional density requested in the Comprehensive Plan Amendment will be clustered within the existing development footprint of these lands. The existing internal roadways, owned and maintained by the Homeowners Associations, are included to demonstrate access only. No amendments to the roadways are proposed. Authorizations from the necessary Homeowners Associations regarding the roadways are provided.

The proposed Planned Development Amendment would allow for the River Hall Community to utilize the additional density requested via the proposed Comprehensive Plan Amendment while establishing the maximum number of dwelling units at 2,999. Collectively, the community is eligible for the following density with CPA2012-00001.

	Future Land Use	Acreage	Dwelling units/ acre	Dwelling units permitted
Non-Amendment Area	Suburban	±79	6 du/ac	474
	Wetland	±28	1du/20 ac	1.4
	Rural	±584	1 du/1 ac	583
Amendment Area	Sub-Outlying Suburban	±870	2 du/ac	1,740
	Conservation Wetland	±153	2du/ ac	306
	Conservation Upland	±264	2du/ac**	528
	TOTAL ACRES	**1,978**	**TOTAL DWELLING UNITS**	**3,633**

** Per the proposed Text Amendment to Policy 5.1.10

The proposed PD Amendment requests an additional 1,000 dwelling units to be developed within the community, for a total residential density of 2,999 dwelling units. This is significantly less than the maximum allowable density of 3,633 and as demonstrated by the table below, the request does not utilize density from the property's wetlands or conservation wetland areas.

	Future Land Use	Acreage	Dwelling units/ acre	Dwelling units permitted
Non-Amendment Area	Suburban	±79	6 du/ac	474
	Wetland	±28	1du/20 ac	--
	Rural	±584	1 du/1 ac	584
Amendment Area	Sub-Outlying Suburban	±870	2 du/ac	1,740
	Conservation Wetland	±153	2du/ ac	--
	Conservation Upland	±264	2du/ac**	528
	TOTAL ACRES	**1,978**	**TOTAL DWELLING UNITS**	**3,325**
TOTAL DWELLING UNITS REQUESTED				**2,999**

The requested PD Amendment seeks a modification to only a portion of the approved River Hall Community. This portion is reduced from the area of the Comprehensive Plan Amendment. The areas represented by Hampton Lakes at River Hall Homeowners Association, Inc., Town Hall Amenities Center Association, Inc., River Hall County Club Homeowners Association, Inc., River Hall Community Development District are not included in the Planned Development Amendment. However these associations have authorized GreenPointe Communities' PD Amendment request consistent with Land Development Code Section 34-201(a)(1)c.

The 4th page of the proposed Master Concept Plan demonstrates the proposed PD Amendment area with Gray shading. This area represents lands owned by RH Venture III, LLC and RH Venture II, LLC., who are represented by GreenPointe Communities. The development tracts within these areas are where the additional requested density would be located. It is expected that a majority of the 1,000 additional units would be located in the southern portion of the property, where adjacent lands are more urban in nature. Consistent with the first sentence of existing Condition 5a., the portion of the project remaining in the Rural Future Land Use Category will maintain theoretical densities of one dwelling unit per acre.

The proposed request promotes the logical extension of the adjacent, existing residential development pattern in this urbanized portion of the county, and will permit infill development of the subject property, which is served by existing public infrastructure. The previously approved open space, height and property development regulations relating to lot size of Z-05-051 will not be amended by this request.

In addition to requesting an increase in the residential density, the proposed PD Amendment also requests additional recreational uses and public amenities within the River Hall Community. Multi-family residential and Parks have been added to the uses requested within the Commercial Planned Development to encourage a mix of uses. These additional uses will create a commercial and civic node that provide commercial, residential, and civic recreational

uses to the residents of the surrounding area as well as the River Hall Community. This area will include a trailhead and trails which will connect this node to the proposed trail along the northerly perimeter of the property. The trail is proposed to connect to Hickey's Creek Mitigation Park and GreenPointe Communities intends to work with Lee County to provide a connection through the adjacent residential subdivisions to Buckingham Road. This trail will improve non-vehicular linkages of the surrounding properties and uses while promoting the expansion of the County's trail system.

Together the proposed applications provide quality infill development directed toward an existing community to promote the contiguous development of land adjacent to existing infrastructure while maintaining and protecting natural resources and working to create connections to surrounding uses for all area residents.

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

River Hall Comprehensive Plan Amendment
TEXT AMENDMENT REQUEST

An amendment to Policy 5.1.10 is proposed to allow density from the future land use categories within the project to be summed and allocated within other areas of the River Hall Community. The amendment will also allow density from lands placed in the Conservation Uplands Category and under a conservation easement during the required planned development to be transfer to contiguous uplands at the requested density of the proposed FLU Amendment.

POLICY 5.1.10: In those instances where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this Plan will be the sum of the allowable densities for each land use category for each portion of the land. This density can be allocated across the property provided that:

1. The Planned Development zoning is utilized; and
2. No density is allocated to lands designated as Non-Urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and
3. The land is~~was~~ under single ownership or unified control at the time the Planned Development rezoning is adopted or amended ~~this policy was adopted~~ and is contiguous; in situations where land under single ownership or unified control is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and
4. The resultant Planned Development affords further protection to environmentally sensitive lands if they exist on the property. In the event uplands are preserved within the Planned Development and are designated as Upland Conservation Lands on the future land use map, density may be relocated from the Upland Conservation Lands to contiguous developable uplands at the same underlying density permitted for the developable uplands.

An amendment to Table 1(b), Year 2030 Allocations, of the Lee Plan is proposed to adjust the acreage allocation for the Fort Myers Shores Planning Community commensurate with the acreage of the future land use change. The amendment will reduce the acreage allocation for the Rural Land Use Category from 1,061 acres to 141 acres; and increase the acreage allocation

for Sub-Outlying Suburban from 367 acres to 870 acres. Lands will also be transferred into the following categories; 153 acres to Conservation Lands Wetland and 264 acres into Conservation Lands Upland.

Table 1(b)
Fort Myers Shores Planning Community

Future Land Use Category	Remaining	Proposed
Sub-Outlying Suburban	~~367~~	870
Rural	~~1,061~~	141
Conservation Lands Uplands	~~0~~	264
Conservation Lands Wetlands	~~0~~	153

STATE ROAD 80

LEGEND

- COMMERCIAL
- SUBURBAN
- RURAL
- WETLANDS
- AMENDMENT AREA
- OUTLYING SUBURBAN
- SUB-OUTLYING SUBURBAN
- RURAL COMMUNITY PRESERVE
- URBAN COMMUNITY
- CONSERVATION LANDS UPLAND

RIVER HALL
PROJECT BOUNDARY

FUTURE LAND USE BREAKDOWN

AMENDMENT AREA:	1287 AC
WETLANDS	223 AC
RURAL	1064 AC
NOT PART OF APPLICATION:	691 AC
WETLANDS	28 AC
RURAL	584 AC
SUBURBAN	79 AC
RIVER HALL PROJECT TOTAL:	1978 AC
WETLANDS	251 AC
RURAL	1648 AC
SUBURBAN	79 AC

(ACREAGES BASED ON RESOLUTION Z-05-051)

N
W E
S

0 300 600 1200
SCALE IN FEET

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
©COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	FLU - CURRENT.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\APPLICATION\
PLOT DATE	WED. 3-27-2013 - 9:24 AM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

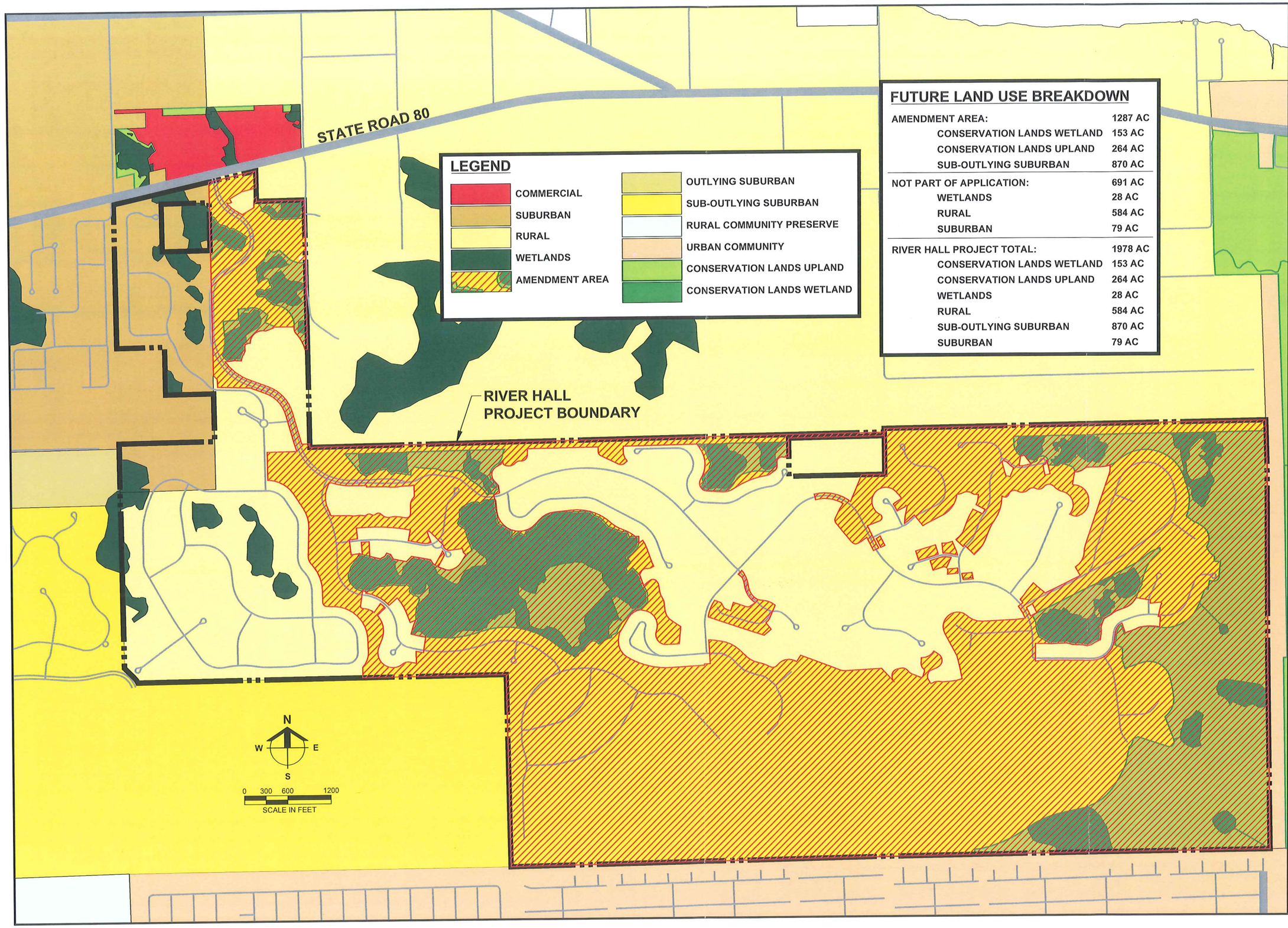
1-2-13	NEW AMENDMENT BOUNDARY
3-27-13	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT IV.A.2

CURRENT FUTURE LAND USE MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1



FUTURE LAND USE BREAKDOWN

AMENDMENT AREA:	1287 AC
CONSERVATION LANDS WETLAND	153 AC
CONSERVATION LANDS UPLAND	264 AC
SUB-OUTLYING SUBURBAN	870 AC
NOT PART OF APPLICATION:	691 AC
WETLANDS	28 AC
RURAL	584 AC
SUBURBAN	79 AC
RIVER HALL PROJECT TOTAL:	1978 AC
CONSERVATION LANDS WETLAND	153 AC
CONSERVATION LANDS UPLAND	264 AC
WETLANDS	28 AC
RURAL	584 AC
SUB-OUTLYING SUBURBAN	870 AC
SUBURBAN	79 AC

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	FLU-PROPOSED.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\APPLICATION\
PLOT DATE	WED. 3-27-2013 - 9:25 AM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

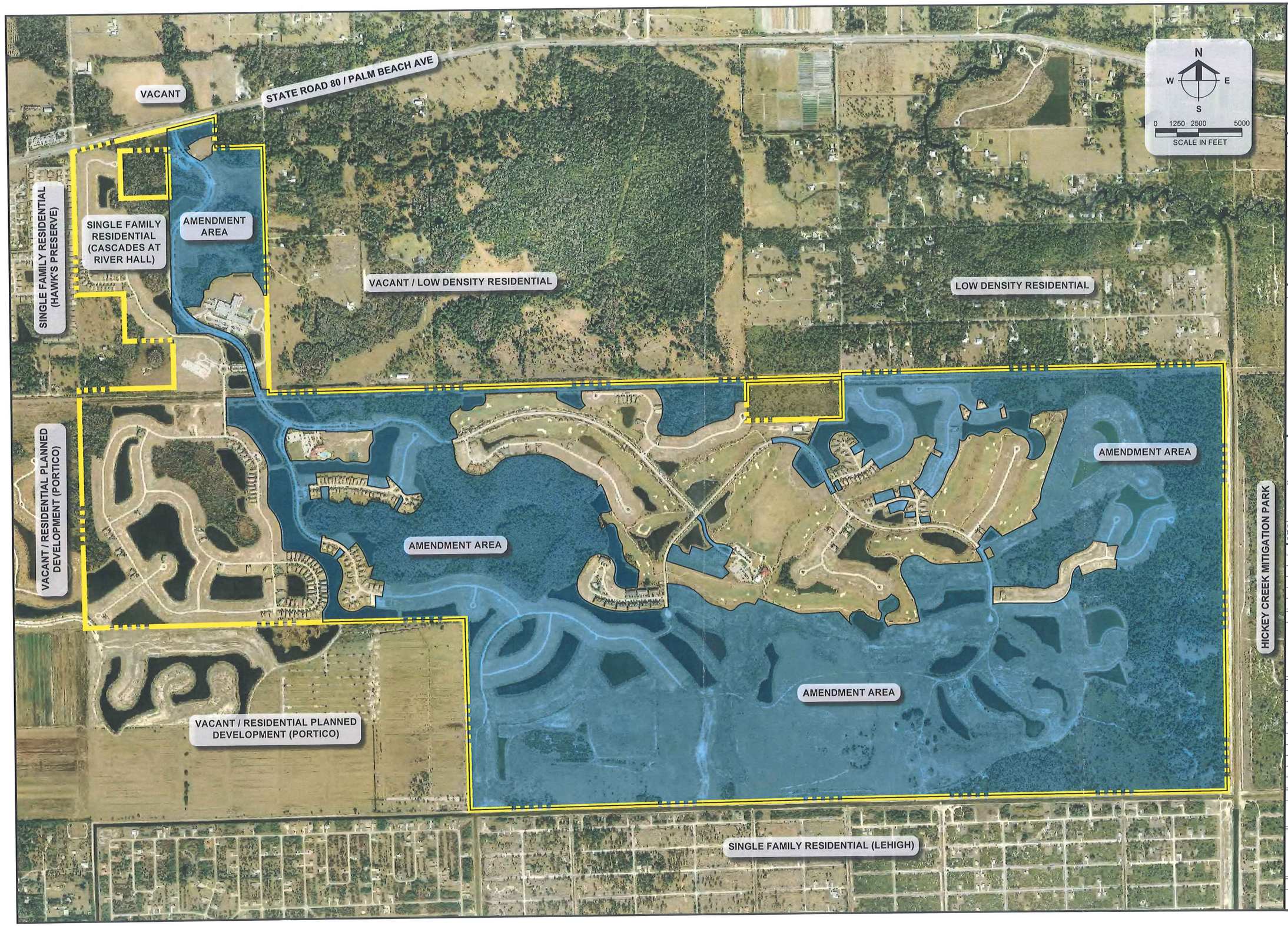
1-2-13	NEW AMENDMENT BOUNDARY
3-27-13	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT IV.A.3

PROPOSED FUTURE LAND USE MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	AERIAL DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\APPLICATION\
PLOT DATE	WED. 3-27-2013 - 9:26 AM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

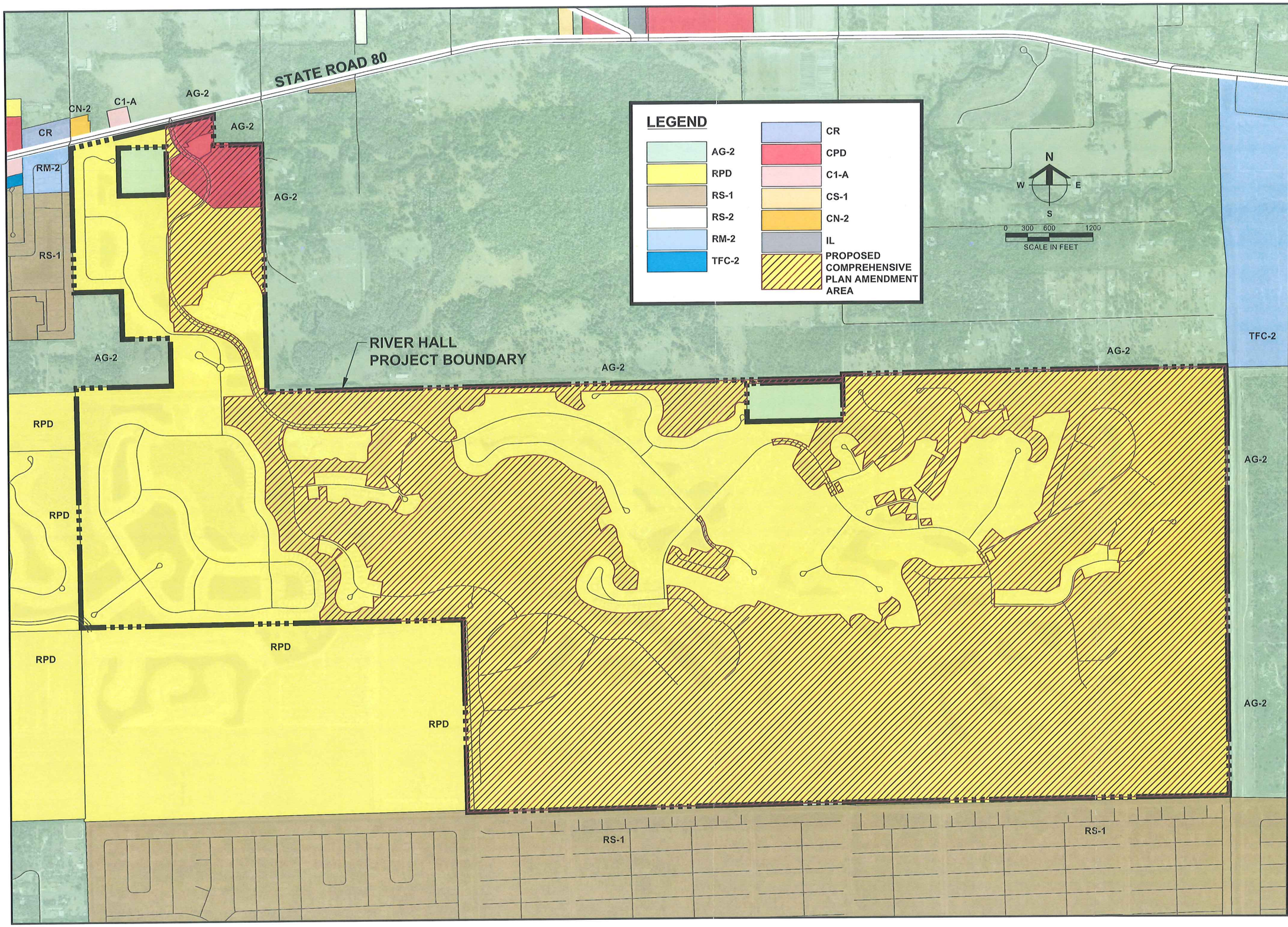
1-2-13	NEW AMENDMENT BOUNDARY
3-27-13	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT IV.A.4

PROJECT AERIAL AND EXISTING LAND USE MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	ZONING - CURRENT.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\APPLICATION\
PLOT DATE	WED, 3-27-2013 - 9:22 AM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

1-2-13	NEW AMENDMENT AREA
3-27-13	REVISED AMENEMENT AREA

PLAN STATUS

EXHIBIT IV.A.5

EXISTING ZONING MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	

Barraco
and Associates, Inc.

www.barraco.net
Civil Engineers, Land Surveyors and Planners

DESCRIPTION (SUB-OUTLYING SUBURBAN)

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

THE FOLLOWING DESCRIBED PARCEL (AMENDMENT AREA):

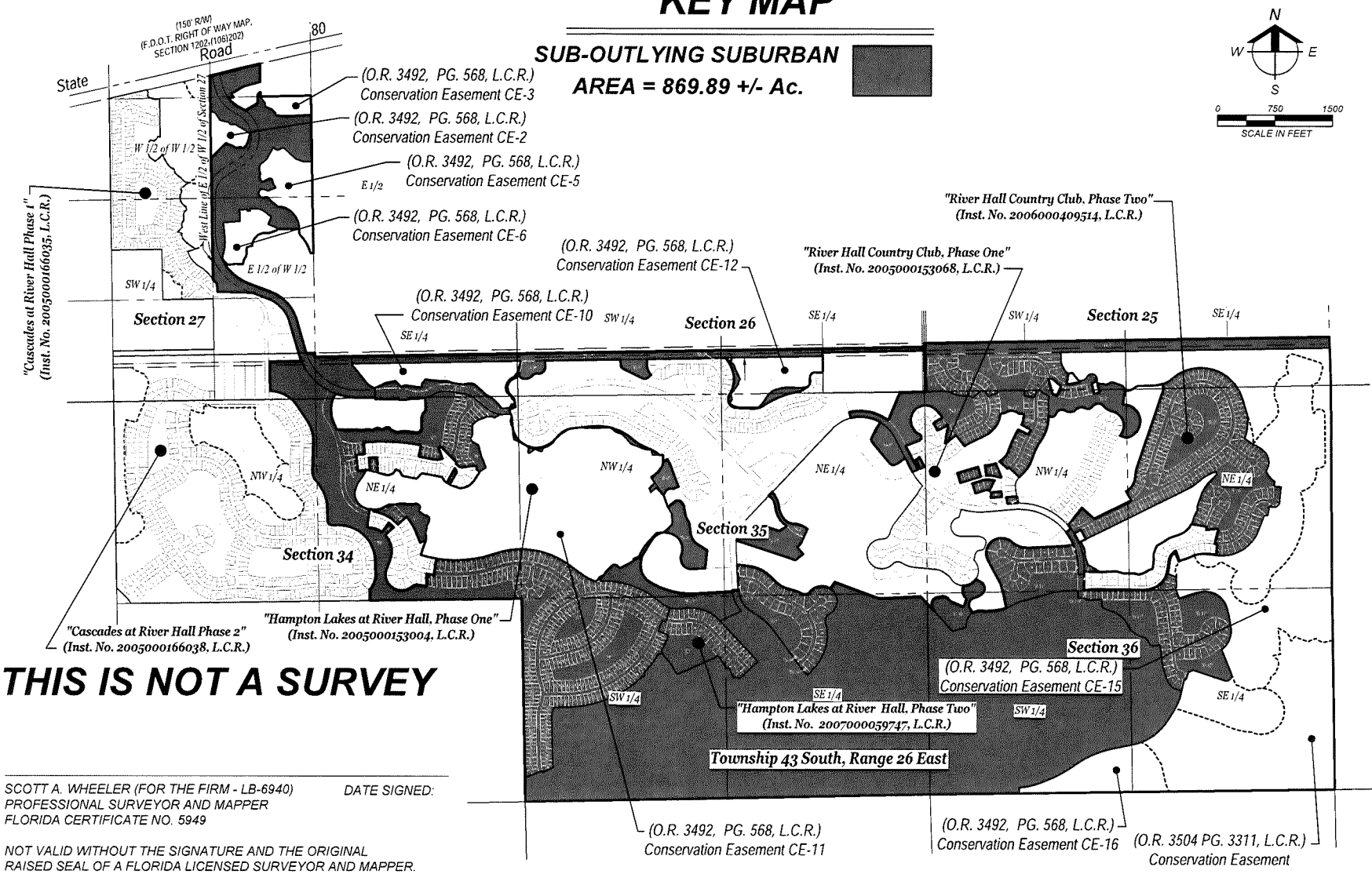
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

3/27/13

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS_DESC.doc

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

KEY MAP



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0331
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

FIELD SURVEYED

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

FILE NAME	2006 - ALL KEY.DWG
LAYOUT	SUB-OUTLYING SUBURBAN
LOCATION	I:\2006\06-0000\DWG\KEY\06-0000 KEY.DWG
PLOT DATE	5/8/2013 - 4:47 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-19-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=1500'
FIELD BOOK	

PLAN REVISIONS

SHEET NUMBERS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
23955 36-43-26	1 OF 1

DESCRIPTION (AMENDMENT AREA)

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

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

Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S 1/2) of said Section 34 for 1,982.06 feet to an intersection with the Easterly line of the Record Plat "Cascades at River Hall, Phase 2", as recorded in Instrument No. 2005000166038, Public Records of Lee County, Florida; thence run the following Seventeen (17) courses along said Easterly Line: N00°44'13"W for 145.68 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 295.00 feet (delta 45°41'55") (chord bearing N20°27'40"E) (chord 229.10 feet) for 235.29 feet to a point of tangency; N02°23'18"W for 177.28 feet to a point of curvature; Northwesterly along an arc of a curve to the left of radius 470.00 feet (delta 86°38'22") (chord bearing N45°42'28"W) (chord 644.90 feet) for 710.71 feet to a point of tangency; N89°01'39"W for 100.75 feet to a point of curvature; Northwesterly along an arc of a curve to the right of radius 60.00 feet (delta 88°15'45") (chord bearing N44°53'47"W) (chord 83.56 feet) for 92.43 feet to a point of tangency; N00°45'54"W for 156.54 feet to a point of curvature; Northerly along an arc of a curve to the left of radius 540.00 feet (delta 39°03'47") (chord bearing N20°17'48"W) (chord 361.07 feet) for 368.16 feet to a point of tangency; N39°49'41"W for 48.28 feet to a point of curvature; Northerly along an arc of a curve to the right of radius 155.00 feet (delta 41°03'37") (chord bearing N19°17'53"W) (chord 108.72 feet) for 111.08 feet to a point of tangency; N01°13'55"E for 406.49 feet to a point of curvature; Northerly along an arc of a curve to the left of radius 445.00 feet (delta 34°38'18") (chord bearing N16°05'14"W) (chord 264.95 feet) for 269.03 feet to a point of tangency; N33°24'23"W for 235.07 feet to a point of curvature; Northwesterly along an arc of a curve to the left of radius 445.00 feet (delta 55°01'01") (chord bearing N60°54'53"W) (chord 411.07 feet) for 427.30 feet; N00°59'58"W for 386.31 feet, N89°00'08"E for 414.92 feet; and Northerly along an arc of a curve to the right of radius 800.00 feet (delta 07°26'15") (chord bearing N19°51'38"W) (chord 103.77 feet) for 103.85 feet to a point a point of tangency; thence run N16°08'30"W along said Easterly line and continuing along the Easterly line of the Record Plat "Cascades at River Hall, Phase 1", as recorded in Instrument No. 2005000166035, Public Records of Lee County, Florida for 429.10 feet to a point of curvature; thence run the following Six (6) Courses along said Easterly line of the Record Plat "Cascades at River Hall, Phase 1": Northwesterly along an arc of a curve to the left of radius 450.00 feet (delta 53°24'45") (chord bearing N42°50'53"W) (chord 404.47 feet) for 419.50 feet to a point of tangency; N69°33'15"W for 226.50 feet;

DESCRIPTION (CONT.)

N88°31'58"W for 453.33 feet; N02°37'49"W for 109.36 feet; N46°42'37"W for 46.66 feet and N37°23'07"W for 29.38 feet to an intersection with the West line of the East Half (E 1/2) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along said West line for 1,066.53 feet the Southwest corner of the Half (E 1/2) of the Northwest Quarter (NW 1/4) of said Section 27 ; thence run N00°49'17"W along the East line of said Fraction for 1,604.78 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 673.34 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along the West for 233.41 feet to an intersection with the Northerly line of a lands in described in Instrument No. 2009000187486 and 2009000187487, Lee County Records; thence run the following four (4) courses along said Northerly line: S75°23'45"W for 216.27 feet; S59°14'31"W for 190.06 feet; S30°45'29"E for 53.42 feet to a point on a non-tangent curve; Westerly along an arc of a curve to the right of radius 68.00 feet (delta 66°05'52") (chord bearing S87°29'23"W) (chord 74.17 feet) for 78.45 feet to a point on a non-tangent curve and an intersection with the Easterly right of way line of River Hall Parkway described in a deed recorded in Official Record Book 4326, at Page 1851, Lee County Records; thence run along said Easterly right of way line the following two (2) courses: Southeasterly along an arc of a curve to the left of radius 450.00 feet (delta 26°59'24") (chord bearing S50°33'04"E) (chord 210.02 feet) for 211.98 feet to a point of reverse curvature; and Southeasterly along an arc of a curve to the right of radius 430.00 feet (delta 09°11'27") (chord bearing S59°27'02"E) (chord 68.90 feet) for 68.98 feet to a intersection with the Southerly line of a lands in described in Instrument No. 2007000309267, Lee County Records; thence run the following three (3) courses along said Southerly line of lands: N59°14'31"E for 186.92 feet; N00°00'00"E for 85.63 feet to a point of curvature and Northeasterly along an arc of a curve to the right of radius 67.00 feet (delta 65°23'58") (chord bearing N32°41'59"E) (chord 72.39 feet) for 76.48 feet to an intersection with said West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 27: thence run S00°50'18"E along said West line for 60.93 feet to the Southwest corner of said Fraction; thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E 1/2) of said Section 27; thence run S00°51'17"E along said West line for 2,065.72 feet to an intersection with the Northerly line of lands described in a deed recorded in Official Record Book 4326, at Page 2072, Lee County Records; thence run the following eighteen (18) courses along said Northerly line:S89°09'06"W for 37.27 feet to a point on a non-tangent curve; Northwesterly along an arc of a curve to the left of radius 544.11 feet (delta 28°08'56") (chord bearing N29°19'43"W) (chord 264.63 feet) for 267.31 feet; Northerly along an arc of a curve to the right of radius 76.19 feet (delta 50°10'58") (chord bearing N18°17'17"W) (chord 64.62 feet) for 66.73 feet; Northerly along an arc of a curve to the left of radius 294.98 feet (delta 04°38'23") (chord bearing N04°29'11"E) (chord 23.88 feet) for 23.89 feet; S89°59'57"W for 290.94 feet; Southerly along an arc of a curve to the left of radius 366.19 feet (delta 02°13'10") (chord bearing S03°58'21"W) (chord 14.18 feet) for 14.19 feet; S69°32'12"W for 112.75 feet;

DESCRIPTION (CONT.)

Southwesterly along an arc of a curve to the left of radius 175.00 feet (delta 102°58'00") (chord bearing S52°06'04"W) (chord 273.85 feet) for 314.49 feet; S88°44'23"W for 23.42 feet; S71°47'56"W for 48.67 feet; S07°58'00"W for 35.55 feet; S03°55'13"E for 56.03 feet; S23°32'56"W for 47.94 feet; S33°25'14"W for 36.18 feet; S12°58'58"W for 61.88 feet; N86°33'52"W for 89.92 feet; S82°52'46"W for 49.35 feet and S84°07'47"W for 87.43 feet; to an intersection with said Easterly right of way line of River Hall Parkway; thence run the following five (5) courses along said Easterly right of way line: Southeasterly along an arc of a curve to the left of radius 700.00 feet (delta 34°14'28") (chord bearing S52°26'02"E) (chord 412.14 feet) for 418.33 feet to a point of tangency; S69°33'15"E for 283.26 feet to a point of curvature; Southeasterly along an arc of a curve to the right of radius 550.00 feet (delta 53°24'45") (chord bearing S42°50'53"E) (chord 494.36 feet) for 512.72 feet to a point of tangency; S16°08'30"E for 429.10 feet to a point of curvature; and Southerly along an arc of a curve to the left of radius 700.00 feet (delta 02°04'24") (chord bearing S17°10'43"E) (chord 25.33 feet) for 25.33 feet to an intersection with North line of the of the former Seaboard All Florida Railroad right of way (100 feet wide) recorded in Deed Book 230, at Page 106, Lee County Records; thence run N89°00'08"E along said North line for 112.79 feet to an intersection with said West line of the East Half (E 1/2) of Section 27; thence run S00°51'15"E along said West line for 50.00 feet to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36;thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2643.62 feet to the South Quarter Corner of said Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING

LESS and EXCEPT the following described parcels:

Tract "I" of HAMPTON LAKES AT RIVER HALL, PHASE ONE as recorded in Instrument Number 2005000153004, Lee County Records.
Tract "D-10", Lot 69, Lot 71 and Lot 78, Block "E" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

DESCRIPTION (CONT.)

PARCEL 1:

Lots 5 through 18, Lot 24, Lots 55 through 59, Lots 61 through 79, Lots 82 through 84, and a portion of Tract "A", HAMPTON LAKES AT RIVER HALL, PHASE ONE as recorded in

Instrument Number 2005000153004, Lee County Records being more particularly described as follows:

Beginning at the Easterly most corner of said Lot 56 run the following six (6) courses along the Northerly line of Tract "M" of said record plat: Southwesterly along an arc of a curve to the left of radius 89.14 feet (delta 04°31'15") (chord bearing S36°59'05"W) (chord 7.03 feet) for 7.03 feet; Southwesterly along an arc of a curve to the left of radius 2,152.18 feet (delta 03°07'17") (chord bearing S33°01'08"W) (chord 117.24 feet) for 117.25 feet to a point of reverse curvature; Southwesterly along an arc of a curve to the right of radius 227.87 feet (delta 48°52'23") (chord bearing S55°53'41"W) (chord 188.53 feet) for 194.37 feet to a point of compound curvature; Westerly along an arc of a curve to the right of radius 117.38 feet (delta 35°52'39") (chord bearing N81°43'48"W) (chord 72.31 feet) for 73.50 feet to a point of reverse curvature; Westerly along an arc of a curve to the left of radius 16.59 feet (delta 11°13'23") (chord bearing N69°24'10"W) (chord 3.25 feet) for 3.25 feet to a point of tangency and N69°25'47"W for 94.26 feet to the Southerly most corner of Lot 60 of said record plat; thence run the following five (5) courses along the Easterly, Northerly and Westerly line of said Lot 60: N29°18'19"E for 179.46 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the right of radius 55.00 feet (delta 09°21'44") (chord bearing N10°06'10"W) (chord 8.98 feet) for 8.99 feet to a point to a point of reverse curvature; Northwesterly along an arc of a curve to the left of radius 90.00 feet (delta 37°31'25") (chord bearing N24°11'00"W) (chord 57.89 feet) for 58.94 feet; S24°05'01"W for 22.31 feet; S29°18'19"W for 198.78 feet to an intersection with the Northerly line of said Tract "M"; thence run the following twelve (12) courses along said Northerly line: N50°41'57"W for 37.78 feet; N30°10'43"W for 58.54 feet; N78°42'40"W for 107.04 feet; N79°36'16"W for 158.97 feet; S45°25'54"W for 102.85 feet; N78°25'35"W for 187.89 feet; N27°41'18"W for 72.73 feet; N72°32'41"W for 56.71 feet; S31°10'35"W for 52.90 feet; S63°59'52"W for 67.89 feet; N78°47'42"W for 78.27 feet and N72°41'39"W for 72.32 feet to the Southerly most corner of Lots 80 and 81 of said record plat; thence run the following five (3) courses along the Easterly, Northerly and Westerly line of said Lots 80 and 81: N01°45'25"W for 200.00 feet to a point on a non-tangent curve; Westerly along an arc of a curve to the left of radius 2,475.00 feet (delta 02°31'47") (chord bearing S86°58'41"W) (chord 109.27 feet) for 109.28 feet and S04°17'12"E for 169.75 feet to an intersection with said Northerly line of Tract "M"; thence run the following five (5) courses along said Northerly line and continuing along the Northerly line of Tract "E" of said record plat: N72°20'12"W for 43.37 feet; S27°46'54"W for 23.61 feet; N05°36'00"W for 16.78 feet; S83°54'52"W for 49.75 feet to a point of curvature and Westerly along an arc of a curve to the left of radius 455.00 feet (delta 06°19'56") (chord bearing S80°44'54"W) (chord 50.26 feet) for 50.29 feet to the Southerly most corner of said Lot 84;

DESCRIPTION (CONT.)

thence run N06°27'30"W along the Westerly line of said Lot 84 and the extension thereof for 208.38 feet to an intersection with the Northerly line of said Tract "A"; thence run the following two (2) courses along the Northerly line of said Tract "A": thence run N83°23'15"E for 58.42 feet to a point of curvature and Easterly along an arc of a curve to the right of radius 2,525.00 feet (delta 01°14'43") (chord bearing N84°00'36"E) (chord 54.87 feet) for 54.87 feet to the southwest corner of said Lot 5; thence run N05°22'03"W along the Westerly line of said Lot 5 for 151.00 feet to an intersection with the Southerly line of Tract "C" of said record plat; thence run Easterly along said Southerly line and along an arc of a curve to the right of radius 2,676.00 feet (delta 16°00'07") (chord bearing S87°21'59"E) (chord 744.94 feet) for 747.37 feet to a point S83°54'52"W for 49.75 feet to the easterly most corner of said Lot 18; thence run S10°38'04"W along the Easterly line of said Lot 18 for 151.00 feet to an intersection with the Northerly line of said Tract "A": thence run the following three (3) courses along said Northerly line: Easterly along an arc of a curve to the right of radius 2,525.00 feet (delta 00°07'16") (chord bearing S79°18'18"E) (chord 5.34 feet) for 5.34 feet to a point of tangency; S79°14'39"E for 192.58 feet to a point of curvature and Easterly along an arc of a curve to the left of radius 225.00 feet (delta 30°22'46") (chord bearing N85°33'58"E) (chord 117.91 feet) for 119.30 feet to the Easterly most corner of Lot 23; thence run N19°37'25"W along the Easterly line of said Lot 23 for 153.38 feet to an intersection with said Southerly line of Tract "C"; thence run Northeasterly along said Southerly line and along an arc of a curve to the left of radius 80.00 feet (delta 22°16'45") (chord bearing N57°32'28"E) (chord 30.91 feet) for 31.11 feet to the Westerly most corner of said Lot 25; thence run S44°34'58"E along the Southwesterly line of said Lot 25 and the extension thereof for 288.53 feet to an intersection with the Easterly line fo said Tract "A"; thence run the following four (4) courses along said Easterly line: Southwesterly along an arc of a curve to the right of radius 100.00 feet (delta 04°05'01") (chord bearing S25°43'21"W) (chord 7.13 feet) for 7.13 feet to a point of reverse curvature; Southerly along an arc of a curve to the left of radius 12.00 feet (delta 70°42'34") (chord bearing S07°35'25"E) (chord 13.89 feet) for 14.81 feet to a point of tangency; S42°56'42"E for 27.72 feet to a point of curvature; Southeasterly along an arc of a curve to the left of radius 90.00 feet (delta 37°31'25") (chord bearing S61°42'25"E) (chord 57.89 feet) for 58.94 feet to the westerly most corner of said Lot 55; thence run the following three (3) courses along the Northerly line of said Lot 55: N81°03'16"E for 36.46 feet; N83°15'36"E for 153.20 feet and Southerly along an arc of a curve to the right of radius 208.00 feet (delta 15°02'52") (chord bearing S12°27'23"E) (chord 54.47 feet) for 54.63 feet Northerly most corner of said Lot 56; thence run S50°45'18"E along the Northerly line of said Lot for 47.82 feet to the POINT OF BEGINNING.

PARCEL 2:

Lots 91 through 101, Lots 282 through 299 and a portion of Tract "A", HAMPTON LAKES AT RIVER HALL, PHASE ONE as recorded in Instrument Number 2005000153004, Lee County Records being more particularly described as follows:

DESCRIPTION (CONT.)

Beginning at the Northeast corner of said Lot 101 run S08°44'57"W for 216.00 feet to a point on a curve; thence run Westerly along an arc of a curve to the right of radius 1,821.00 feet (delta 03°07'08") (chord bearing N79°41'29"W) (chord 99.12 feet) for 99.13 feet; thence run S00°44'30"E along a non-radial line for 163.51 feet to a point on a curve; thence run Westerly along an arc of a curve to the right of radius 2,355.00 feet (delta 02°29'12") (chord bearing N79°46'45"W) (chord 102.20 feet) for 102.20 feet to a point of reverse curvature; thence run Westerly along an arc of a curve to the left of radius 100.00 feet (delta 52°53'49") (chord bearing S75°00'56"W) (chord 89.08 feet) for 92.32 feet to a point of reverse curvature; thence run Northwesterly along an arc of a curve to the right of radius 208.00 feet (delta 153°14'45") (chord bearing N54°48'35"W) (chord 404.71 feet) for 556.33 feet to a point of tangency; thence run N21°48'47"E for 116.64 feet to a point of curvature; thence run Northerly along an arc of a curve to the left of radius 314.00 feet (delta 64°32'52") (chord bearing N10°27'39"W) (chord 335.33 feet) for 353.74 feet; thence run N47°15'56"E along a radial line for 151.00 feet to a point on a curve; thence run Northwesterly along an arc of a curve to the left of radius 465.00 feet (delta 11°09'10") (chord bearing N48°18'39"W) (chord 90.37 feet) for 90.51 feet; thence run S36°06'46"W along a radial line for 151.00 feet to a point on a curve; thence run Westerly along an arc of a curve to the left of radius 314.00 feet (delta 32°33'06") (chord bearing N70°09'47"W) (chord 176.00 feet) for 178.39 feet to a point of reverse curvature; thence run Northwesterly along an arc of a curve to the right of radius 25.00 feet (delta 94°40'12") (chord bearing N39°06'14"W) (chord 36.77 feet) for 41.31 feet to a point of tangency; thence run N08°13'52"E for 213.53 feet to a point on a curve; thence run Easterly along an arc of a curve to the right of radius 504.56 feet (delta 01°09'55") (chord bearing S80°19'37"E) (chord 10.26 feet) for 10.26 feet; thence run S82°10'43"E along a non-tangent line for 39.30 feet; thence run S07°54'55"W for 26.43 feet to a point on a curve; thence run Southeasterly along an arc of a curve to the right of radius 525.00 feet (delta 40°23'04") (chord bearing S61°53'33"E) (chord 362.43 feet) for 370.04 feet; thence run N48°17'59"E along a radial line for 151.00 feet to a point on a curve; thence run Southeasterly along an arc of a curve to the right of radius 676.00 feet (delta 20°32'40") (chord bearing S31°25'40"E) (chord 241.10 feet) for 242.39 feet to a point of tangency; thence run S21°09'20"E for 143.40 feet; thence run N68°50'40"E for 80.95 feet; thence run S21°14'22"W for 88.38 feet; thence run S16°45'04"W for 111.77 feet to a point on a curve; thence run Easterly along an arc of a curve to the left of radius 1,605.00 feet (delta 07°19'41") (chord bearing S77°35'13"E) (chord 205.14 feet) for 205.28 feet to the POINT OF BEGINNING.

PARCEL 3:

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

Beginning at the Southeast corner of said Section 26 run S89°14'15" W along the South line of the Southeast Quarter (SE ¼) of said Section 26 for 324.10 feet; thence run S22°42'22" W for 397.88 feet to a point on a curve;

DESCRIPTION (CONT.)

thence run Westerly along an arc of a curve to the left of radius 590.00 feet (delta 52°02'20") (chord bearing N78°19'06" W) (chord 517.64 feet) for 535.87 feet to a point; thence run S14°20'16" E along a radial line for 80.00 feet to a point on a curve; thence run Easterly along an arc of a curve to the right of radius 510.00 feet (delta 45°53'49") (chord bearing S81°23'21" E) (chord 397.70 feet) for 408.54 feet to a point of cusp; thence run Westerly along an arc of a curve to the left of radius 10.00 feet (delta 96°25'26") (chord bearing S73°20'50" W) (chord 14.91 feet) for 16.83 feet to a point of reverse curvature; thence run Southwesterly along an arc of a curve to the right of radius 138.00 feet (delta 12°53'35") (chord bearing S31°34'54" W) (chord 30.99 feet) for 31.05 feet to a point of tangency; thence run S38°01'41" W for 25.21 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the left of radius 112.00 feet (delta 11°39'27") (chord bearing S32°11'58" W) (chord 22.75 feet) for 22.79 feet to a point of tangency; thence run S26°22'15" W for 137.99 feet to a point of curvature; thence run Southerly along an arc of a curve to the left of radius 65.00 feet (delta 66°02'56") (chord bearing S06°39'13" E) (chord 70.85 feet) for 74.93 feet to a point of tangency; thence run S39°40'41" E for 346.93 feet to a point of curvature; thence run Easterly along an arc of a curve to the left of radius 65.00 feet (delta 76°57'56") (chord bearing S78°09'51" E) (chord 80.90 feet) for 87.31 feet to a point of tangency; thence run N63°21'11" E for 41.46 feet to a point of curvature; thence run Northeasterly along an arc of a curve to the left of radius 185.00 feet (delta 16°44'31") (chord bearing N54°58'55" E) (chord 53.86 feet) for 54.06 feet to a point of reverse curvature; thence run Northeasterly along an arc of a curve to the right of radius 104.00 feet (delta 16°44'31") (chord bearing N54°58'55" E) (chord 30.28 feet) for 30.39 feet to a point of tangency; thence run N63°21'11" E for 18.00 feet to a point of curvature; thence run Northerly along an arc of a curve to the left of radius 10.00 feet (delta 90°00'00") (chord bearing N18°21'11" E) (chord 14.14 feet) for 15.71 feet to a point of cusp; thence run S26°38'49" E for 149.77 feet to a point of curvature; thence run Southeasterly along an arc of a curve to the left of radius 1,040.00 feet (delta 03°26'40") (chord bearing S28°22'09" E) (chord 62.51 feet) for 62.52 feet; thence run N63°21'11" E along a non-radial line for 80.16 feet to a point on a curve; thence run Northwesterly along an arc of a curve to the right of radius 960.00 feet (delta 03°43'55") (chord bearing N28°30'47" W) (chord 62.52 feet) for 62.53 feet to a point of tangency; thence run N26°38'49" W for 282.63 feet; thence run N69°08'00" E for 182.45 feet to a point of curvature; thence run Northerly along an arc of a curve to the left of radius 50.00 feet (delta 138°15'10") (chord bearing N00°00'25" E) (chord 93.44 feet) for 120.65 feet to a point of reverse curvature; thence run Northwesterly along an arc of a curve to the right of radius 110.00 feet (delta 31°55'07") (chord bearing N53°09'37" W) (chord 60.49 feet) for 61.28 feet to a point of tangency; thence run N37°12'03" W for 32.38 feet to a point of curvature; thence run Northeasterly along an arc of a curve to the right of radius 192.00 feet (delta 175°52'17") (chord bearing N50°44'05" E) (chord 383.75 feet) for 589.35 feet to a point of tangency; thence run S41°19'46" E for 76.92 feet to a point of curvature; thence run Southeasterly along an arc of a curve to the right of radius 262.00 feet (delta 08°14'46") (chord bearing S37°12'23" E) (chord 37.68 feet) for 37.71 feet; thence run S56°55'00" W along a radial line for 117.39 feet; thence run S49°31'19" W for 24.48 feet to a point on a curve;

DESCRIPTION (CONT.)

thence run Southeasterly along an arc of a curve to the right of radius 175.00 feet (delta 13°49'51") (chord bearing S33°33'45" E) (chord 42.14 feet) for 42.24 feet to a point of tangency; thence run S26°38'49" E for 66.13 feet; thence run N63°21'11" E for 120.00 feet; thence run N35°30'37" E for 25.77 feet to a point on a curve; thence run Easterly along an arc of a curve to the left of radius 50.00 feet (delta 24°10'37") (chord bearing S66°34'42" E) (chord 20.94 feet) for 21.10 feet; thence run S11°20'00" W along a radial line for 149.99 feet; thence run S04°31'30" W for 92.00 feet; thence run Northeasterly along an arc of a curve to the left of radius 475.00 feet (delta 13°25'17") (chord bearing N51°39'28" E) (chord 111.01 feet) for 111.27 feet to a point of reverse curvature; thence run Northeasterly along an arc of a curve to the right of radius 525.00 feet (delta 07°21'10") (chord bearing N48°37'25" E) (chord 67.33 feet) for 67.37 feet; thence run S37°42'00" E along a radial line for 187.00 feet to a point on a curve; thence run Northeasterly along an arc of a curve to the right of radius 338.00 feet (delta 11°03'11") (chord bearing N57°49'35" E) (chord 65.10 feet) for 65.20 feet to a point of tangency; thence run N63°21'11" E for 244.60 feet to a point of curvature; thence run Northeasterly along an arc of a curve to the left of radius 362.00 feet (delta 56°56'41") (chord bearing N34°52'50" E) (chord 345.16 feet) for 359.78 feet; thence run N80°05'11" E along a non-radial line for 56.72 feet to a point of curvature; thence run Easterly along an arc of a curve to the left of radius 50.00 feet (delta 25°03'46") (chord bearing N67°33'18" E) (chord 21.70 feet) for 21.87 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the right of radius 120.00 feet (delta 75°31'54") (chord bearing S87°12'38" E) (chord 146.98 feet) for 158.19 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the left of radius 50.00 feet (delta 40°58'20") (chord bearing S69°55'50" E) (chord 35.00 feet) for 35.76 feet to a point of tangency; thence run N89°35'00" E for 45.33 feet; thence run S00°47'31" E for 16.35 feet to a point of curvature; thence run Southerly along an arc of a curve to the right of radius 250.00 feet (delta 29°56'16") (chord bearing S14°10'37" W) (chord 129.15 feet) for 130.63 feet; thence run S62°01'00" E along a non-radial line for 141.53 feet to a point on a curve; thence run Southwesterly along an arc of a curve to the right of radius 375.00 feet (delta 07°28'56") (chord bearing S31°43'28" W) (chord 48.94 feet) for 48.97 feet to a point of reverse curvature; thence run Southwesterly along an arc of a curve to the left of radius 825.00 feet (delta 01°27'39") (chord bearing S34°44'06" W) (chord 21.04 feet) for 21.04 feet; thence run N63°40'00" W along a non-radial line for 143.09 feet to a point on a curve; thence run Southwesterly along an arc of a curve to the left of radius 967.00 feet (delta 11°36'37") (chord bearing S27°04'03" W) (chord 195.61 feet) for 195.95 feet to a point of tangency; thence run S21°15'45" W for 143.68 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the right of radius 100.00 feet (delta 22°40'27") (chord bearing S32°35'59" W) (chord 39.32 feet) for 39.57 feet to a point of tangency; thence run S43°56'12" W for 46.89 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the right of radius 298.00 feet (delta 12°39'49") (chord bearing S50°16'07" W) (chord 65.73 feet) for 65.86 feet; thence run S47°30'15" E along a non-radial line for 144.40 feet to a point on a curve; thence run Northeasterly along an arc of a curve to the right of radius 325.00 feet (delta 01°26'27") (chord bearing N43°12'59" E) (chord 8.17 feet) for 8.17 feet to a point of tangency; thence run N43°56'12" E for 18.29 feet; thence run S46°03'48" E for 188.00 feet; thence run N43°56'12" E for 87.48 feet to a point of curvature;

DESCRIPTION (CONT.)

thence run Northeasterly along an arc of a curve to the left of radius 463.00 feet (delta 22°40'27") (chord bearing N32°35'59" E) (chord 182.03 feet) for 183.23 feet to a point of tangency; thence run N21°15'45" E for 124.09 feet; thence run Northeasterly along an arc of a curve to the right of radius 637.00 feet (delta 14°12'11") (chord bearing N28°21'50" E) (chord 157.50 feet) for 157.91 feet to a point of reverse curvature; thence run Northerly along an arc of a curve to the left of radius 563.00 feet (delta 36°15'27") (chord bearing N17°20'13" E) (chord 350.36 feet) for 356.27 feet; thence run S63°03'27" E along a non-tangent line for 24.55 feet to a point of curvature; thence run Easterly along an arc of a curve to the left of radius 50.00 feet (delta 89°57'44") (chord bearing N71°57'41" E) (chord 70.69 feet) for 78.51 feet to a point of tangency; thence run N26°58'49" E for 26.67 feet to a point of curvature; thence run Easterly along an arc of a curve to the right of radius 81.00 feet (delta 94°29'25") (chord bearing N74°13'31" E) (chord 118.95 feet) for 133.58 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the left of radius 122.00 feet (delta 76°44'52") (chord bearing N83°05'47" E) (chord 151.47 feet) for 163.42 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the right of radius 91.00 feet (delta 74°08'37") (chord bearing N81°47'40" E) (chord 109.71 feet) for 117.76 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the left of radius 80.00 feet (delta 82°10'48") (chord bearing N77°46'35" E) (chord 105.16 feet) for 114.74 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the right of radius 90.00 feet (delta 105°26'44") (chord bearing N89°24'33" E) (chord 143.23 feet) for 165.63 feet to a point of reverse curvature; thence run Southeasterly along an arc of a curve to the left of radius 140.00 feet (delta 24°20'17") (chord bearing S50°02'13" E) (chord 59.02 feet) for 59.47 feet to a point of tangency; thence run S62°12'22" E for 55.32 feet to a point on a curve; thence run Southerly along an arc of a curve to the right of radius 190.00 feet (delta 125°16'37") (chord bearing S20°09'12" E) (chord 337.49 feet) for 415.43 feet; thence run S67°53'30" E along a non-radial line for 66.81 feet to a point of curvature; thence run Easterly along an arc of a curve to the left of radius 60.00 feet (delta 35°05'29") (chord bearing S85°26'15" E) (chord 36.18 feet) for 36.75 feet to a point of compound curvature; thence run Northerly along an arc of a curve to the left of radius 220.00 feet (delta 166°28'53") (chord bearing N06°13'26" W) (chord 436.94 feet) for 639.24 feet to a point of reverse curvature; thence run Northwesterly along an arc of a curve to the right of radius 10.00 feet (delta 99°32'47") (chord bearing N39°41'29" W) (chord 15.27 feet) for 17.37 feet to a point of tangency; thence run N10°04'54" E for 157.76 feet to a point of curvature; thence run Northerly along an arc of a curve to the left of radius 80.00 feet (delta 21°20'24") (chord bearing N00°35'18" W) (chord 29.62 feet) for 29.80 feet to an intersection with the North line of the Northwest Quarter (NW ¼) of said Section 36; thence run N89°12'44" E along the North line of said fraction for 14.42 feet to the Northeast corner of said fraction; thence run S00°50'27" E along the East line of said fraction for 19.08 feet; thence run N88°44'10" E for 18.72 feet to a point on a non-tangent curve; thence run Northeasterly along an arc of a curve to the left of radius 191.69 feet (delta 34°04'55") (chord bearing N65°44'08" E) (chord 112.35 feet) for 114.03 feet to a point on a non-tangent curve; thence run Easterly along an arc of a curve to the right of radius 74.00 feet (delta 41°06'40") (chord bearing N68°39'12" E) (chord 51.97 feet) for 53.10 feet to a point of tangency; thence run N89°12'32" E for 121.52 feet;

DESCRIPTION (CONT.)

thence run N87°06'26" E for 46.35 feet to a point of curvature; thence run Easterly along an arc of a curve to the left of radius 392.24 feet (delta 21°23'35") (chord bearing N80°42'00" E) (chord 145.61 feet) for 146.46 feet; thence run S00°27'02" W along a non-tangent line for 89.58 feet; thence run S18°48'36" W for 1,071.91 feet to a point of curvature; thence run Southerly along an arc of a curve to the left of radius 312.00 feet (delta 18°03'19") (chord bearing S09°46'57" W) (chord 97.91 feet) for 98.32 feet to a point of reverse curvature; thence run Southwesterly along an arc of a curve to the right of radius 238.00 feet (delta 60°01'13") (chord bearing S30°45'54" W) (chord 238.07 feet) for 249.32 feet; thence run S29°13'30" E along a radial line for 137.00 feet to a point on a curve; thence run Southwesterly along an arc of a curve to the right of radius 375.00 feet (delta 02°56'39") (chord bearing S62°14'49" W) (chord 19.27 feet) for 19.27 feet to a point of tangency; thence run S63°43'09" W for 516.94 feet; thence run N48°46'02" W for 214.19 feet; thence run S39°41'59" W for 151.00 feet; thence run S34°03'52" W for 55.47 feet; thence run S39°41'59" W for 86.33 feet to a point on a curve; thence run Southeasterly along an arc of a curve to the right of radius 850.00 feet (delta 03°52'46") (chord bearing S39°29'44" E) (chord 57.54 feet) for 57.55 feet; thence run S52°26'39" W along a radial line for 80.00 feet to a point on a curve; thence run Southeasterly along an arc of a curve to the right of radius 770.00 feet (delta 14°24'41") (chord bearing S30°21'00" E) (chord 193.17 feet) for 193.68 feet; thence run S83°37'00" W along a non-tangent line for 125.58 feet; thence run S87°12'03" W for 465.09 feet to a point of curvature; thence run Westerly along an arc of a curve to the right of radius 305.00 feet (delta 44°31'08") (chord bearing N70°32'23" W) (chord 231.07 feet) for 236.99 feet to a point of reverse curvature; thence run Southwesterly along an arc of a curve to the left of radius 201.00 feet (delta 159°46'46") (chord bearing S51°49'48" W) (chord 395.76 feet) for 560.52 feet to a point of tangency; thence run S28°03'35" E for 350.17 feet; thence run S14°44'31" E for 159.92 feet; thence run S11°04'25" E for 164.34 feet to a point on a curve; thence run Westerly along an arc of a curve to the right of radius 640.00 feet (delta 14°34'52") (chord bearing S78°29'50" W) (chord 162.43 feet) for 162.87 feet to a point of tangency; thence run S85°47'16" W for 103.64 feet to a point of curvature; thence run Westerly along an arc of a curve to the right of radius 90.00 feet (delta 17°01'46") (chord bearing N85°41'51" W) (chord 26.65 feet) for 26.75 feet to a point of reverse curvature; thence run Westerly along an arc of a curve to the left of radius 190.00 feet (delta 45°52'49") (chord bearing S79°52'37" W) (chord 148.11 feet) for 152.15 feet; thence run N33°03'48" W along a radial line for 61.34 feet to a point of curvature; thence run Northerly along an arc of a curve to the right of radius 94.00 feet (delta 108°32'55") (chord bearing N21°12'40" E) (chord 152.62 feet) for 178.09 feet to a point of reverse curvature; thence run Northeasterly along an arc of a curve to the left of radius 270.00 feet (delta 22°36'21") (chord bearing N64°10'57" E) (chord 105.84 feet) for 106.53 feet to a point of compound curvature; thence run Northerly along an arc of a curve to the left of radius 102.00 feet (delta 110°26'44") (chord bearing N02°20'35" W) (chord 167.56 feet) for 196.62 feet to a point of tangency; thence run N57°33'57" W for 78.61 feet to a point on a curve; thence run Southwesterly along an arc of a curve to the right of radius 195.00 feet (delta 60°21'14") (chord bearing S62°36'40" W) (chord 196.04 feet) for 205.41 feet; thence run S02°47'17" W along a radial line for 77.21 feet to a point of curvature;

DESCRIPTION (CONT.)

thence run Southeasterly along an arc of a curve to the left of radius 100.00 feet (delta 51°49'50") (chord bearing S23°07'38" E) (chord 87.41 feet) for 90.46 feet to a point of reverse curvature; thence run Southerly along an arc of a curve to the right of radius 35.00 feet (delta 66°48'46") (chord bearing S15°38'11" E) (chord 38.54 feet) for 40.81 feet to a point of tangency; thence run S17°46'12" W for 63.27 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the right of radius 25.00 feet (delta 94°42'39") (chord bearing S65°07'32" W) (chord 36.78 feet) for 41.33 feet to a point of tangency; thence run N67°31'09" W for 136.47 feet to a point of curvature; thence run Northwesterly along an arc of a curve to the right of radius 100.00 feet (delta 32°45'36") (chord bearing N51°08'21" W) (chord 56.40 feet) for 57.18 feet to a point of reverse curvature; thence run Westerly along an arc of a curve to the left of radius 97.00 feet (delta 67°43'27") (chord bearing N68°37'16" W) (chord 108.10 feet) for 114.65 feet to a point of tangency; thence run S77°31'00" W for 57.86 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the left of radius 90.00 feet (delta 78°13'56") (chord bearing S38°24'02" W) (chord 113.56 feet) for 122.89 feet to a point of compound curvature; thence run Southeasterly along an arc of a curve to the left of radius 137.00 feet (delta 41°47'26") (chord bearing S21°36'38" E) (chord 97.72 feet) for 99.93 feet to a point of cusp; thence run N42°30'21" W for 260.38 feet; thence run S86°55'59" W for 507.21 feet to a point of curvature; thence run Westerly along an arc of a curve to the right of radius 175.00 feet (delta 23°42'43") (chord bearing N81°12'40" W) (chord 71.91 feet) for 72.42 feet to a point of tangency; thence run N69°21'19" W for 585.07 feet; thence run S33°12'19" W for 103.92 feet to a point on a curve; thence run Westerly along an arc of a curve to the left of radius 199.00 feet (delta 85°50'24") (chord bearing S80°17'07" W) (chord 271.03 feet) for 298.14 feet to a point of reverse curvature; thence run Westerly along an arc of a curve to the right of radius 80.00 feet (delta 80°21'13") (chord bearing S77°32'31" W) (chord 103.22 feet) for 112.19 feet to a point of reverse curvature; thence run Westerly along an arc of a curve to the left of radius 617.00 feet (delta 12°05'13") (chord bearing N68°19'29" W) (chord 129.92 feet) for 130.16 feet to a point of tangency; thence run N74°22'05" W for 69.19 feet to a point of curvature; thence run Northwesterly along an arc of a curve to the right of radius 333.00 feet (delta 28°18'26") (chord bearing N60°12'53" W) (chord 162.85 feet) for 164.52 feet to a point of tangency; thence run N46°03'40" W for 122.65 feet to a point of curvature; thence run Northwesterly along an arc of a curve to the left of radius 467.00 feet (delta 36°52'20") (chord bearing N64°29'50" W) (chord 295.38 feet) for 300.53 feet to a point of tangency; thence run N82°56'00" W for 141.12 feet; thence run S86°42'12" W for 25.00 feet; thence run S03°17'48" E for 328.28 feet; thence run S86°42'12" W for 80.00 feet to a point on a curve; thence run Southerly along an arc of a curve to the left of radius 440.00 feet (delta 02°08'51") (chord bearing S04°22'14" E) (chord 16.49 feet) for 16.49 feet; thence run S86°42'12" W along a non-tangent line for 467.07 feet to a point of curvature; thence run Westerly along an arc of a curve to the right of radius 1,060.00 feet (delta 34°30'47") (chord bearing N76°02'25" W) (chord 628.90 feet) for 638.51 feet to a point of compound curvature; thence run Northwesterly along an arc of a curve to the right of radius 250.00 feet (delta 68°18'47") (chord bearing N24°37'38" W) (chord 280.73 feet) for 298.07 feet to a point of tangency; thence run N09°31'45" E for 74.54 feet; thence run N30°49'51" E for 249.11 feet to a point of curvature;

DESCRIPTION (CONT.)

thence run Northeasterly along an arc of a curve to the right of radius 220.00 feet (delta 52°51'01") (chord bearing N57°15'21" E) (chord 195.81 feet) for 202.93 feet; thence run S78°58'39" E along a non-tangent line for 65.57 feet to a point of curvature; thence run Southeasterly along an arc of a curve to the right of radius 210.00 feet (delta 99°35'44") (chord bearing S29°10'47" E) (chord 320.78 feet) for 365.04 feet to a point of reverse curvature; thence run Southeasterly along an arc of a curve to the left of radius 140.00 feet (delta 109°40'40") (chord bearing S34°13'15" E) (chord 228.91 feet) for 267.99 feet to a point of compound curvature; thence run Easterly along an arc of a curve to the left of radius 740.00 feet (delta 04°14'14") (chord bearing N88°49'19" E) (chord 54.71 feet) for 54.72 feet to a point of tangency; thence run N86°42'12" E for 132.26 feet; thence run N05°56'52" E for 237.29 feet; thence run N56°20'36" W for 152.66 feet to a point of curvature; thence run Northwesterly along an arc of a curve to the right of radius 205.00 feet (delta 50°04'41") (chord bearing N31°18'16" W) (chord 173.53 feet) for 179.18 feet to a point of tangency; thence run N06°15'55" W for 124.53 feet; thence run N27°16'52" W for 98.20 feet to a point of curvature; thence run Northerly along an arc of a curve to the right of radius 105.00 feet (delta 18°12'47") (chord bearing N18°10'29" W) (chord 33.24 feet) for 33.38 feet to a point of tangency; thence run N09°04'05" W for 116.79 feet; thence run N32°41'11" W for 43.10 feet to a point of curvature; thence run Westerly along an arc of a curve to the left of radius 65.00 feet (delta 94°24'55") (chord bearing N79°53'38" W) (chord 95.40 feet) for 107.11 feet to a point of tangency; thence run S52°53'54" W for 58.04 feet; thence run S48°30'36" W for 61.36 feet; thence run N19°19'23" W for 164.33 feet; thence run N28°32'48" E for 50.78 feet to a point of curvature; thence run Northeasterly along an arc of a curve to the right of radius 75.00 feet (delta 72°09'44") (chord bearing N64°37'40" E) (chord 88.34 feet) for 94.46 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the left of radius 65.00 feet (delta 35°36'29") (chord bearing N82°54'17" E) (chord 39.75 feet) for 40.40 feet to a point of tangency; thence run N65°06'03" E for 59.44 feet to a point on a curve; thence run Northwesterly along an arc of a curve to the right of radius 283.00 feet (delta 10°53'14") (chord bearing N25°08'05" W) (chord 53.69 feet) for 53.77 feet to a point of tangency; thence run N19°41'28" W for 224.63 feet to a point of curvature; thence run Northwesterly along an arc of a curve to the left of radius 387.00 feet (delta 16°56'50") (chord bearing N28°09'53" W) (chord 114.05 feet) for 114.47 feet; thence run S53°21'42" W along a radial line for 66.00 feet; thence run N01°26'15" W for 93.06 feet; thence run S89°41'00" W for 44.92 feet to a point on a curve; thence run Northwesterly along an arc of a curve to the left of radius 580.00 feet (delta 20°04'37") (chord bearing N60°42'11" W) (chord 202.20 feet) for 203.24 feet to a point of reverse curvature; thence run Northwesterly along an arc of a curve to the right of radius 470.00 feet (delta 23°02'27") (chord bearing N59°13'16" W) (chord 187.73 feet) for 189.00 feet to a point of reverse curvature; thence run Westerly along an arc of a curve to the left of radius 700.00 feet (delta 48°28'37") (chord bearing N71°56'21" W) (chord 574.75 feet) for 592.26 feet to a point of tangency; thence run S83°49'20" W for 247.09 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the left of radius 300.00 feet (delta 41°00'25") (chord bearing S63°19'08" W) (chord 210.16 feet) for 214.71 feet to a point of tangency; thence run S42°48'55" W for 86.85 feet to a point of curvature;

DESCRIPTION (CONT.)

thence run Westerly along an arc of a curve to the right of radius 313.00 feet (delta 132°03'02") (chord bearing N71°09'34" W) (chord 571.99 feet) for 721.38 feet to a point of tangency; thence run N05°08'03" W for 142.76 feet; thence run N38°34'30" W for 22.21 feet; thence run N10°27'10" W for 62.69 feet to a point on a curve; thence run Easterly along an arc of a curve to the left of radius 300.00 feet (delta 15°54'03") (chord bearing N71°35'48" E) (chord 82.99 feet) for 83.26 feet; thence run N08°48'59" W along a non-tangent line for 105.33 feet; thence run N41°34'28" W for 87.29 feet to a point of curvature; thence run Northerly along an arc of a curve to the right of radius 125.00 feet (delta 104°11'17") (chord bearing N10°31'11" E) (chord 197.26 feet) for 227.30 feet to a point of tangency; thence run N62°36'50" E for 68.76 feet; thence run N31°06'21" E for 60.17 feet to a point of cusp; thence run Southerly along an arc of a curve to the left of radius 45.00 feet (delta 95°29'04") (chord bearing S16°38'12" E) (chord 66.61 feet) for 74.99 feet to a point of compound curvature; thence run Easterly along an arc of a curve to the left of radius 130.87 feet (delta 74°23'38") (chord bearing N78°25'27" E) (chord 158.24 feet) for 169.93 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the right of radius 70.00 feet (delta 58°13'55") (chord bearing N70°20'36" E) (chord 68.12 feet) for 71.14 feet to a point of reverse curvature; thence run Northeasterly along an arc of a curve to the left of radius 83.48 feet (delta 100°27'26") (chord bearing N49°13'51" E) (chord 128.32 feet) for 146.36 feet to a point of tangency; thence run N00°59'52" W for 83.57 feet; thence run N89°00'08" E for 981.08 feet; thence run S00°59'52" E for 65.05 feet to a point of curvature; thence run Southeasterly along an arc of a curve to the left of radius 65.00 feet (delta 63°22'11") (chord bearing S32°40'57" E) (chord 68.28 feet) for 71.89 feet to a point of tangency; thence run S64°22'02" E for 278.74 feet to a point of curvature; thence run Easterly along an arc of a curve to the left of radius 65.00 feet (delta 66°12'09") (chord bearing N82°31'53" E) (chord 71.00 feet) for 75.10 feet to a point of tangency; thence run N49°25'49" E for 54.82 feet to a point on a curve; thence run Northwesterly along an arc of a curve to the right of radius 190.00 feet (delta 45°33'43") (chord bearing N21°32'23" W) (chord 147.14 feet) for 151.09 feet to a point of tangency; thence run N01°14'28" E for 67.44 feet; thence run N89°00'08" E for 1,023.75 feet; thence run S34°03'00" E for 73.63 feet to a point of curvature; thence run Southerly along an arc of a curve to the right of radius 385.00 feet (delta 66°05'53") (chord bearing S01°00'03" E) (chord 419.92 feet) for 444.15 feet to a point of reverse curvature; thence run Southeasterly along an arc of a curve to the left of radius 110.00 feet (delta 118°57'19") (chord bearing S27°25'46" E) (chord 189.51 feet) for 228.38 feet to a point of tangency; thence run S86°54'26" E for 216.69 feet to a point of curvature; thence run Easterly along an arc of a curve to the left of radius 240.00 feet (delta 36°52'22") (chord bearing N74°39'23" E) (chord 151.80 feet) for 154.45 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the right of radius 1,160.00 feet (delta 24°46'31") (chord bearing N68°36'27" E) (chord 497.70 feet) for 501.59 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the left of radius 100.00 feet (delta 26°58'22") (chord bearing N67°30'31" E) (chord 46.64 feet) for 47.08 feet to a point of tangency; thence run N54°01'20" E for 82.77 feet to a point of curvature; thence run Northeasterly along an arc of a curve to the left of radius 75.00 feet (delta 54°55'47") (chord bearing N26°33'26" E) (chord 69.18 feet) for 71.90 feet to a point of tangency; thence run N00°54'27" W for 72.80 feet to a point on a curve;

DESCRIPTION (CONT.)

thence run Northerly along an arc of a curve to the right of radius 180.50 feet (delta 06°01'40") (chord bearing N21°54'55" E) (chord 18.98 feet) for 18.99 feet to a point on a non-tangent curve; thence run Easterly along an arc of a curve to the right of radius 69.41 feet (delta 79°19'24") (chord bearing N68°43'56" E) (chord 88.61 feet) for 96.10 feet; thence run S89°50'27" E along a non-tangent line for 77.53 feet; thence run N00°23'46" W for 260.46 feet; thence run N89°00'08" E for 1,325.98 feet to an intersection with the East line of the Southeast Quarter (SE ¼) of said Section 26; thence run S00°33'55" E along the East line of said fraction for 531.91 feet to the POINT OF BEGINNING.

LESS and EXCEPT from Parcel 3 the following described parcels:

Lot 1, Block "D", Lots 4 through 7, Lots 9 and 10, Lot 44, Lot 46, Lots 48 through 50, Block "E" and Tract "D-10", River Hall Country Club, Phase One, recorded in Instrument Number 2005000153068 and Tract "A-2" and Tract "C-1", River Hall Country Club, Phase Two, recorded in Instrument Number 2006000409514, all recorded in the Public Records of Lee County, Florida.

PARCEL 4:

Lots 58 through 64, Lot 91, Lots 105 through 128, Tract "D-13" and a portion of Tract "A", RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records being more particularly described as follows:

Beginning at the Southeast corner of said Lot 64 run Westerly along an arc of a curve to the right of radius 507.00 feet (delta 00°14'28") (chord bearing N81°46'35" W) (chord 2.13 feet) for 2.13 feet to a point of tangency; thence run N81°39'21" W for 35.36 feet to a point of curvature; thence run Westerly along an arc of a curve to the left of radius 638.00 feet (delta 22°10'10") (chord bearing S87°15'34" W) (chord 245.33 feet) for 246.86 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the right of radius 615.00 feet (delta 10°30'59") (chord bearing S66°31'54" W) (chord 112.72 feet) for 112.88 feet to a point of tangency; thence run S71°47'24" W for 70.09 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the left of radius 84.98 feet (delta 18°58'52") (chord bearing S62°17'23" W) (chord 28.02 feet) for 28.15 feet; thence run N19°58'28" W along a non-tangent line for 147.35 feet to a point on a curve; thence run Southwesterly along an arc of a curve to the left of radius 180.00 feet (delta 54°34'11") (chord bearing S34°36'58" W) (chord 165.03 feet) for 171.44 feet to a point of tangency; thence run S07°19'52" W for 111.15 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the right of radius 307.36 feet (delta 81°39'18") (chord bearing S48°25'26" W) (chord 401.90 feet) for 438.03 feet; thence run N89°31'51" W along a non-tangent line for 684.37 feet to a point of curvature; thence run Westerly along an arc of a curve to the left of radius 185.00 feet (delta 13°28'05") (chord bearing S83°44'07" W) (chord 43.39 feet) for 43.49 feet to a point of reverse curvature;

DESCRIPTION (CONT.)

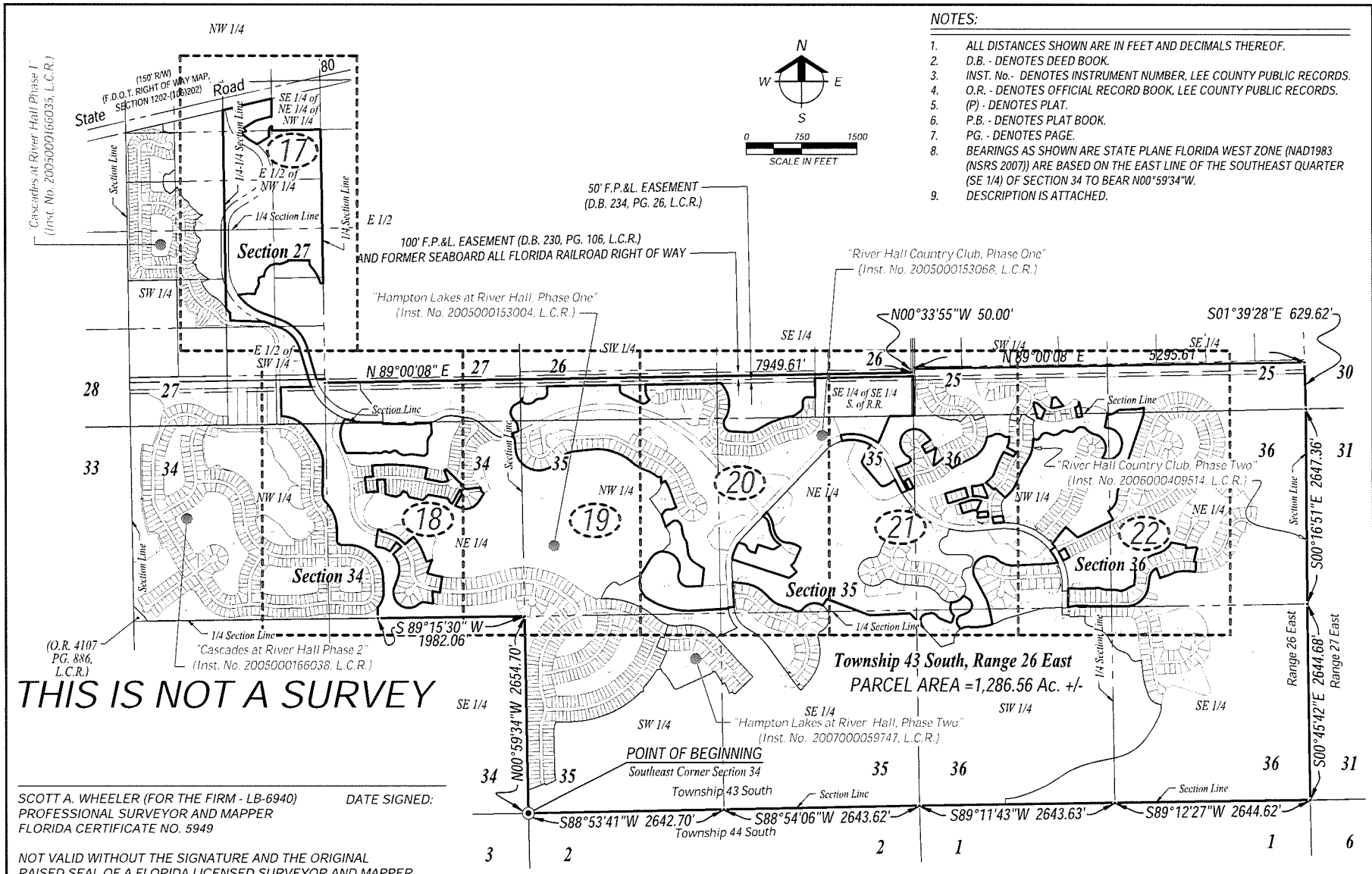
thence run Westerly along an arc of a curve to the right of radius 215.00 feet (delta 13°50'13") (chord bearing S83°55'11" W) (chord 51.80 feet) for 51.92 feet to a point of reverse curvature; thence run Southwesterly along an arc of a curve to the left of radius 10.00 feet (delta 90°22'08") (chord bearing S45°39'14" W) (chord 14.19 feet) for 15.77 feet to a point of cusp; thence run N00°28'09" E for 250.82 feet; thence run S88°47'44" E for 210.92 feet; thence run N86°33'20" E for 95.24 feet; thence run N88°14'30" E for 122.16 feet; thence run S74°32'17" E for 86.16 feet; thence run S88°32'44" E for 140.39 feet; thence run S79°09'06" E for 64.22 feet; thence run N75°27'17" E for 54.79 feet; thence run N59°58'21" E for 75.99 feet; thence run N66°39'44" E for 66.32 feet; thence run N07°12'25" E for 104.46 feet; thence run N01°33'44" W for 79.15 feet; thence run N19°06'25" E for 81.26 feet; thence run N23°27'18" E for 38.04 feet; thence run N59°50'47" E for 123.37 feet; thence run N10°55'02" E for 6.12 feet to a point on a curve; thence run Northeasterly along an arc of a curve to the right of radius 415.00 feet (delta 17°34'19") (chord bearing N63°00'14" E) (chord 126.78 feet) for 127.28 feet to a point of tangency; thence run N71°47'24" E for 70.06 feet to a point of curvature; thence run Northeasterly along an arc of a curve to the left of radius 285.00 feet (delta 44°19'39") (chord bearing N49°37'34" E) (chord 215.04 feet) for 220.49 feet; thence run S80°19'00" E along a non-tangent line for 200.63 feet to a point on a curve; thence run Southerly along an arc of a curve to the left of radius 230.00 feet (delta 10°55'34") (chord bearing S04°13'13" W) (chord 43.79 feet) for 43.86 feet; thence run N84°06'00" E along a non-tangent line for 145.78 feet to a point on a curve; thence run Southeasterly along an arc of a curve to the left of radius 43.00 feet (delta 35°14'55") (chord bearing S36°13'33" E) (chord 26.04 feet) for 26.45 feet; thence run S36°09'00" W along a radial line for 24.42 feet; thence run S12°58'00" W for 161.00 feet; thence run S81°39'21" E for 30.64 feet; thence run S04°08'00" W for 137.37 feet to the POINT OF BEGINNING.

Total Amendment Area contains 1,286.78 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the Eest line of the Southeast Quarter (SE 1/4) of said Section 34 to bear N00°59'34"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955CPA01desc.doc



THIS IS NOT A SURVEY

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
4. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
5. (P) - DENOTES PLAT.
6. P.B. - DENOTES PLAT BOOK.
7. PG. - DENOTES PAGE.
8. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 34 TO BEAR N00°59'34"W.
9. DESCRIPTION IS ATTACHED.

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2659
FORT MYERS, FLORIDA 33902-2659
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 2660 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2401 PINTAIL HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0021
FAX (239) 274-0022

PARCEL DESCRIPTION:

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR:

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

FILE NAME	2660-PARCEL 25-27, 34, 35 & 36
LAYOUT	SK
LOCATION	H:\2660\SURVEY\SKETCH\2660-PARCEL 25-27, 34, 35 & 36.DWG
PLOT DATE	TUE., JUL. 29, 2014 - 4:58 PM
PLOTTED	BY: SCOTT A. WHEELER

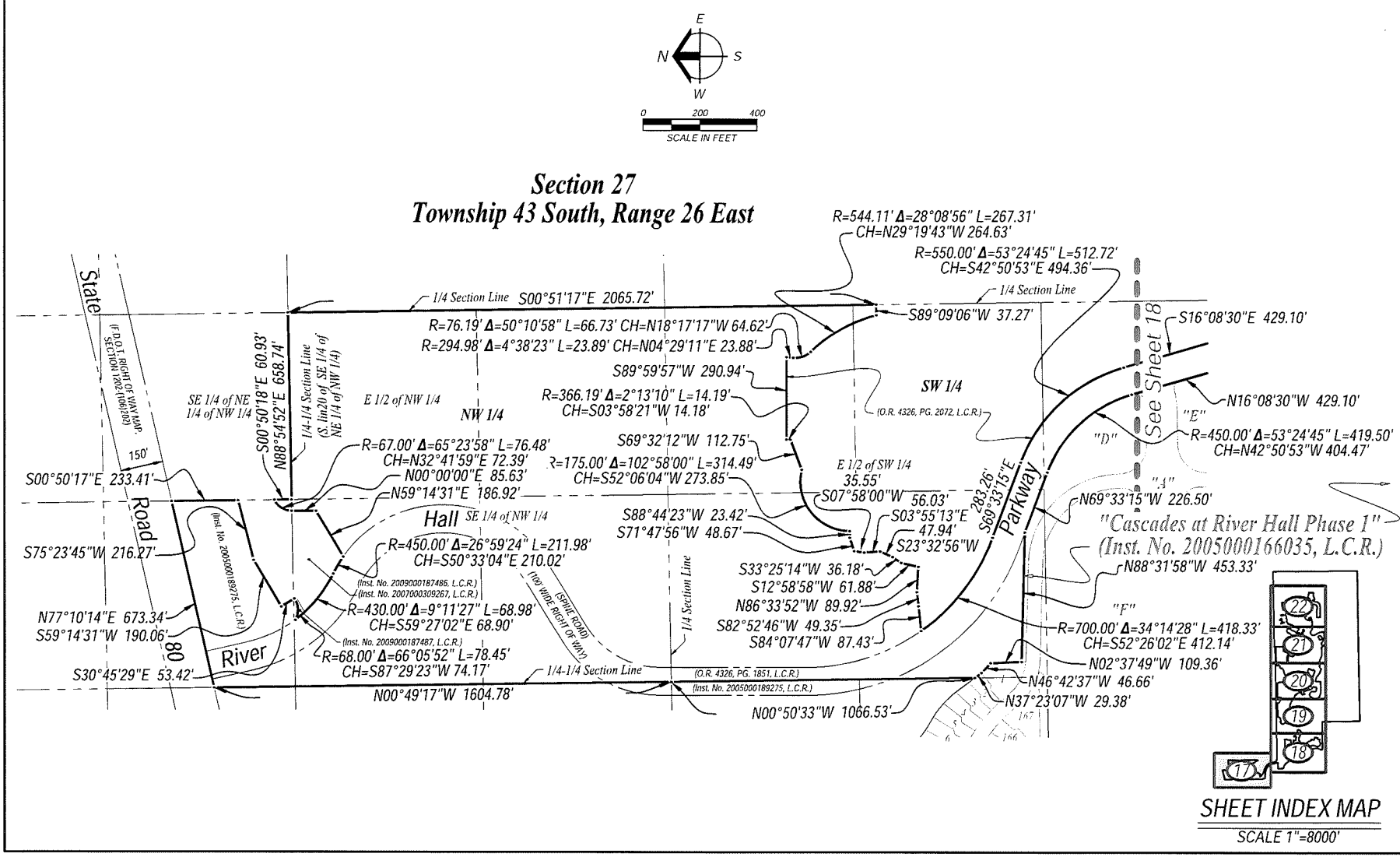
REVISIONS:

PLAN NUMBER:

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
2660 20-43-26	a OF 22



Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2050
FORT MYERS, FLORIDA 33902-2050
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 3591 · SURVEYING LB 3591

PREPARED FOR
LandMar GROUP, LLC
7491 PRATT HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 277-0321
FAX (239) 277-0541

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	ZONING\RADELINE\
LAYOUT	ST
LOCATION	H:\ZONING\RIVER HALL PHASE 1\DWG\
PLOT DATE	TUE, 5-29-2012, 4:53 PM
PLOT BY	PETER OSTEEN

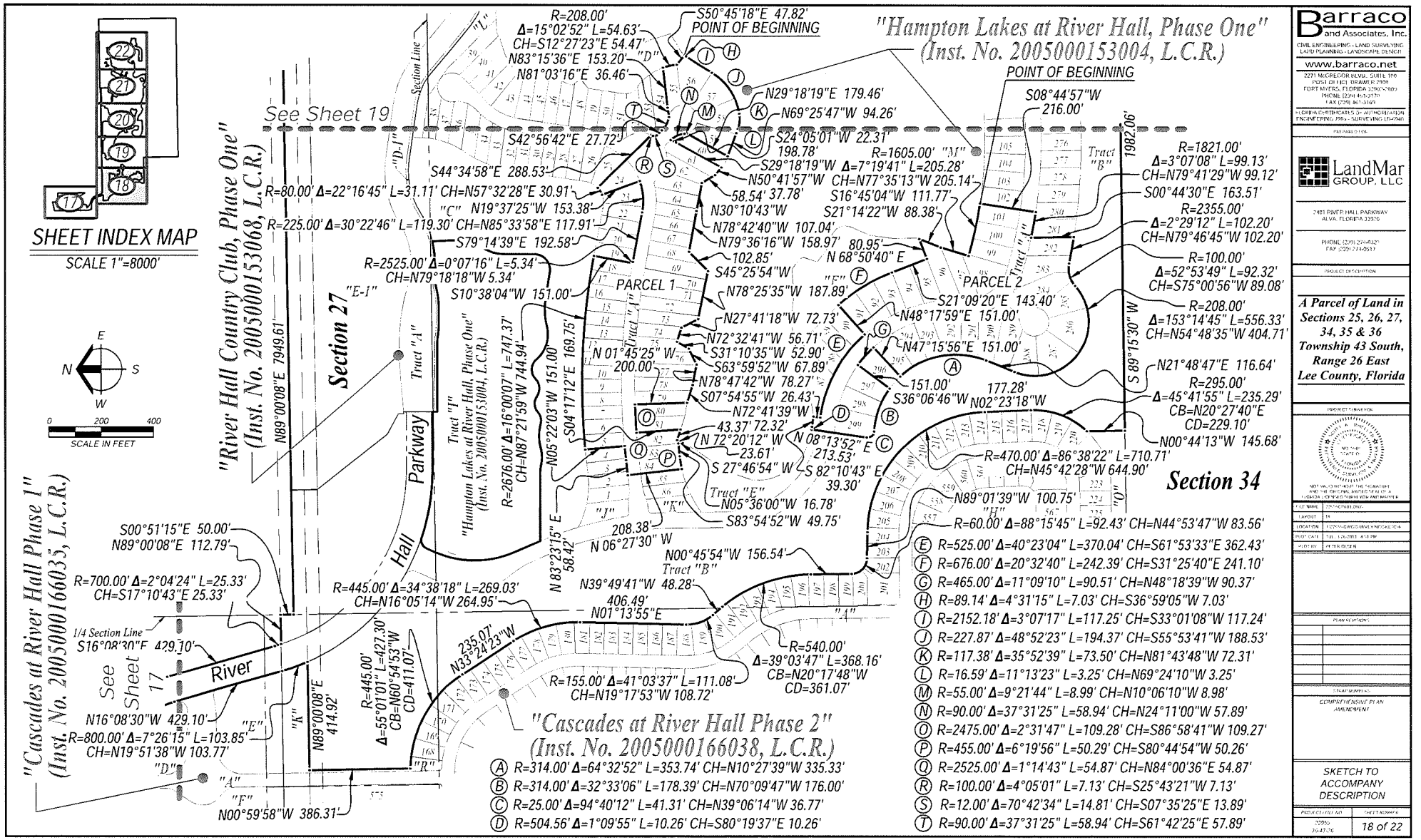
REVISIONS

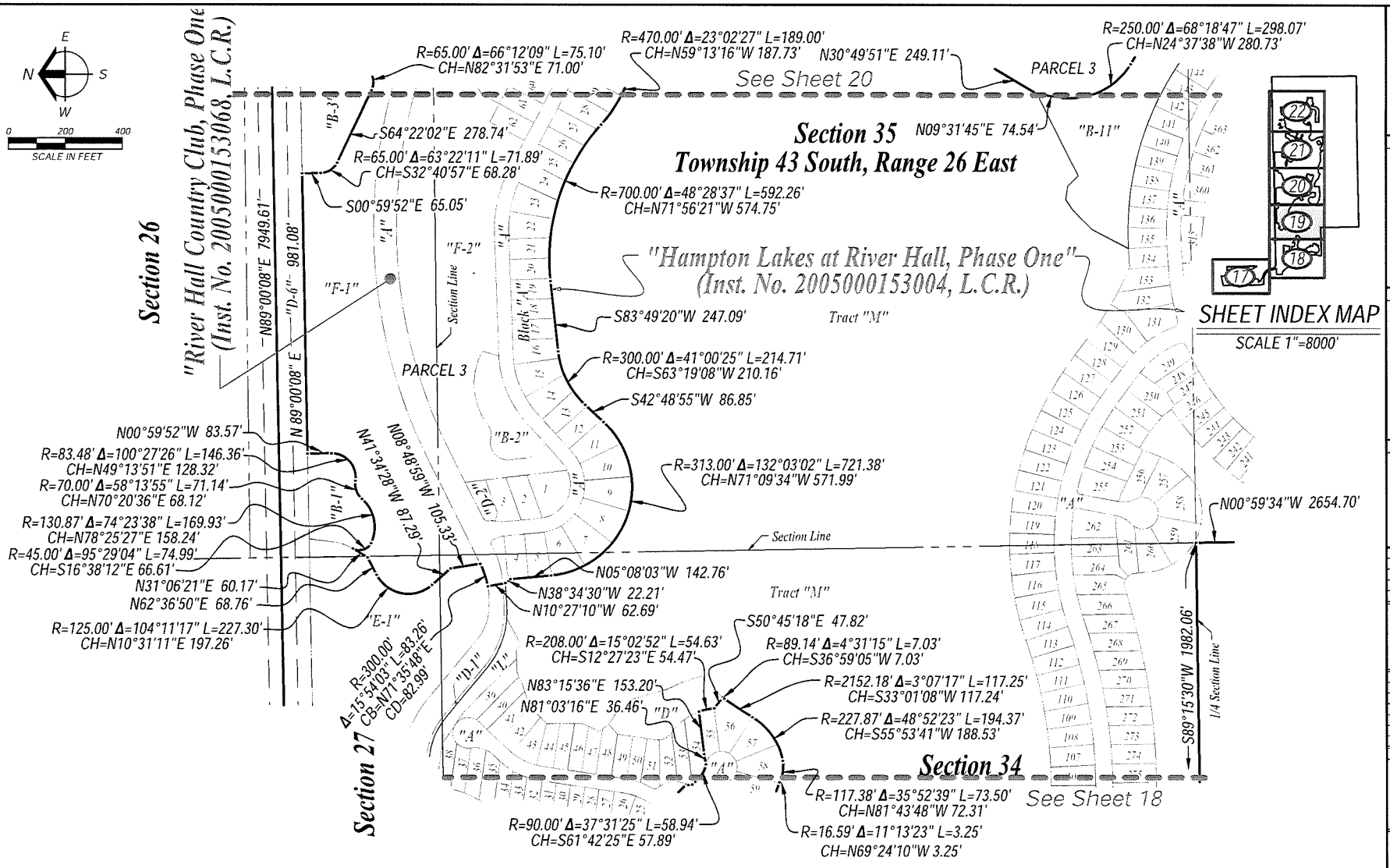
DRAWING TITLE

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
7395 / 76-43-26	17 of 22


SHEET INDEX MAP
SCALE 1"=8000'
SCALE IN FEET
"Cascades at River Hall Phase 1" (Inst. No. 2005000166035, L.C.R.)
"River Hall Country Club, Phase One" (Inst. No. 2005000153068, L.C.R.)
"Hampton Lakes at River Hall, Phase One" (Inst. No. 2005000153004, L.C.R.)
"Cascades at River Hall Phase 2" (Inst. No. 2005000166038, L.C.R.)
Section 27
Section 34
Hall Parkway
River
See Sheet 19
See Sheet 17
PARCEL 1
PARCEL 2
POINT OF BEGINNING
POINT OF BEGINNING
Tract "A"
Tract "B"
Tract "E"
Tract "I"
Tract "J"
1/4 Section Line
Section Line
S50°45'18"E 47.82'
R=208.00' Δ=15°02'52" L=54.63' CH=S12°27'23"E 54.47'
N83°15'36"E 153.20'
N81°03'16"E 36.46'
N29°18'19"E 179.46'
N69°25'47"W 94.26'
S24°05'01"W 22.31'
198.78'
R=1605.00' "M"
S29°18'19"W Δ=7°19'41" L=205.28'
N50°41'57"W CH=N77°35'13"W 205.14'
S16°45'04"W 111.77'
S21°14'22"W 88.38'
S08°44'57"W 216.00'
1982.06'
R=1821.00' Δ=3°07'08" L=99.13' CH=N79°41'29"W 99.12'
S00°44'30"E 163.51'
R=2355.00' Δ=2°29'12" L=102.20' CH=N79°46'45"W 102.20'
R=100.00' Δ=52°53'49" L=92.32' CH=S75°00'56"W 89.08'
R=208.00' Δ=153°14'45" L=556.33' CH=N54°48'35"W 404.71'
S 89°15'30" W
N21°48'47"E 116.64'
R=295.00' Δ=45°41'55" L=235.29' CB=N20°27'40"E CD=229.10'
N00°44'13"W 145.68'
S42°56'42"E 27.72'
S44°34'58"E 288.53'
R=80.00' Δ=22°16'45" L=31.11' CH=N57°32'28"E 30.91'
"C" N19°37'25"W 153.38'
R=225.00' Δ=30°22'46" L=119.30' CH=N85°33'58"E 117.91'
S79°14'39"E 192.58'
R=2525.00' Δ=0°07'16" L=5.34' CH=N79°18'18"W 5.34'
S10°38'04"W 151.00'
N89°00'08"E 7949.61'
"E-1"
"D-1"
"L"
"D"
"I"
"H"
"J"
"K"
"T"
"N"
"M"
"R"
"S"
"L"
"G"
"E"
"A"
"B"
"C"
"O"
"Q"
"P"
"F"
"E"
"D"
"A"
"F"
"K"
"R"
"H"
"I"
"J"
"O"
"N"
"M"
"K"
"L"
"G"
"E"
"A"
"B"
"C"
"D"
"T"
"S"
"R"
"Q"
"P"
"F"
"E"
"D"
"A



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2809
FORT MYERS, FLORIDA 33902-2809
PHONE (239) 461-3170
FAX (239) 461-3169
CA#26 CERTIFICATES OF AUTHORIZATION
ENGINEERING #990 - SURVEYING LB#642

LandMar GROUP, LLC
7481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0021
FAX (239) 274-0577

PROJECT DESCRIPTION
A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

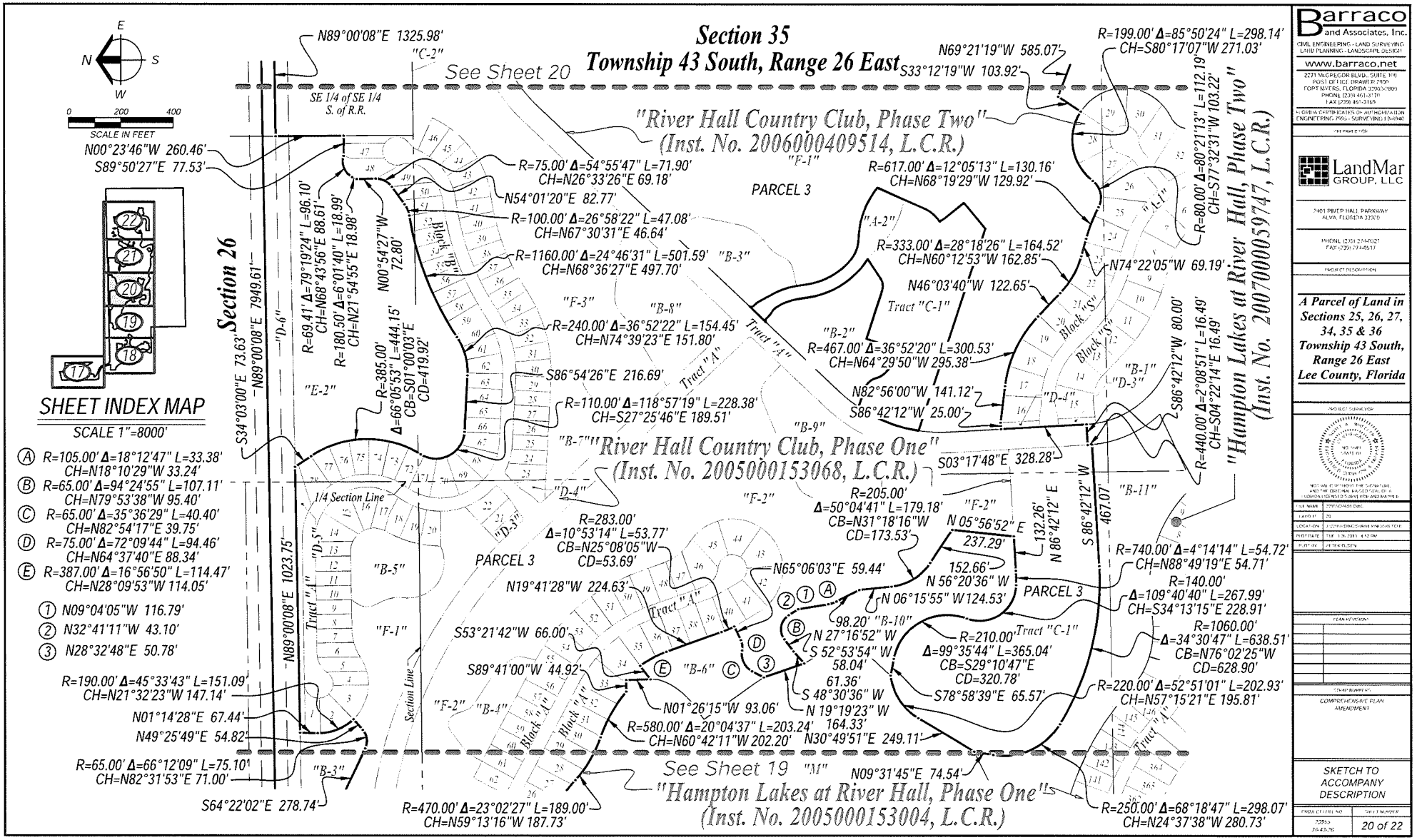
PROJECT SURVEYOR
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

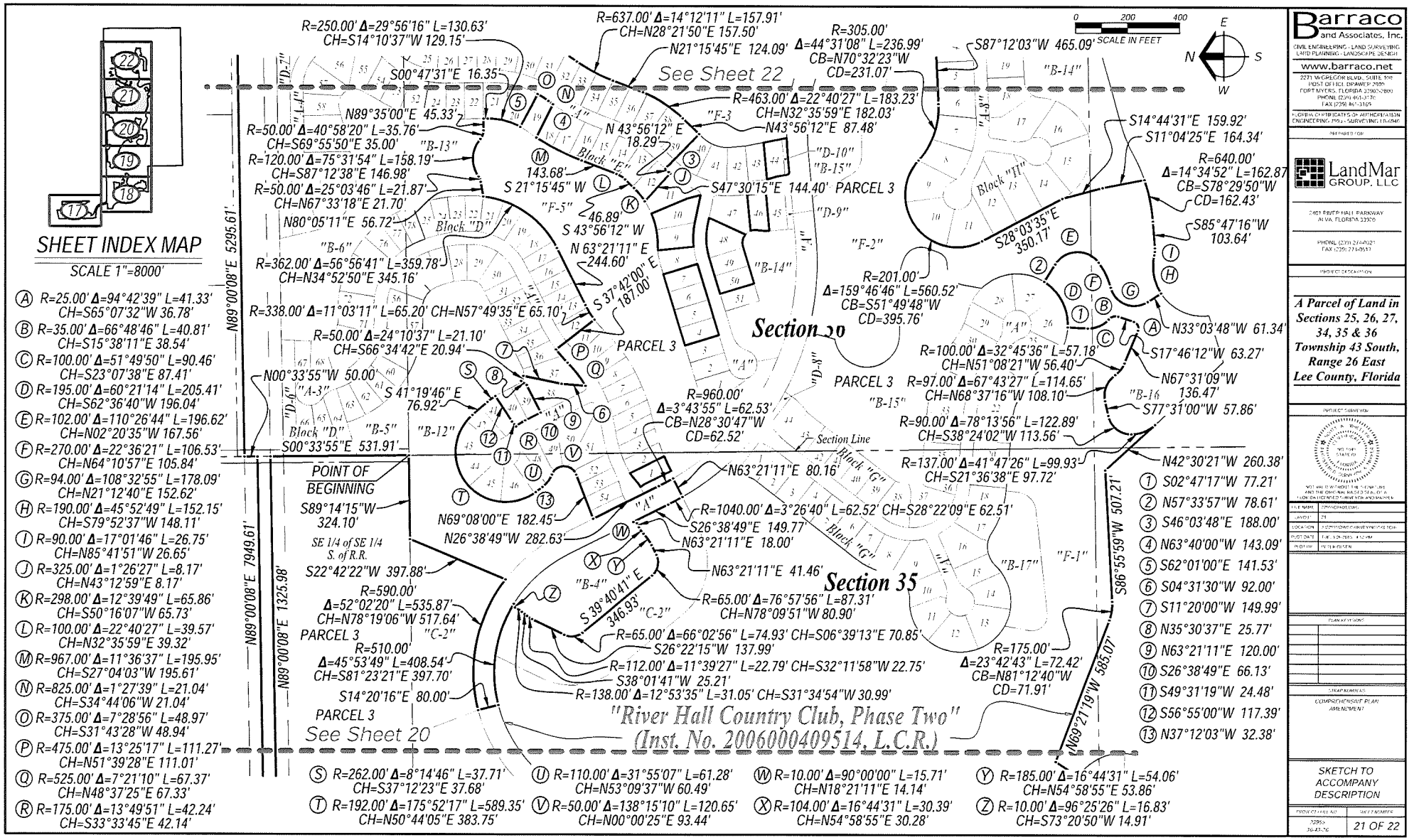
FILE NAME	25995PSKT01.DWG
LAYOUT	1
LOCATION	I:\25995\Survey\Drawings\PSKT01.DWG
PLOT DATE	TUE, 12/6/2011 - 4:51 PM
PLOTTED BY	PETER OLSEN

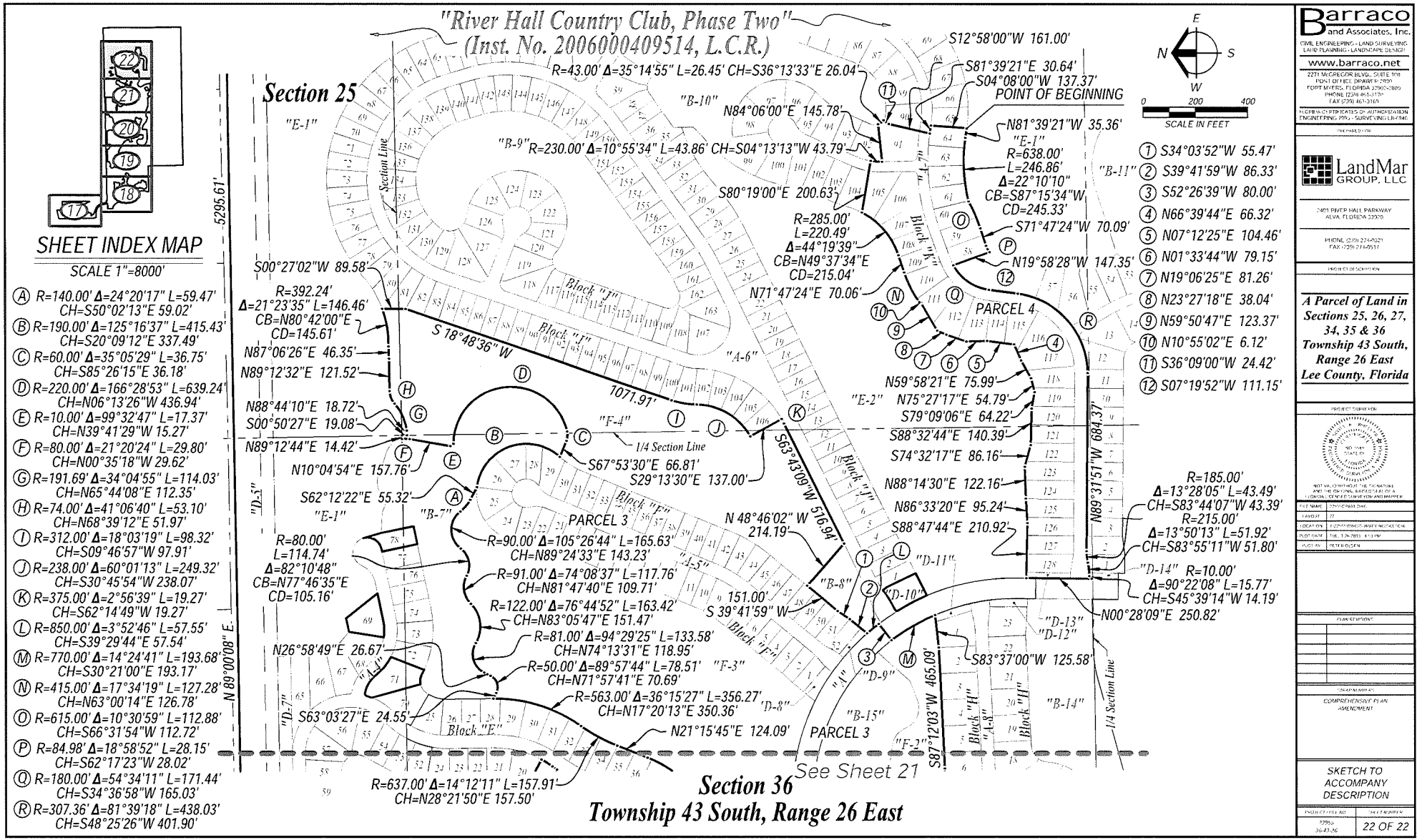
PLAN NO. 20120001
COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

JOB NO.	SHEET NO.
25995	19 of 22


Section 35
Township 43 South, Range 26 East
Section 26
See Sheet 20
See Sheet 19
"River Hall Country Club, Phase Two"
(Inst. No. 2006000409514, L.C.R.)
"River Hall Country Club, Phase One"
(Inst. No. 2005000153068, L.C.R.)
"Hampton Lakes at River Hall, Phase Two"
(Inst. No. 2007000059747, L.C.R.)
"Hampton Lakes at River Hall, Phase One"
(Inst. No. 2005000153004, L.C.R.)
PARCEL 3
Tract "A"
Tract "A-1"
Tract "A-2"
Tract "A-3"
Tract "A-4"
Tract "C-1"
Block "A"
Block "B"
Block "S"
1/4 Section Line
Section Line
SE 1/4 of SE 1/4
S. of R.R.
N89°00'08"E 1325.98'
N00°23'46"W 260.46'
S89°50'27"E 77.53'
S34°03'00"E 73.63'
N89°00'08"E 7949.61'
N89°00'08"E 1023.75'
N00°54'27"W 72.80'
R=69.41' Δ=79°19'24" L=96.10'
CH=N68°43'56"E 88.61'
R=180.50' Δ=6°01'40" L=18.99'
CH=N21°54'55"E 18.98'
R=385.00' Δ=66°05'53" L=444.15'
CB=S01°00'03"E
CD=419.92'
R=75.00' Δ=54°55'47" L=71.90'
CH=N26°33'26"E 69.18'
N54°01'20"E 82.77'
R=100.00' Δ=26°58'22" L=47.08'
CH=N67°30'31"E 46.64'
R=1160.00' Δ=24°46'31" L=501.59'
CH=N68°36'27"E 497.70'
R=240.00' Δ=36°52'22" L=154.45'
CH=N74°39'23"E 151.80'
S86°54'26"E 216.69'
R=110.00' Δ=118°57'19" L=228.38'
CH=S27°25'46"E 189.51'
R=283.00'
Δ=10°53'14" L=53.77'
CB=N25°08'05"W
CD=53.69'
N19°41'28"W 224.63'
S53°21'42"W 66.00'
S89°41'00"W 44.92'
N01°26'15"W 93.06'
R=580.00' Δ=20°04'37" L=203.24'
CH=N60°42'11"W 202.20'
R=470.00' Δ=23°02'27" L=189.00'
CH=N59°13'16"W 187.73'
R=190.00' Δ=45°33'43" L=151.09'
CH=N21°32'23"W 147.14'
N01°14'28"E 67.44'
N49°25'49"E 54.82'
R=65.00' Δ=66°12'09" L=75.10'
CH=N82°31'53"E 71.00'
S64°22'02"E 278.74'
N69°21'19"W 585.07'
S33°12'19"W 103.92'
R=617.00' Δ=12°05'13" L=130.16'
CH=N68°19'29"W 129.92'
R=333.00' Δ=28°18'26" L=164.52'
CH=N60°12'53"W 162.85'
N46°03'40"W 122.65'
R=467.00' Δ=36°52'20" L=300.53'
CH=N64°29'50"W 295.38'
N82°56'00"W 141.12'
S86°42'12"W 25.00'
R=205.00'
Δ=50°04'41" L=179.18'
CB=N31°18'16"W
CD=173.53'
S03°17'48"E 328.28'
N 05°56'52" E
237.29'
152.66'
N 56°20'36" W
N 06°15'55" W 124.53'
98.20'
N 27°16'52" W
S 52°53'54" W
58.04'
61.36'
S 48°30'36" W
N 19°19'23" W
164.33'
N30°49'51"E 249.11'
N09°31'45"E 74.54'
R=210.00'
Δ=99°35'44" L=365.04'
CB=S29°10'47"E
CD=320.78'
S78°58'39"E 65.57'
S 86°42'12" W 467.07'
N 86°42'12" E 132.26'
R=199.00' Δ=85°50'24" L=298.14'
CH=S80°17'07"W 271.03'
R=80.00' Δ=80°21'13" L=112.19'
CH=S77°32'31"W 103.22'
N74°22'05"W 69.19'
S86°42'12"W 80.00'
R=440.00' Δ=2°08'51" L=16.49'
CH=S04°22'14"E 16.49'
R=740.00' Δ=4°14'14" L=54.72'
CH=N88°49'19"E 54.71'
R=140.00'
Δ=109°40'40" L=267.99'
CH=S34°13'15"E 228.91'
R=1060.00'
Δ=34°30'47" L=638.51'
CB=N76°02'25"W
CD=628.90'
R=220.00' Δ=52°51'01" L=202.93'
CH=N57°15'21"E 195.81'
R=250.00' Δ=68°18'47" L=298.07'
CH=N24°37'38"W 280.73'
SCALE IN FEET
0 200 400
SHEET INDEX MAP
SCALE 1"=8000'
Ⓐ R=105.00' Δ=18°12'47" L=33.38'
CH=N18°10'29"W 33.24'
Ⓑ R=65.00' Δ=94°24'55" L=107.11'
CH=N79°53'38"W 95.40'
Ⓒ R=65.00' Δ=35°36'29" L=40.40'
CH=N82°54'17"E 39.75'
Ⓓ R=75.00' Δ=72°09'44" L=94.46'
CH=N64°37'40"E 88.34'
Ⓔ R=387.00' Δ=16°56'50" L=114.47'
CH=N28°09'53"W 114.05'
① N09°04'05"W 116.79'
② N32°41'11"W 43.10'
③ N28°32'48"E 50.78'
Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
LandMar GROUP, LLC
A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida
SKETCH TO ACCOMPANY DESCRIPTION
20 of 22


SHEET INDEX MAP
SCALE 1"=8000'
Section 20
Section 35
"River Hall Country Club, Phase Two"
(Inst. No. 2006000409514, L.C.R.)
See Sheet 22
See Sheet 20
POINT OF BEGINNING
PARCEL 3
Block "D"
Block "E"
Block "F"
Block "G"
Block "H"
Section Line
SE 1/4 of SE 1/4
S. of R.R.
SCALE IN FEET
0
200
400
N
E
S
W
A R=25.00' Δ=94°42'39" L=41.33' CH=S65°07'32"W 36.78'
B R=35.00' Δ=66°48'46" L=40.81' CH=S15°38'11"E 38.54'
C R=100.00' Δ=51°49'50" L=90.46' CH=S23°07'38"E 87.41'
D R=195.00' Δ=60°21'14" L=205.41' CH=S62°36'40"W 196.04'
E R=102.00' Δ=110°26'44" L=196.62' CH=N02°20'35"W 167.56'
F R=270.00' Δ=22°36'21" L=106.53' CH=N64°10'57"E 105.84'
G R=94.00' Δ=108°32'55" L=178.09' CH=N21°12'40"E 152.62'
H R=190.00' Δ=45°52'49" L=152.15' CH=S79°52'37"W 148.11'
I R=90.00' Δ=17°01'46" L=26.75' CH=N85°41'51"W 26.65'
J R=325.00' Δ=1°26'27" L=8.17' CH=N43°12'59"E 8.17'
K R=298.00' Δ=12°39'49" L=65.86' CH=S50°16'07"W 65.73'
L R=100.00' Δ=22°40'27" L=39.57' CH=N32°35'59"E 39.32'
M R=967.00' Δ=11°36'37" L=195.95' CH=S27°04'03"W 195.61'
N R=825.00' Δ=1°27'39" L=21.04' CH=S34°44'06"W 21.04'
O R=375.00' Δ=7°28'56" L=48.97' CH=S31°43'28"W 48.94'
P R=475.00' Δ=13°25'17" L=111.27' CH=N51°39'28"E 111.01'
Q R=525.00' Δ=7°21'10" L=67.37' CH=N48°37'25"E 67.33'
R R=175.00' Δ=13°49'51" L=42.24' CH=S33°33'45"E 42.14'
S R=262.00' Δ=8°14'46" L=37.71' CH=S37°12'23"E 37.68'
T R=192.00' Δ=175°52'17" L=589.35' CH=N50°44'05"E 383.75'
U R=110.00' Δ=31°55'07" L=61.28' CH=N53°09'37"W 60.49'
V R=50.00' Δ=138°15'10" L=120.65' CH=N00°00'25"E 93.44'
W R=10.00' Δ=90°00'00" L=15.71' CH=N18°21'11"E 14.14'
X R=104.00' Δ=16°44'31" L=30.39' CH=N54°58'55"E 30.28'
Y R=185.00' Δ=16°44'31" L=54.06' CH=N54°58'55"E 53.86'
Z R=10.00' Δ=96°25'26" L=16.83' CH=S73°20'50"W 14.91'
1 S02°47'17"W 77.21'
2 N57°33'57"W 78.61'
3 S46°03'48"E 188.00'
4 N63°40'00"W 143.09'
5 S62°01'00"E 141.53'
6 S04°31'30"W 92.00'
7 S11°20'00"W 149.99'
8 N35°30'37"E 25.77'
9 N63°21'11"E 120.00'
10 S26°38'49"E 66.13'
11 S49°31'19"W 24.48'
12 S56°55'00"W 117.39'
13 N37°12'03"W 32.38'
R=250.00' Δ=29°56'16" L=130.63' CH=S14°10'37"W 129.15'
R=637.00' Δ=14°12'11" L=157.91' CH=N28°21'50"E 157.50'
N21°15'45"E 124.09'
R=305.00' Δ=44°31'08" L=236.99' CB=N70°32'23"W CD=231.07'
S87°12'03"W 465.09'
S00°47'31"E 16.35'
R=463.00' Δ=22°40'27" L=183.23' CH=N32°35'59"E 182.03'
N89°35'00"E 45.33'
N43°56'12"E 87.48'
N 43°56'12" E 18.29'
R=50.00' Δ=40°58'20" L=35.76' CH=S69°55'50"E 35.00'
R=120.00' Δ=75°31'54" L=158.19' CH=S87°12'38"E 146.98'
R=50.00' Δ=25°03'46" L=21.87' CH=N67°33'18"E 21.70'
N80°05'11"E 56.72'
143.68'
S 21°15'45" W
46.89'
S 43°56'12" W
N 63°21'11" E 244.60'
S 37°42'00" E 187.00'
S47°30'15"E 144.40'
PARCEL 3
R=362.00' Δ=56°56'41" L=359.78' CH=N34°52'50"E 345.16'
R=338.00' Δ=11°03'11" L=65.20' CH=N57°49'35"E 65.10'
R=50.00' Δ=24°10'37" L=21.10' CH=S66°34'42"E 20.94'
N00°33'55"W 50.00'
S 41°19'46" E 76.92'
R=960.00' Δ=3°43'55" L=62.53' CB=N28°30'47"W CD=62.52'
S00°33'55"E 531.91'
N89°00'08"E 5295.61'
N89°00'08"E 7949.61'
N89°00'08"E 1325.98'
S89°14'15"W 324.10'
N63°21'11"E 80.16'
N69°08'00"E 182.45'
N26°38'49"W 282.63'
R=1040.00' Δ=3°26'40" L=62.52' CH=S28°22'09"E 62.51'
S26°38'49"E 149.77'
N63°21'11"E 18.00'
N63°21'11"E 41.46'
S22°42'22"W 397.88'
R=590.00' Δ=52°02'20" L=535.87' CH=N78°19'06"W 517.64'
R=510.00' Δ=45°53'49" L=408.54' CH=S81°23'21"E 397.70'
S14°20'16"E 80.00'
S 39°40'41" E 346.93'
R=65.00' Δ=76°57'56" L=87.31' CH=N78°09'51"W 80.90'
R=65.00' Δ=66°02'56" L=74.93' CH=S06°39'13"E 70.85'
S26°22'15"W 137.99'
R=112.00' Δ=11°39'27" L=22.79' CH=S32°11'58"W 22.75'
S38°01'41"W 25.21'
R=138.00' Δ=12°53'35" L=31.05' CH=S31°34'54"W 30.99'
S14°44'31"E 159.92'
S11°04'25"E 164.34'
R=640.00' Δ=14°34'52" L=162.87 CB=S78°29'50"W CD=162.43'
S85°47'16"W 103.64'
S28°03'35"E 350.17'
R=201.00' Δ=159°46'46" L=560.52' CB=S51°49'48"W CD=395.76'
N33°03'48"W 61.34'
R=100.00' Δ=32°45'36" L=57.18' CH=N51°08'21"W 56.40'
S17°46'12"W 63.27'
N67°31'09"W 136.47'
R=97.00' Δ=67°43'27" L=114.65' CH=N68°37'16"W 108.10'
S77°31'00"W 57.86'
R=90.00' Δ=78°13'56" L=122.89' CH=S38°24'02"W 113.56'
N42°30'21"W 260.38'
R=137.00' Δ=41°47'26" L=99.93' CH=S21°36'38"E 97.72'
S86°55'59"W 507.21'
N69°21'19"W 585.07'
R=175.00' Δ=23°42'43" L=72.42' CB=N81°12'40"W CD=71.91'
"A-3"
"B-5"
"B-6"
"B-12"
"B-13"
"B-14"
"B-15"
"B-16"
"B-17"
"C-2"
"D-6"
"D-7"
"D-8"
"D-9"
"D-10"
"E-1"
"F-1"
"F-2"
"F-3"
"F-5"
"F-8"
"A"
"B"
"C"
"D"
"E"
"F"
"G"
"H"
"I"
"J"
"K"
"L"
"M"
"N"
"O"
"P"
"Q"
"R"
"S"
"T"
"U"
"V"
"W"
"X"
"Y"
"Z"
Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING (EB) - SURVEYING (LB) 642
PREPARED FOR:
LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE: (239) 274-0021
FAX: (239) 274-0537
PROJECT DESCRIPTION:
A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida
PROJECT SURVEYOR:
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
FILE NAME: 22RIVERHALL2WG
LAYOUT: 22
LOCATION: S:\SURVEY\RIVER HALL\PHASE TWO\
PLOT DATE: TUE, JUN 28, 2011, 4:52 PM
PLOTTER: PETER OLSEN
REVISIONS:
SKETCH TO ACCOMPANY DESCRIPTION
PROJECT NUMBER: 32953
SHEET NUMBER: 21 OF 22



Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATES OF AUTHORIZATION
ENGINEERING 3996 · SURVEYING LB-7340

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0021
FAX (239) 274-0511

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	22YYCP4MB.DWG
LAYOUT	22
LOCATION	F:\22YY\DWG\SURVEY\22YYCP4MB.DWG
PLOT DATE	TUE, 12/6/2022 - 4:13 PM
PLOTTED	PETER OLSEN

PLAN REVISIONS

PLAN NAME AS

COMPREHENSIVE PLAN AMENDMENT

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
22YY 20-43-26	22 OF 22

DESCRIPTION (SUB-OUTLYING SUBURBAN)(CONT.)

LESS AND EXCEPT THE FOLLOWING DESCRIBED TWO (2) PARCELS :

THAT PORTION OF:

Conservation Easement CE-2, CE-3, CE-5, CE-6, CE-10, CE-11, CE-12 & 14 as described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records, lying East of the West Line of the East Half (E 1/2) of the West Half (W 1/2) of said Section 27.

AND:

Tract "E-1" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

LESS and EXCEPT that portion from Tract "E-1" the following Five (5) described parcels (SUB-OUTLYING SUBURBAN):

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SO.1_LESS AND EXCEPT_DESC.doc

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

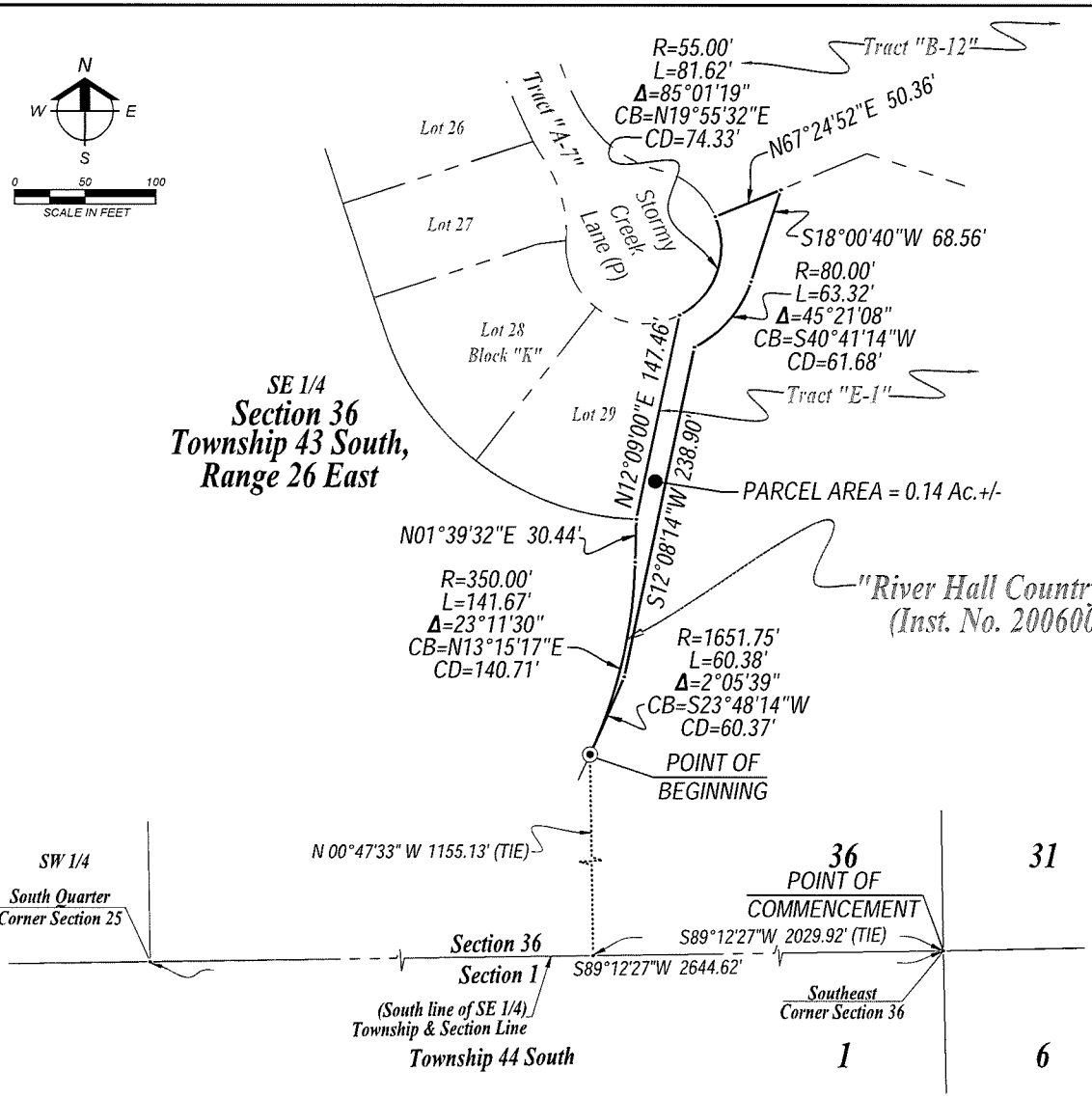
A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,029.92 feet; thence run N00°47'33"W for 1,155.13 feet to an intersection with the Westerly line of said Tract "E-1" and the POINT OF BEGINNING.
From said Point of Beginning run the following Five (5) courses along said Westerly line: Northerly along an arc of a curve to the left of radius 350.00 feet (delta 23°11'30") (chord bearing N13°15'17"E) (chord 140.71 feet) for 141.67 feet to a point of tangency; N01°39'32"E for 30.44 feet; N12°09'00"E for 147.46 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 55.00 feet (delta 85°01'19") (chord bearing N19°55'32"E) (chord 74.33 feet) for 81.62 feet and N67°24'52"E for 50.36 feet; thence run S18°00'40"W for 68.56 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the right of radius 80.00 feet (delta 45°21'08") (chord bearing S40°41'14"W) (chord 61.68 feet) for 63.32 feet; thence run S12°08'14"W for 238.90 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the right of radius 1,651.75 feet (delta 02°05'39") (chord bearing S23°48'14"W) (chord 60.37 feet) for 60.38 feet to a point; to the POINT OF BEGINNING.
Containing 0.14 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the South line of the Southeast Quarter (SE 1/4) of said Section 36 to bear S89°12'27"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS01desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR S89°12'27"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7990 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

F.B.I. NAME	2006000409.DWG
LAYOUT	2
LOCATION	J:\2006\06000409\SURVEY\06000409E2.DWG
PLOT DATE	THU, 3-21-2013, 9:14 AM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-21-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SUBJECT LYING SUBURBAN
(TRACT "E-1") R H C C PH 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22955	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,073.31 feet; thence run S01°15'14"E for 2,122.64 feet to the Westerly most corner of Lot 58, in Block "K" of said record plat and the POINT OF BEGINNING.

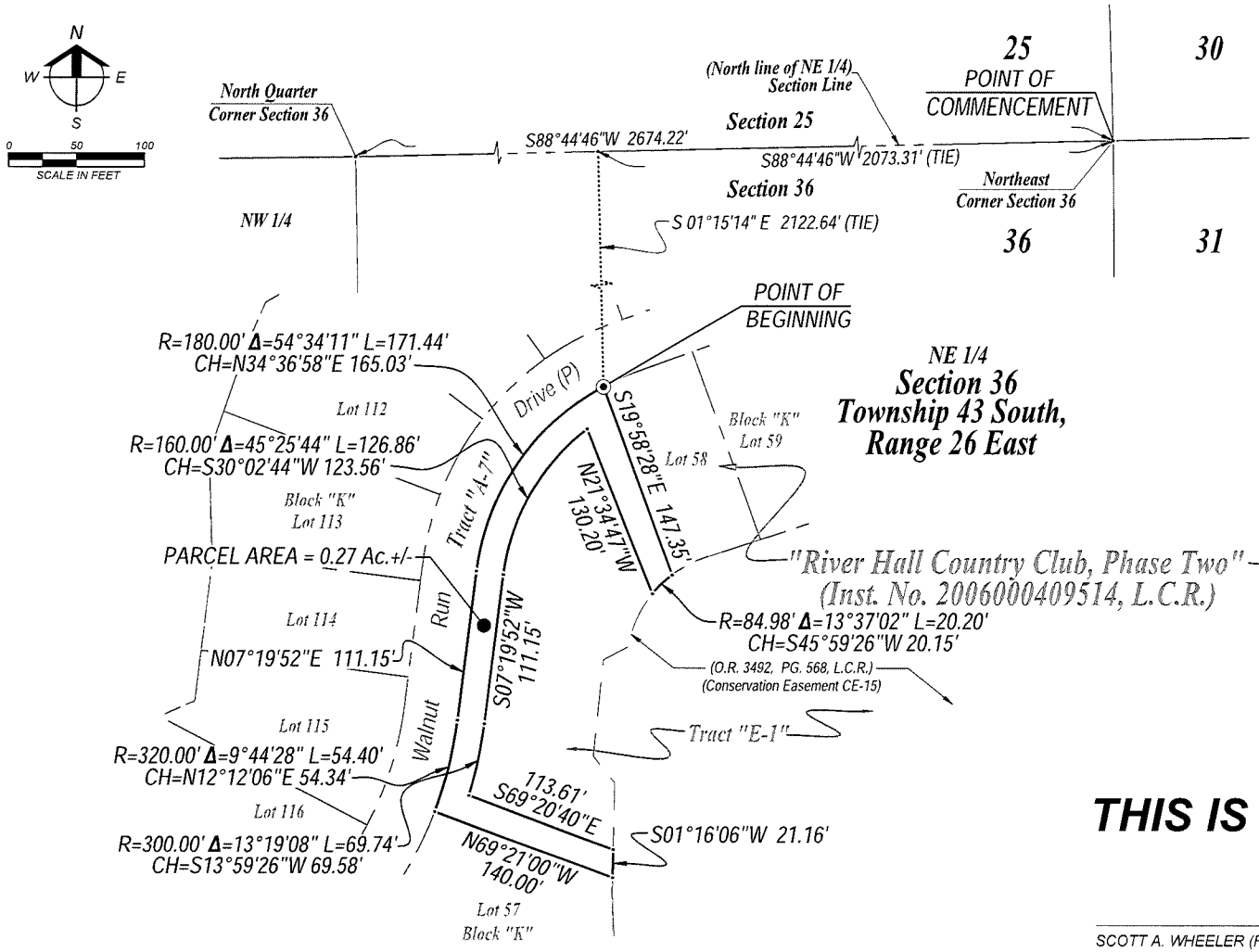
From said Point of Beginning run S19°58'28"E along the Westerly line of said Lot 58 for 147.35 feet to a point on a non-tangent curve being the Southerly most corner of said Lot and an intersection with the Westerly line of Conservation Easement CE-15, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run Southwesterly along said Westerly line and along an arc of a curve to the left of radius 84.98 feet (delta 13°37'02") (chord bearing S45°59'26"W) (chord 20.15 feet) for 20.20 feet; thence run N21°34'47"W for 130.20 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the left of radius 160.00 feet (delta 45°25'44") (chord bearing S30°02'44"W) (chord 123.56 feet) for 126.86 feet to a point of tangency; thence run S07°19'52"W for 111.15 feet to a point of curvature; thence run Southerly along an arc of a curve to the right of radius 320.00 feet (delta 09°44'28") (chord bearing S12°12'06"W) (chord 54.34 feet) for 54.40 feet; thence run S69°20'40"E for 113.61 feet to an intersection with said Westerly line of Conservation Easement CE-15; thence run S01°16'06"W along said Westerly line for 21.16 feet to the Northeast corner of Lot 57 in Block "K" of said record plat; thence run N69°21'00"W the Easterly line of said Lot 57 for 140.00 feet to an intersection with the Westerly line of said Tract "E-1"; thence run the following three (3) courses along said Westerly line: Northerly along an arc of a curve to the left of radius 300.00 feet (delta 13°19'08") (chord bearing N13°59'26"E) (chord 69.58 feet) for 69.74 feet to a point of tangency; N07°19'52"E for 111.15 feet to a point of curvature; and Northeasterly along an arc of a curve to the right of radius 180.00 feet (delta 54°34'11") (chord bearing N34°36'58"E) (chord 165.03 feet) for 171.44 feet to a point of tangency; to the POINT OF BEGINNING.

Containing 0.27 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS02desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION:

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

STATE OF Florida
SURVEYOR

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOT BY	

DRAWING DATA

SURVEY DATE	03-21-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS:

SUBDIVISION LYING SUBURBAN (TRACT "E-1") R.H.C.C., PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22955	2 OF 2
25-43-26	

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 for 764.81 feet; thence run S01°15'14"E for 1,278.09 to an intersection with the Westerly line of said Tract "E-1" and the POINT OF BEGINNING.

From said Point of Beginning run S05°54'47"W for 24.22 feet; thence run S84°05'13"E for 89.92 feet; thence run S06°36'21"W for 175.12 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the right of radius 75.00 feet (delta 115°26'22") (chord bearing S43°11'06"W) (chord 126.82 feet) for 151.11 feet to a point of tangency; thence run N79°05'43"W for 46.67 feet; thence run S10°54'17"W for 121.61 feet to a point on a non-tangent curve; thence run Westerly along an arc of a curve to the left of radius 38.00 feet (delta 97°54'29") (chord bearing S69°15'16"W) (chord 57.32 feet) for 64.94 feet to a point of tangency; thence run S20°18'02"W for 183.50 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the right of radius 517.00 feet (delta 78°02'37") (chord bearing S59°19'20"W) (chord 651.02 feet) for 704.22 feet to a point of tangency; thence run N81°39'21"W for 35.36 feet to a point on a non-tangent curve; thence run Westerly along an arc of a curve to the left of radius 632.97 feet (delta 22°22'06") (chord bearing S89°19'31"W) (chord 245.54 feet) for 247.11 feet to a point on a non-tangent curve and with the intersection with said Westerly line of Tract "E-1"; thence run the following Eleven (11) courses along said westerly line: Northeasterly along an arc of a curve to the left of radius 615.00 feet (delta 00°12'19") (chord bearing N61°22'34"E) (chord 2.20 feet) for 2.20 feet to a point on a non-tangent curve; Easterly along an arc of a curve to the right of radius 638.00 feet (delta 22°10'10") (chord bearing N87°15'34"E) (chord 245.33 feet) for 246.86 feet to a point of tangency; S81°39'21"E for 35.36 feet to a point of curvature; Northeasterly along an arc of a curve to the left of radius 507.00 feet (delta 78°02'37") (chord bearing N59°19'20"E) (chord 638.43 feet) for 690.59 feet to a point of tangency; N20°18'02"E for 183.50 feet to a point of curvature; Northeasterly along an arc of a curve to the right of radius 48.00 feet (delta 81°30'58") (chord bearing N61°03'31"E) (chord 62.68 feet) for 68.29 feet; N11°49'00"E for 153.76 feet to a point on a non-tangent curve;

DESCRIPTION (Cont.)

Southeasterly along an arc of a curve to the right of radius 90.00 feet (delta 15°27'44") (chord bearing S48°50'47"E) (chord 24.21 feet) for 24.29 feet to a point of reverse curvature; Northeasterly along an arc of a curve to the left of radius 55.00 feet (delta 153°38'05") (chord bearing N62°04'03"E) (chord 107.10 feet) for 147.48 feet; N75°15'00"E for 10.07 feet; N05°31'00"E for 168.94 feet; N84°29'00"W for 84.83 feet and N18°25'05"E for 35.06 feet to the POINT OF BEGINNING.
Containing 0.44 acres, more or less.

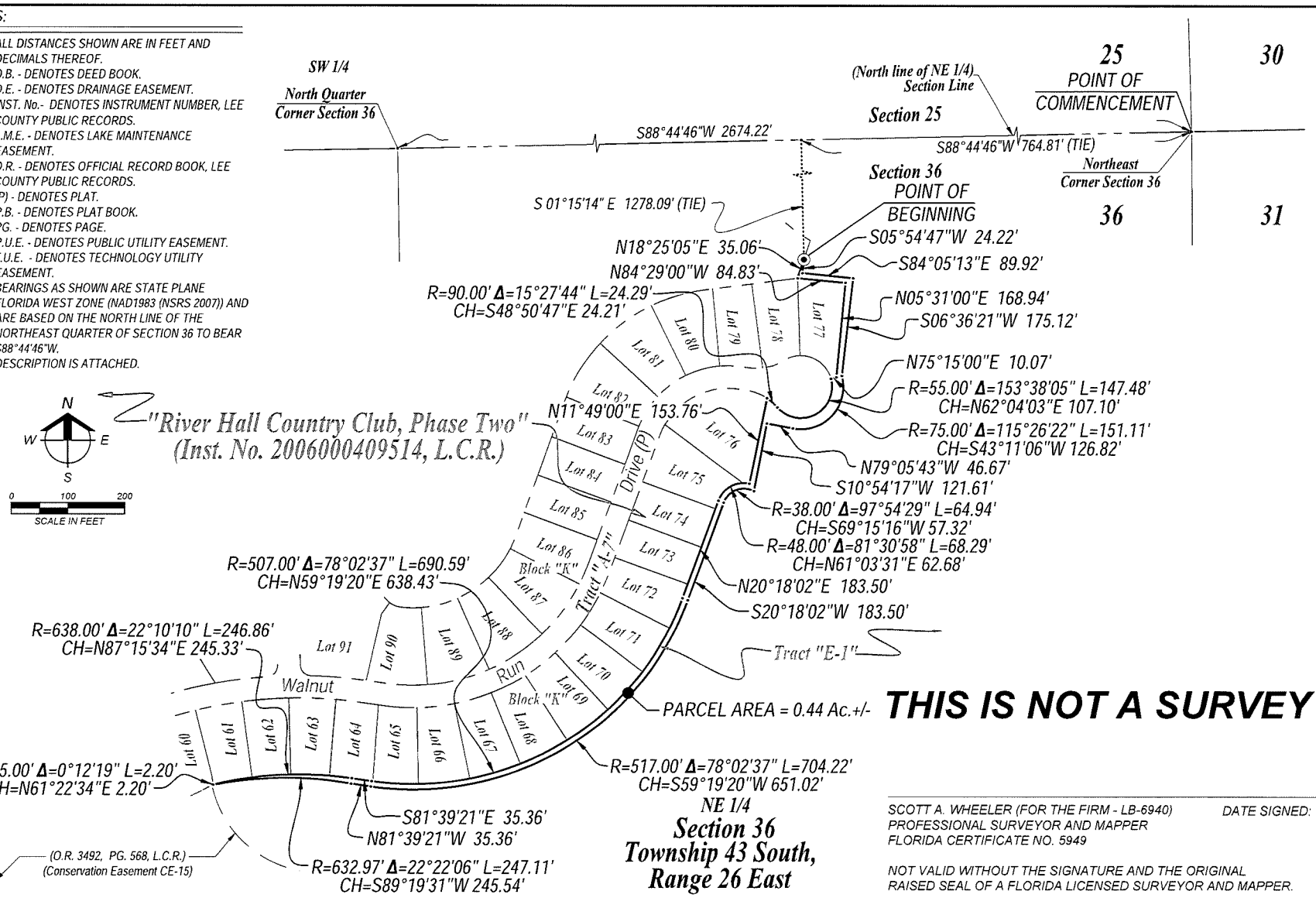
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS03desc.doc

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

NE 1/4
Section 36
Township 43 South,
Range 26 East

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE: (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED ON

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-8021
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	2006000409514
LAYOUT	3
LOCATION	I:\2006000409514\SURVEY\2006000409514.DWG
PLOT DATE	THU, 3-21-2013 11:56 AM
PLOTTED BY	PLEIMAN

DRAWING DATA

SURVEY DATE	09-21-2012
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SUB-OUTLYING SUBURBAN
(TRACT "E-1") R.M.C.C. PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955	3 OF 3

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 for 1,098.58 feet; thence run S01°15'14"E for 361.32 to an intersection with the Westerly line of said Tract "E-1" and the POINT OF BEGINNING.

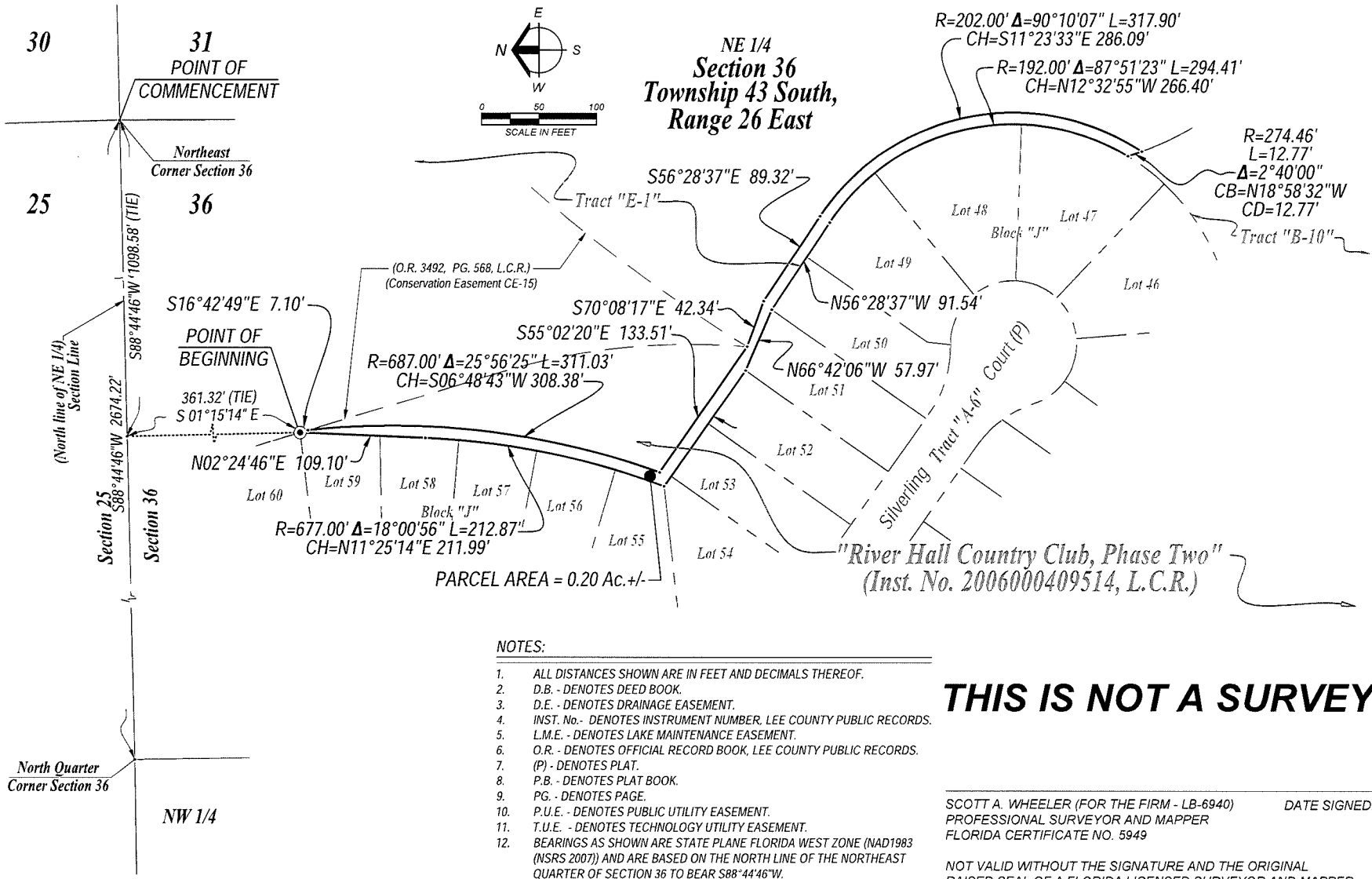
From said Point of Beginning run S16°42'49"E along the Westerly line of Conservation Easement CE-15, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records for 7.10 feet to a point on a non-tangent curve; thence run Southerly along an arc of a curve to the right of radius 687.00 feet (delta 25°56'25") (chord bearing S06°48'43"W) (chord 308.38 feet) for 311.03 feet; thence run S55°02'20"E for 133.51 feet; thence run S70°08'17"E for 42.34 feet; thence run S56°28'37"E for 89.32 feet to a point of curvature; thence run Southerly along an arc of a curve to the right of radius 202.00 feet (delta 90°10'07") (chord bearing S11°23'33"E) (chord 286.09 feet) for 317.90 feet to a point on a non-tangent curve and intersection with said Westerly line of Tract "E-1"; thence run the following Seven (7) courses along said westerly line: Northerly along an arc of a curve to the right of radius 274.46 feet (delta 02°40'00") (chord bearing N18°58'32"W) (chord 12.77 feet) for 12.77 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 192.00 feet (delta 87°51'23") (chord bearing N12°32'55"W) (chord 266.40 feet) for 294.41 feet to a point of tangency; N56°28'37"W for 91.54 feet; N66°42'06"W for 57.97 feet; N54°41'40"W for 123.35 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 677.00 feet (delta 18°00'56") (chord bearing N11°25'14"E) (chord 211.99 feet) for 212.87 feet to a point of tangency and N02°24'46"E for 109.10 feet to the POINT OF BEGINNING.

Containing 0.20 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS04desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
3401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-5321
FAX (239) 274-0517

PROJECT IDENTIFICATION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

F.S.T. NAME	22855MAD04.DWG
LAYOUT	2
LOCATION	J:\22855\SURVEY\RIVER VINCENT.DGN
PLOT DATE	THU, 3 JAN 2013, 12:17PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	05-21-2012
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SUB-OUTLYING SUBURBAN (TRACT "E-1") P.H.C. PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22855 25-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 25
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southwest Corner of said Section 25 run N89°12'44"E along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,250.13 feet; thence run N00°47'16"W for 114.02 feet to an intersection with the Southerly line of said Tract "E-1" and to the POINT OF BEGINNING.

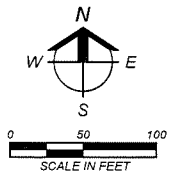
From said Point of Beginning run the following Five (5) courses along said Southerly line: N16°13'10" W for 40.83 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 55.00 feet (delta 139°38'20") (chord bearing N86°02'21" W) (chord 103.25 feet) for 134.04 feet to a point of reverse curvature; Southwesterly along an arc of a curve to the right of radius 90.00 feet (delta 54°06'42") (chord bearing S51°11'50" W) (chord 81.87 feet) for 85.00 feet to a point of tangency; S78°15'11" W for 46.09 feet and N38°05'10" W for 15.06 feet; thence run N78°15'11" E for 52.77 feet to a point of curvature; thence run Northeasterly along an arc of a curve to the left of radius 76.50 feet (delta 54°06'42") (chord bearing N51°11'50" E) (chord 69.59 feet) for 72.25 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the right of radius 68.50 feet (delta 176°13'46") (chord bearing S67°44'38" E) (chord 136.93 feet) for 210.69 feet to the POINT OF BEGINNING.

Containing 0.09 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

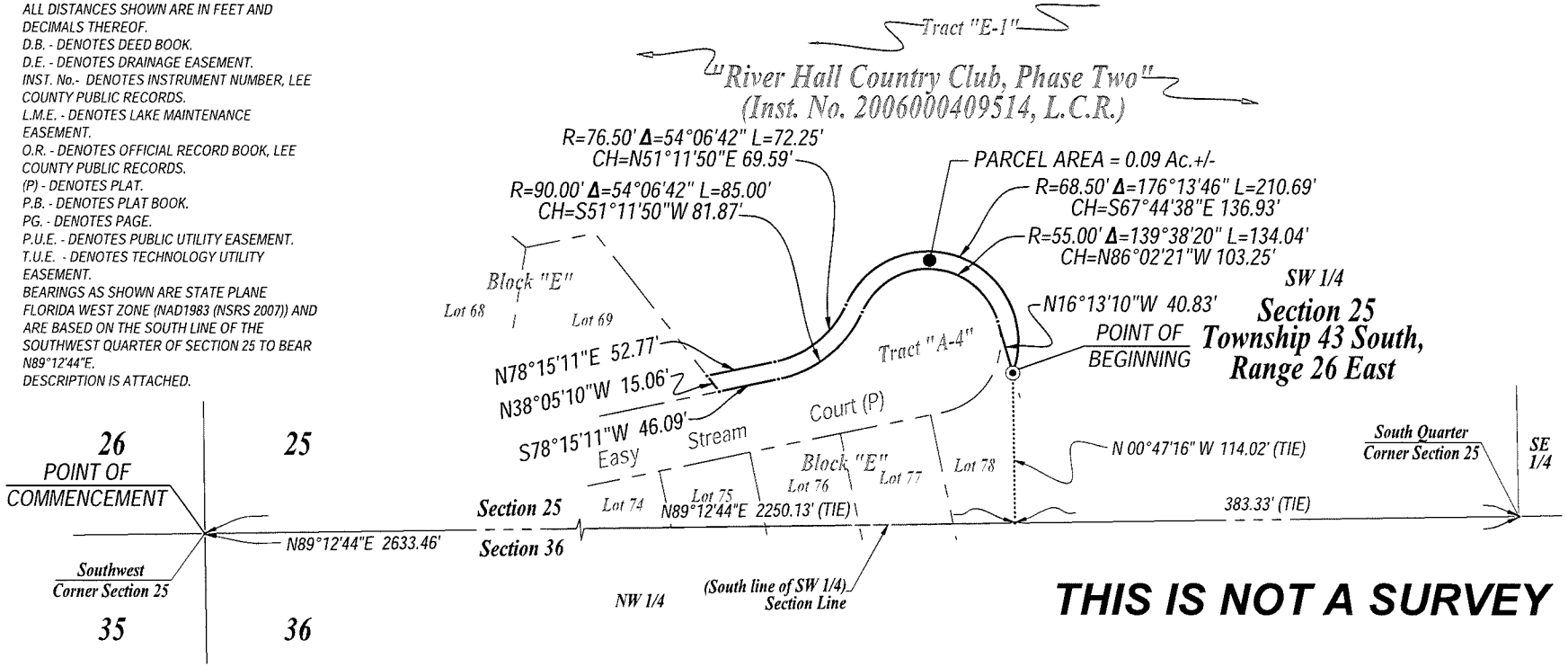
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS04desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 25 TO BEAR N89°12'44"E.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

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

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	22955RIVER.DWG
LAYOUT	2
LOCATION	J:\22955\SURVEY\DRAWINGS\
PLOT DATE	THU, 3 21 2013 - 1:17PM
PLOT BY	TY TERPSTRA

DRAWING DATA

SURVEY DATE	09-21-2009
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SUB-OUTLYING SUBURBAN (TRACT "E-1") R.H.C.C., PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22955 25-43-26	2 OF 2

DESCRIPTION (SUB-OUTLYING SUBURBAN)(CONT.)

AND LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL :

THE FOLLOWING DESCRIBED PARCEL (UPLAND PRESERVE):

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SO.1_LESS AND EXCEPT_DESC.doc

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

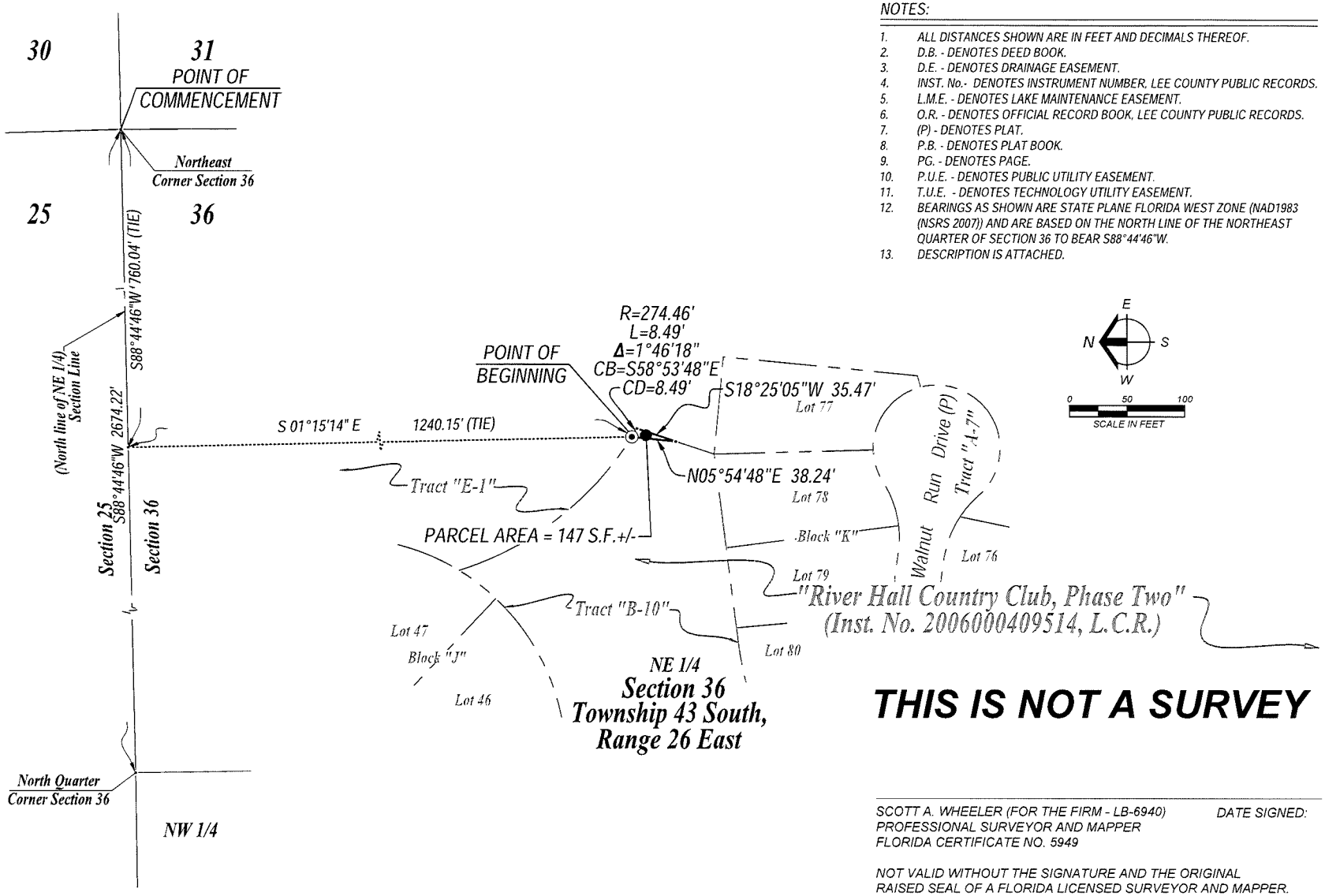
A tract or parcel of land lying in Tract "B-10"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 760.04 feet; thence run S01°15'14"E for 240.15 feet to an intersection with the Easterly line of said Tract "E-1" and the POINT OF BEGINNING.
From said Point of Beginning run the following two (2) courses along said Easterly line: Southeasterly along an arc of a curve to the left of radius 274.46 feet (delta 01°46'18") (chord bearing S58°53'48"E) (chord 8.49 feet) for 8.49 feet and S18°25'05"W for 35.47 feet; thence run N05°54'48"E for 38.24 feet to the POINT OF BEGINNING.
Containing 147 square feet, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955UPP01desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7599 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESIGNATION

RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	22955RIVER01.DWG
LAYOUT	2
LOCATION	J:\2022\RIVER\SURVEY\DRAWING SCRI
PLOT DATE	TUE, 5-21-2013 - 2:29 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	09-21-2012
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

UPLAND PRESERVE (TRACT "B-10") R H C C PH 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955 25-43-26	2 OF 2

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

DESCRIPTION (UPLAND PRESERVE)

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

THAT PORTION OF:

Conservation Easement CE-2, CE-3, CE-5, CE-6, CE-10, CE-11, CE-12 & 14 as described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records, lying East of the West Line of the East Half (E 1/2) of the West Half (W 1/2) of said Section 27.

AND:

Tract "E-1" of RIVER HALL COUNTRY CLUB, PHASE TWO as recorded in Instrument Number 2006000409514, Lee County Records.

AND:

THE FOLLOWING DESCRIBED PARCEL (UPLAND PRESERVE):

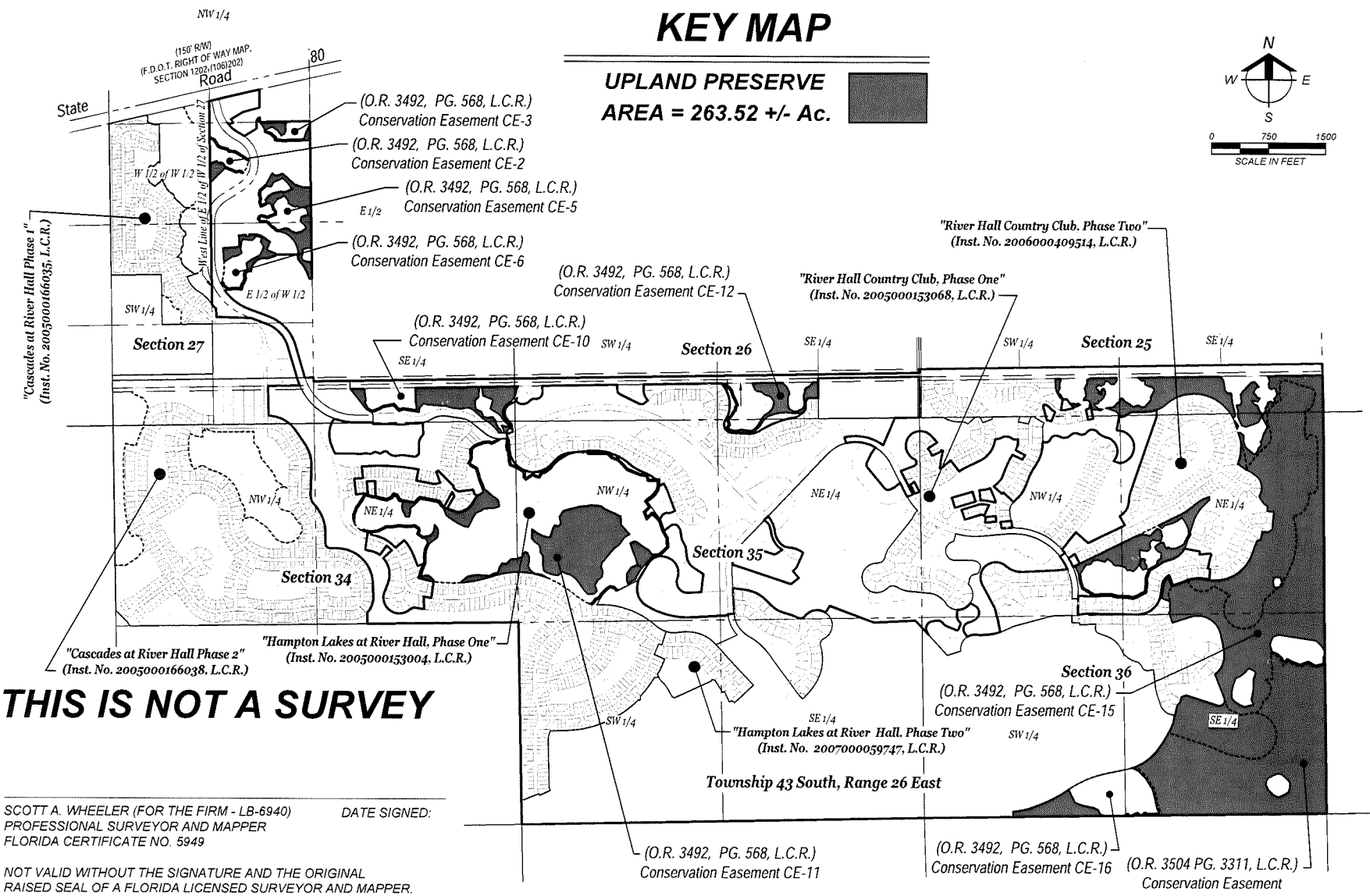
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955UPP_desc.doc

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

KEY MAP

UPLAND PRESERVE
AREA = 263.52 +/- Ac.



THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-6517

PROJECT DESCRIPTION:

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT MANAGER:

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

FILE NAME	[illegible] KEY DWG
LAYOUT	LEE AND
LOCATION	J:\[illegible]
PLOT DATE	WED, [illegible]
PLOT BY	[illegible]

DRAWING DATA

SURVEY DATE	03-19-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=1500'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS:

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO	SHEET NUMBER
23255 26-43-26	1 OF 1

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

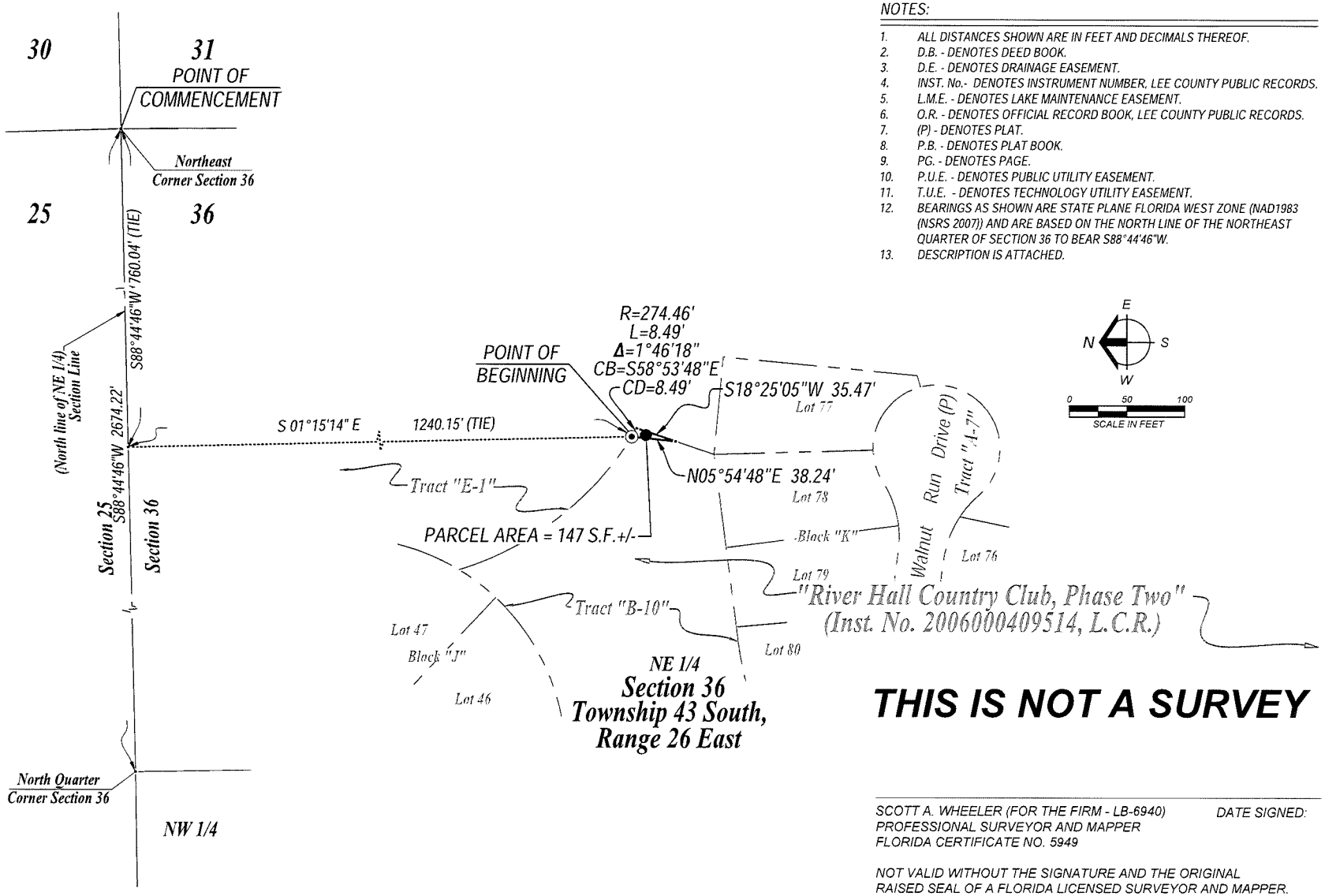
A tract or parcel of land lying in Tract "B-10"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 760.04 feet; thence run S01°15'14"E for 240.15 feet to an intersection with the Easterly line of said Tract "E-1" and the POINT OF BEGINNING.
From said Point of Beginning run the following two (2) courses along said Easterly line: Southeasterly along an arc of a curve to the left of radius 274.46 feet (delta 01°46'18") (chord bearing S58°53'48"E) (chord 8.49 feet) for 8.49 feet and S18°25'05"W for 35.47 feet; thence run N05°54'48"E for 38.24 feet to the POINT OF BEGINNING.
Containing 147 square feet, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955UPP01desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	22955(UPRES) DWG
LAYOUT	2
LOCATION	J:\22xxx\22955\SURVEY\
PLOT DATE	[illegible] 2:29 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA	
SURVEY DATE	09-21-2012
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

UPLAND PRESERVE
(TRACT "B-10") R.H.C.C. PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955 25-43-26	2 OF 2

DESCRIPTION (UPLAND PRESERVE)(CONT.)

LESS AND EXCEPT THE FOLLOWING DESCRIBED FIVE (5) PARCELS (SUB-OUTLYING SUBURBAN PARCELS):

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

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

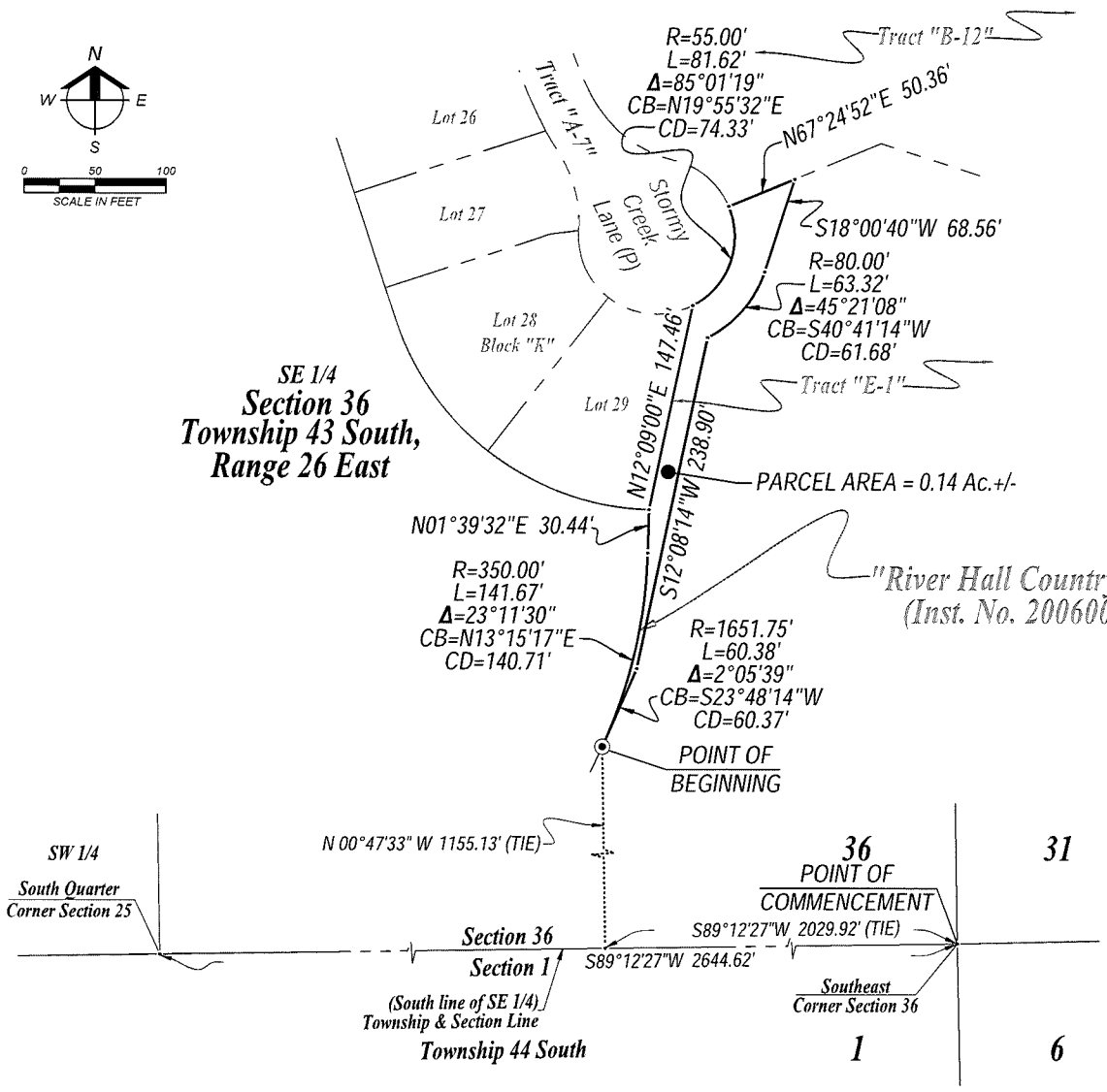
A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,029.92 feet; thence run N00°47'33"W for 1,155.13 feet to an intersection with the Westerly line of said Tract "E-1" and the POINT OF BEGINNING.
From said Point of Beginning run the following Five (5) courses along said Westerly line: Northerly along an arc of a curve to the left of radius 350.00 feet (delta 23°11'30") (chord bearing N13°15'17"E) (chord 140.71 feet) for 141.67 feet to a point of tangency; N01°39'32"E for 30.44 feet; N12°09'00"E for 147.46 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 55.00 feet (delta 85°01'19") (chord bearing N19°55'32"E) (chord 74.33 feet) for 81.62 feet and N67°24'52"E for 50.36 feet; thence run S18°00'40"W for 68.56 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the right of radius 80.00 feet (delta 45°21'08") (chord bearing S40°41'14"W) (chord 61.68 feet) for 63.32 feet; thence run S12°08'14"W for 238.90 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the right of radius 1,651.75 feet (delta 02°05'39") (chord bearing S23°48'14"W) (chord 60.37 feet) for 60.38 feet to a point; to the POINT OF BEGINNING.
Containing 0.14 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the South line of the Southeast Quarter (SE 1/4) of said Section 36 to bear S89°12'27"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS01desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR S89°12'27"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7956 - SURVEYING LB-6940

PREPARED FOR:
LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-0517

PROJECT DESCRIPTION:
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

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

FILE NAME	2564NOCSE.DWG
LAYOUT	2
LOCATION	J:\2564\MISC\SURVEY\NOCSE.DGN
PLOT DATE	TUE 5/21/2013 - 9:14 AM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	05-21-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SUB-OUTLYING SUBURBAN
(TRACT "E-1") R H C C., PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
2855 2543-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,073.31 feet; thence run S01°15'14"E for 2,122.64 feet to the Westerly most corner of Lot 58, in Block "K" of said record plat and the POINT OF BEGINNING.

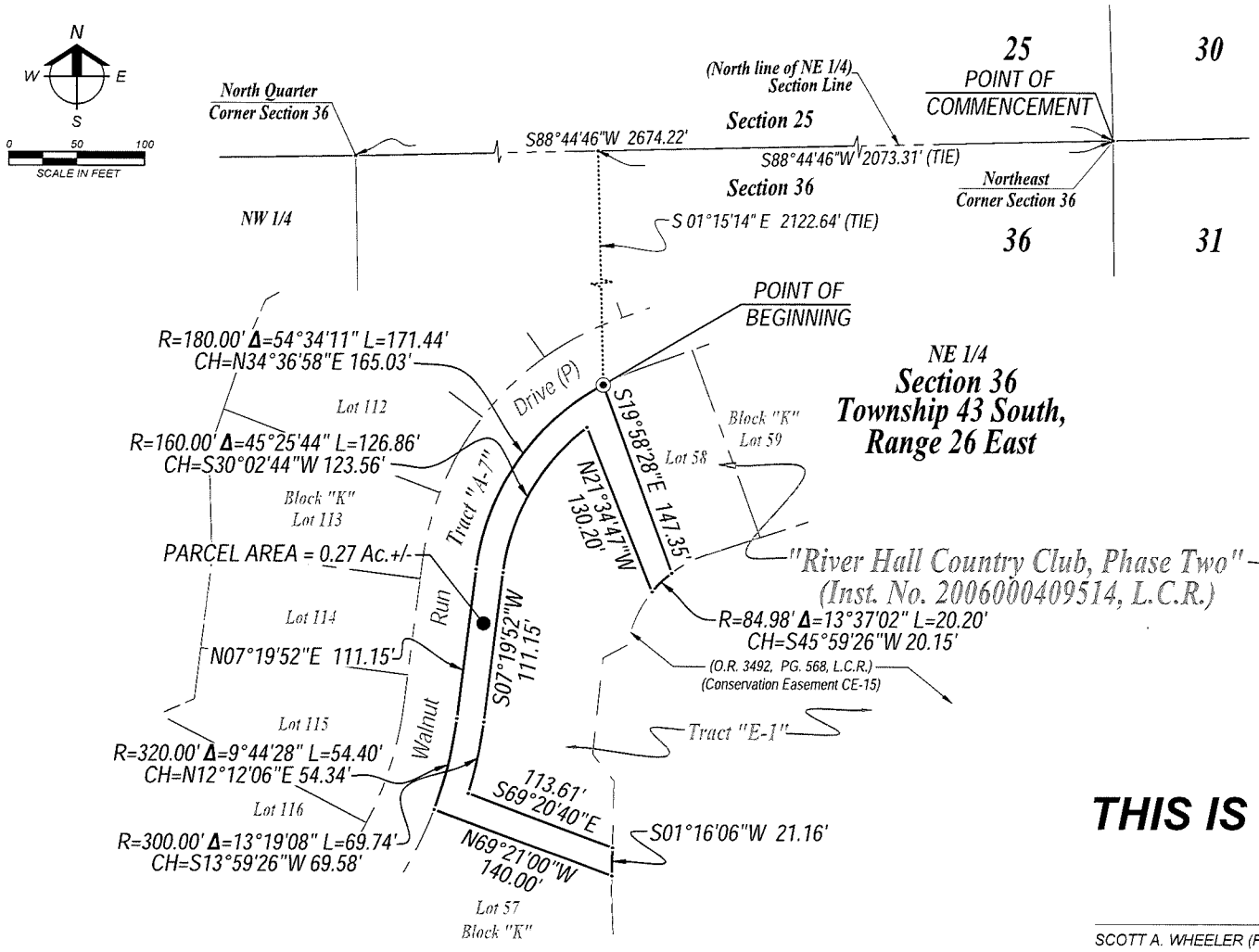
From said Point of Beginning run S19°58'28"E along the Westerly line of said Lot 58 for 147.35 feet to a point on a non-tangent curve being the Southerly most corner of said Lot and an intersection with the Westerly line of Conservation Easement CE-15, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run Southwesterly along said Westerly line and along an arc of a curve to the left of radius 84.98 feet (delta 13°37'02") (chord bearing S45°59'26"W) (chord 20.15 feet) for 20.20 feet; thence run N21°34'47"W for 130.20 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the left of radius 160.00 feet (delta 45°25'44") (chord bearing S30°02'44"W) (chord 123.56 feet) for 126.86 feet to a point of tangency; thence run S07°19'52"W for 111.15 feet to a point of curvature; thence run Southerly along an arc of a curve to the right of radius 320.00 feet (delta 09°44'28") (chord bearing S12°12'06"W) (chord 54.34 feet) for 54.40 feet; thence run S69°20'40"E for 113.61 feet to an intersection with said Westerly line of Conservation Easement CE-15; thence run S01°16'06"W along said Westerly line for 21.16 feet to the Northeast corner of Lot 57 in Block "K" of said record plat; thence run N69°21'00"W the Easterly line of said Lot 57 for 140.00 feet to an intersection with the Westerly line of said Tract "E-1"; thence run the following three (3) courses along said Westerly line: Northerly along an arc of a curve to the left of radius 300.00 feet (delta 13°19'08") (chord bearing N13°59'26"E) (chord 69.58 feet) for 69.74 feet to a point of tangency; N07°19'52"E for 111.15 feet to a point of curvature; and Northeasterly along an arc of a curve to the right of radius 180.00 feet (delta 54°34'11") (chord bearing N34°36'58"E) (chord 165.03 feet) for 171.44 feet to a point of tangency; to the POINT OF BEGINNING.

Containing 0.27 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS02desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2491 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-6517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

STATE OF FLORIDA
SCOTT A. WHEELER
NO. 5949

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

F.B. / PG.	
LAYOUT	2
LOCATION	J:\2006\2006000409514\SURVEY\2006000409514 SURVEY.DWG
PLOT DATE	5/21/2013 - 8:49 AM
PLOT BY	SCOTT WHEELER

DRAWING DATA

SURVEY DATE	03-21-2013
DRAWN BY	F. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SUB-OUTLYING SUBURBAN
(TRACT "E-1") R.H.C.C., PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
2295 / 2540-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 for 764.81 feet; thence run S01°15'14"E for 1,278.09 to an intersection with the Westerly line of said Tract "E-1" and the POINT OF BEGINNING.

From said Point of Beginning run S05°54'47"W for 24.22 feet; thence run S84°05'13"E for 89.92 feet; thence run S06°36'21"W for 175.12 feet to a point on a non-tangent curve; thence run Southwesterly along an arc of a curve to the right of radius 75.00 feet (delta 115°26'22") (chord bearing S43°11'06"W) (chord 126.82 feet) for 151.11 feet to a point of tangency; thence run N79°05'43"W for 46.67 feet; thence run S10°54'17"W for 121.61 feet to a point on a non-tangent curve; thence run Westerly along an arc of a curve to the left of radius 38.00 feet (delta 97°54'29") (chord bearing S69°15'16"W) (chord 57.32 feet) for 64.94 feet to a point of tangency; thence run S20°18'02"W for 183.50 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the right of radius 517.00 feet (delta 78°02'37") (chord bearing S59°19'20"W) (chord 651.02 feet) for 704.22 feet to a point of tangency; thence run N81°39'21"W for 35.36 feet to a point on a non-tangent curve; thence run Westerly along an arc of a curve to the left of radius 632.97 feet (delta 22°22'06") (chord bearing S89°19'31"W) (chord 245.54 feet) for 247.11 feet to a point on a non-tangent curve and with the intersection with said Westerly line of Tract "E-1"; thence run the following Eleven (11) courses along said westerly line: Northeasterly along an arc of a curve to the left of radius 615.00 feet (delta 00°12'19") (chord bearing N61°22'34"E) (chord 2.20 feet) for 2.20 feet to a point on a non-tangent curve; Easterly along an arc of a curve to the right of radius 638.00 feet (delta 22°10'10") (chord bearing N87°15'34"E) (chord 245.33 feet) for 246.86 feet to a point of tangency; S81°39'21"E for 35.36 feet to a point of curvature; Northeasterly along an arc of a curve to the left of radius 507.00 feet (delta 78°02'37") (chord bearing N59°19'20"E) (chord 638.43 feet) for 690.59 feet to a point of tangency; N20°18'02"E for 183.50 feet to a point of curvature; Northeasterly along an arc of a curve to the right of radius 48.00 feet (delta 81°30'58") (chord bearing N61°03'31"E) (chord 62.68 feet) for 68.29 feet; N11°49'00"E for 153.76 feet to a point on a non-tangent curve;

DESCRIPTION (Cont.)

Southeasterly along an arc of a curve to the right of radius 90.00 feet (delta 15°27'44") (chord bearing S48°50'47"E) (chord 24.21 feet) for 24.29 feet to a point of reverse curvature; Northeasterly along an arc of a curve to the left of radius 55.00 feet (delta 153°38'05") (chord bearing N62°04'03"E) (chord 107.10 feet) for 147.48 feet; N75°15'00"E for 10.07 feet; N05°31'00"E for 168.94 feet; N84°29'00"W for 84.83 feet and N18°25'05"E for 35.06 feet to the POINT OF BEGINNING.
Containing 0.44 acres, more or less.

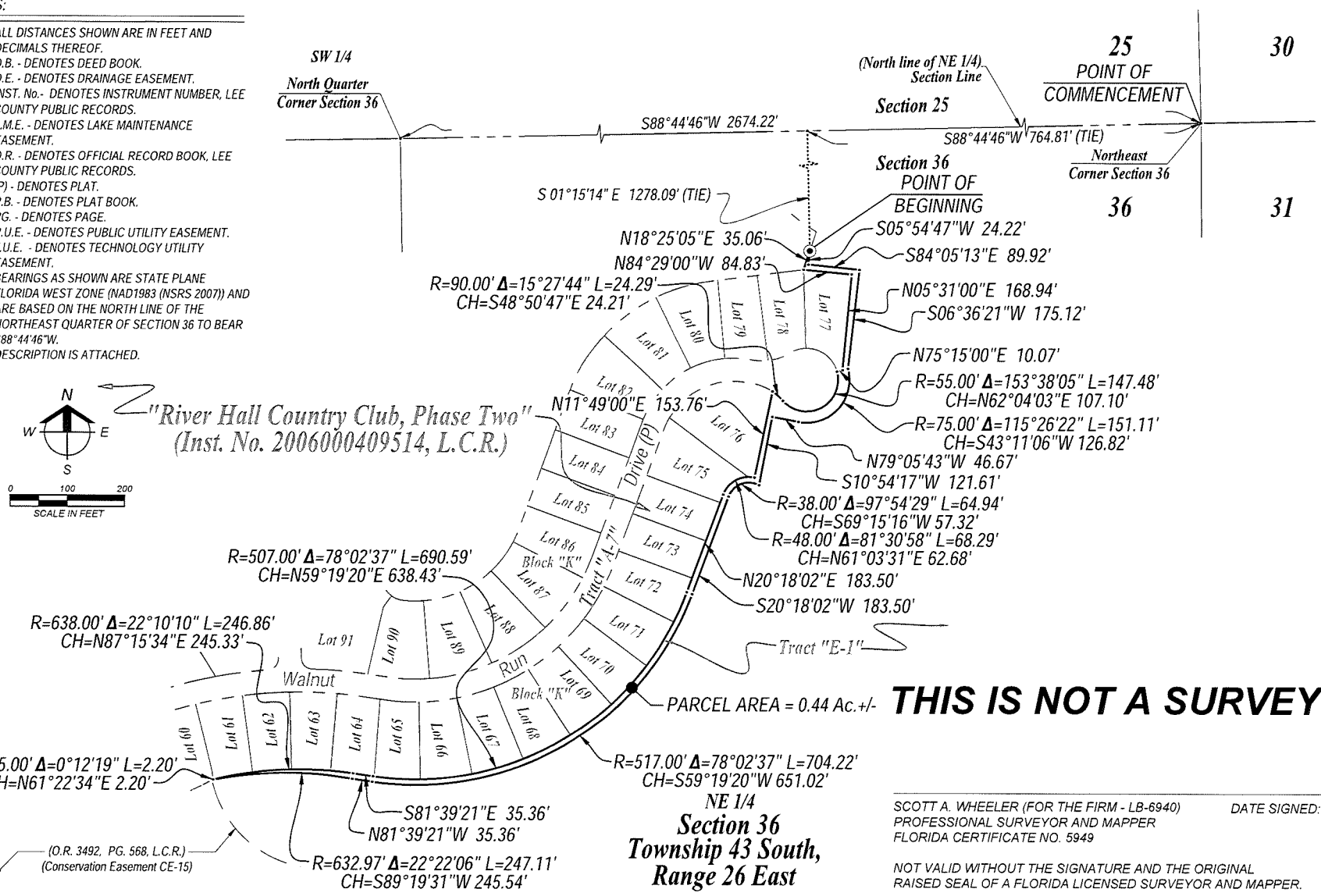
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS03desc.doc

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.



NE 1/4
Section 36
Township 43 South,
Range 26 East

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

LandMar GROUP, LLC
2491 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROFESSIONAL SURVEYOR AND MAPPER
NO. 5949
STATE OF
FLORIDA

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

FILE NAME	[redacted]
LAYOUT	3
LOCATION	[redacted]
PLOT DATE	[redacted]
PLOTTED BY	[redacted]

DRAWING DATA

SURVEY DATE	09-21-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SUBDIVISION SUBURBAN (TRACT "E-1") R.H.C.C., PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22955 05-43-26	3 OF 3

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 for 1,098.58 feet; thence run S01°15'14"E for 361.32 to an intersection with the Westerly line of said Tract "E-1" and the POINT OF BEGINNING.

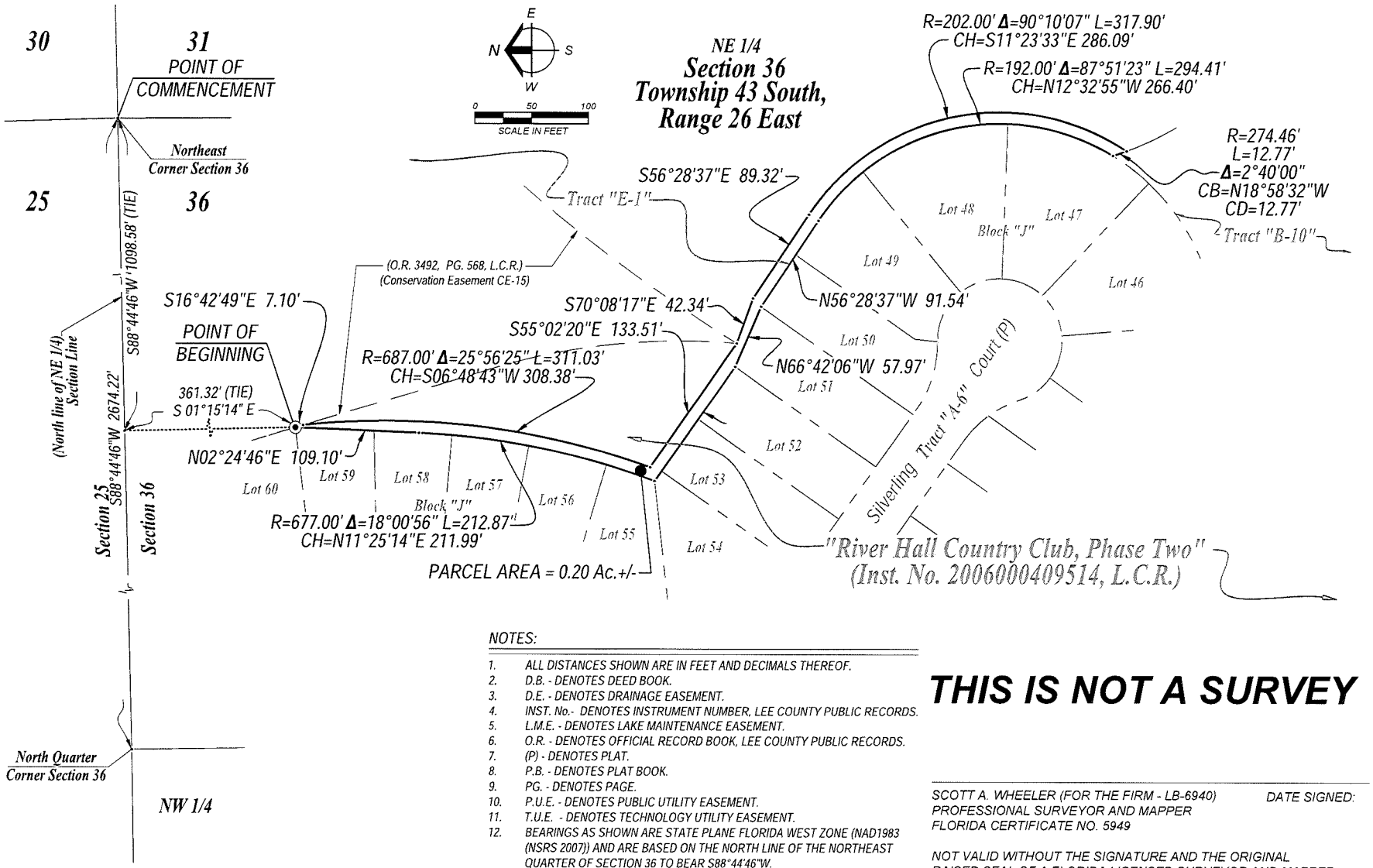
From said Point of Beginning run S16°42'49"E along the Westerly line of Conservation Easement CE-15, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records for 7.10 feet to a point on a non-tangent curve; thence run Southerly along an arc of a curve to the right of radius 687.00 feet (delta 25°56'25") (chord bearing S06°48'43"W) (chord 308.38 feet) for 311.03 feet; thence run S55°02'20"E for 133.51 feet; thence run S70°08'17"E for 42.34 feet; thence run S56°28'37"E for 89.32 feet to a point of curvature; thence run Southerly along an arc of a curve to the right of radius 202.00 feet (delta 90°10'07") (chord bearing S11°23'33"E) (chord 286.09 feet) for 317.90 feet to a point on a non-tangent curve and intersection with said Westerly line of Tract "E-1"; thence run the following Seven (7) courses along said westerly line: Northerly along an arc of a curve to the right of radius 274.46 feet (delta 02°40'00") (chord bearing N18°58'32"W) (chord 12.77 feet) for 12.77 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 192.00 feet (delta 87°51'23") (chord bearing N12°32'55"W) (chord 266.40 feet) for 294.41 feet to a point of tangency; N56°28'37"W for 91.54 feet; N66°42'06"W for 57.97 feet; N54°41'40"W for 123.35 feet to a point on a non-tangent curve; Northerly along an arc of a curve to the left of radius 677.00 feet (delta 18°00'56") (chord bearing N11°25'14"E) (chord 211.99 feet) for 212.87 feet to a point of tangency and N02°24'46"E for 109.10 feet to the POINT OF BEGINNING.

Containing 0.20 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS04desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	22955ACAD14.DWG
LAYOUT	2
LOCATION	J:\22955\ACAD\SURVEY\22955.DWG
PLOT DATE	THU 3.21.2013 - 12:17PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-21-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

SUBDIVISION SUBURBAN (TRACT "E-1" R.H.C.C., PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22955 25-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 25
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southwest Corner of said Section 25 run N89°12'44"E along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,250.13 feet; thence run N00°47'16"W for 114.02 feet to an intersection with the Southerly line of said Tract "E-1" and to the POINT OF BEGINNING.

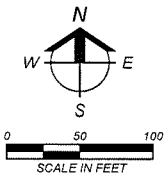
From said Point of Beginning run the following Five (5) courses along said Southerly line: N16°13'10" W for 40.83 feet to a point of curvature; Westerly along an arc of a curve to the left of radius 55.00 feet (delta 139°38'20") (chord bearing N86°02'21" W) (chord 103.25 feet) for 134.04 feet to a point of reverse curvature; Southwesterly along an arc of a curve to the right of radius 90.00 feet (delta 54°06'42") (chord bearing S51°11'50" W) (chord 81.87 feet) for 85.00 feet to a point of tangency; S78°15'11" W for 46.09 feet and N38°05'10" W for 15.06 feet; thence run N78°15'11" E for 52.77 feet to a point of curvature; thence run Northeasterly along an arc of a curve to the left of radius 76.50 feet (delta 54°06'42") (chord bearing N51°11'50" E) (chord 69.59 feet) for 72.25 feet to a point of reverse curvature; thence run Easterly along an arc of a curve to the right of radius 68.50 feet (delta 176°13'46") (chord bearing S67°44'38" E) (chord 136.93 feet) for 210.69 feet to the POINT OF BEGINNING.

Containing 0.09 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

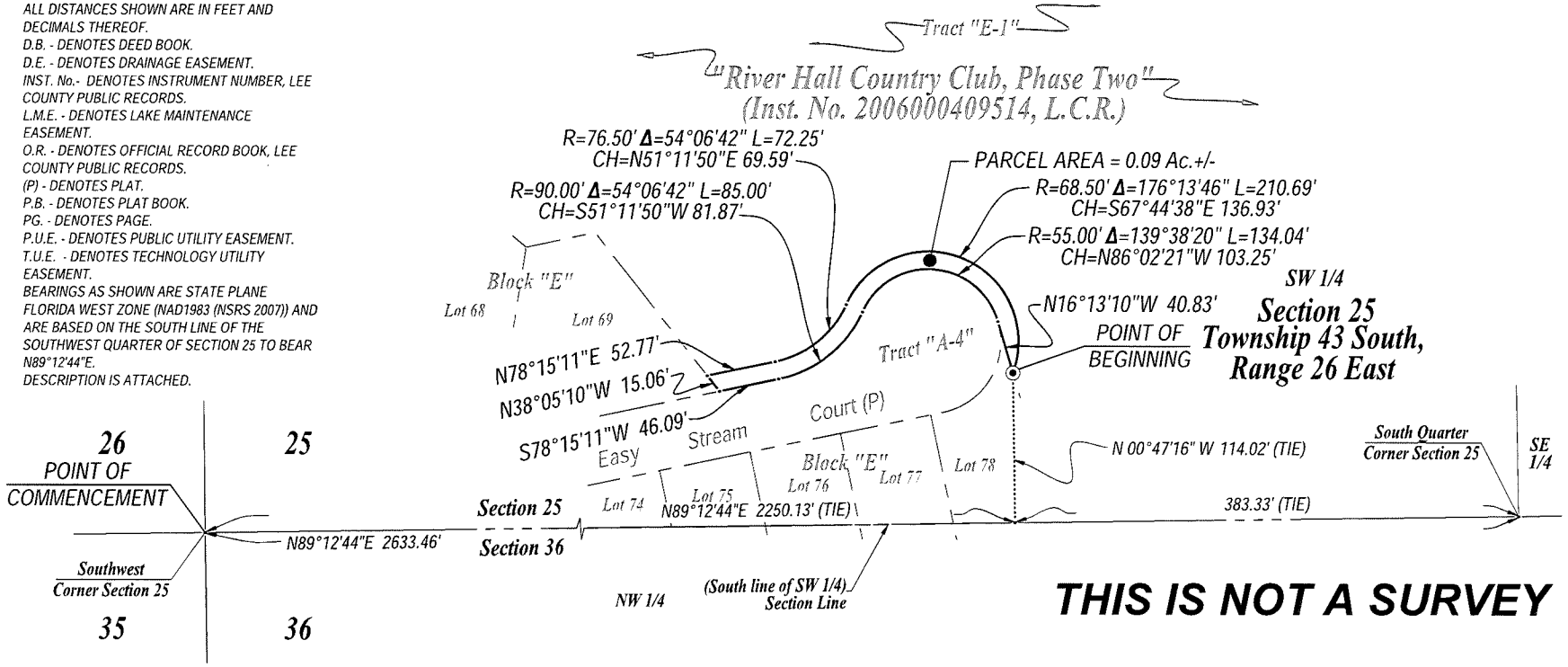
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955SOS04desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 25 TO BEAR N89°12'44"E.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7305 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESIGNATION:

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

STATE OF FLORIDA
SCOTT A. WHEELER
NO. 5949
REGISTERED LAND SURVEYOR

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

F.B. / PG.	256/25 (INW)
LAYOUT	1
LOCATION	I:\2006\06-0409\SKETCH\06-0409 SKETCH.DWG
PLOT DATE	THU, 9-21-2023, 1:17 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	09-21-2023
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS:

SUB-OUTLYING SUBURBAN
(TRACT "E-1") R.H.C.C., PH. 2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22055 2540-26	2 OF 2

DESCRIPTION (UPLAND PRESERVE)(CONT.)

AND LESS AND EXCEPT THE FOLLOWING TWENTY (20) DESCRIBED PARCELS (WETLAND PRESERVE):

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

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 763.79 feet to an intersection with the Southerly right of way line of State Road 80, (F.D.O.T. right of way map, Section 1202-(106)202)(150 feet wide); thence run S77°10'14"W along said Southerly right of way line for 1346.60 feet to an intersection with the West line of the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°49'17"E along said West line for 490.62 feet to the POINT OF BEGINNING.

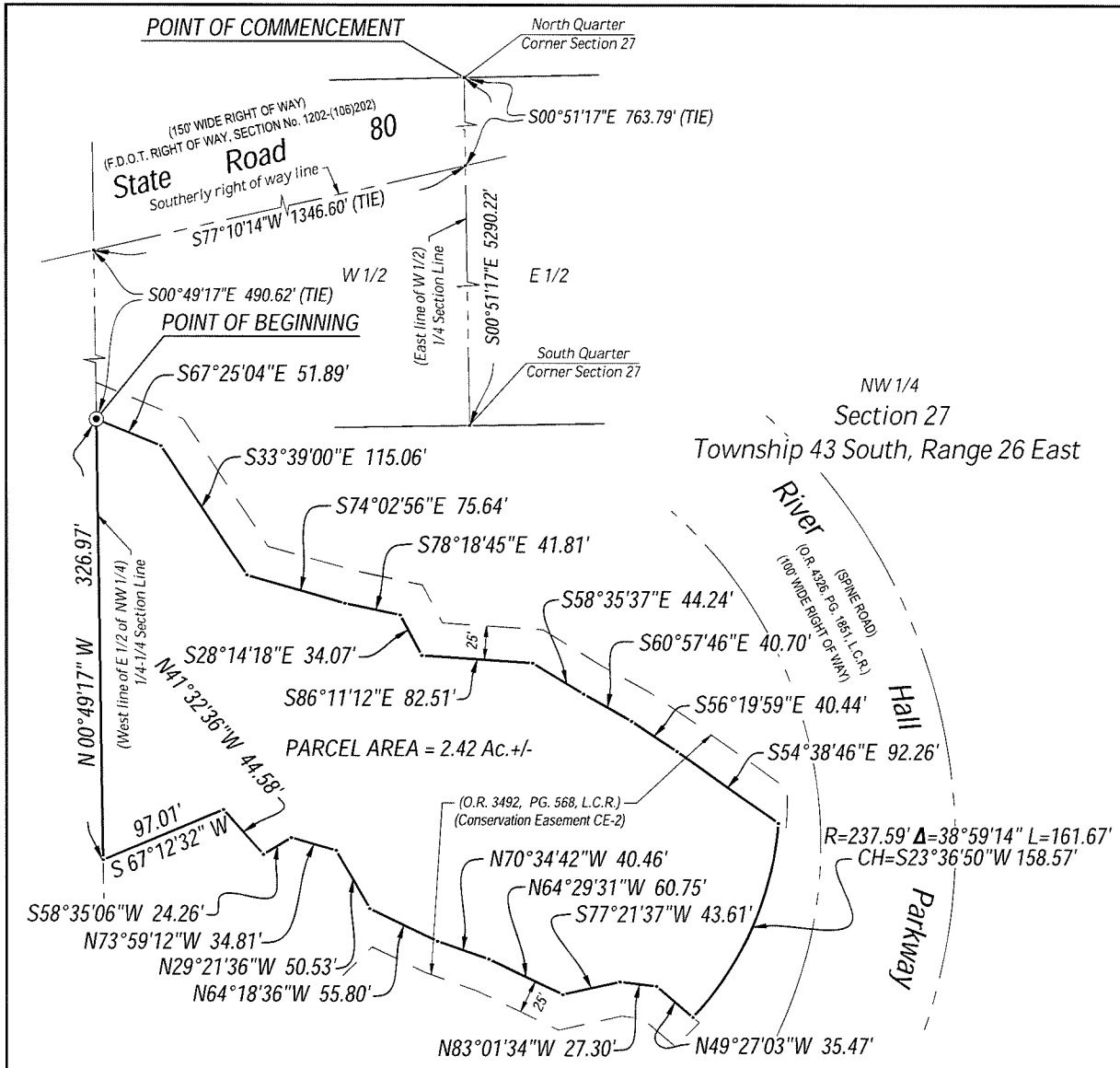
From said Point of Beginning run S67°25'04"E for 51.89 feet; thence run S33°39'00"E for 115.06 feet; thence run S74°02'56"E for 75.64 feet; thence run S78°18'45"E for 41.81 feet; thence run S28°14'18"E for 34.07 feet; thence run S86°11'12"E for 82.51 feet; thence run S58°35'37"E for 44.24 feet; thence run S60°57'46"E for 40.70 feet; thence run S56°19'59"E for 40.44 feet; thence run S54°38'46"E for 92.26 feet to a point on a non-tangent curve and an intersection with the Easterly line of Conservation Easement CE-2, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run Southwesterly along said Easterly line and along an arc of a curve to the right of radius 237.59 feet (delta 38°59'14") (chord bearing S23°36'50"W) (chord 158.57 feet) for 161.67 feet; thence run N49°27'03"W for 35.47 feet; thence run N83°01'34"W for 27.30 feet; thence run S77°21'37"W for 43.61 feet; thence run N64°29'31"W for 60.75 feet; thence run N70°34'42"W for 40.46 feet; thence run N64°18'36"W for 55.80 feet; thence run N29°21'36"W for 50.53 feet; thence run N73°59'12"W for 34.81 feet; thence run S58°35'06"W for 24.26 feet; thence run N41°32'36"W for 44.58 feet; thence run S67°12'32"W for 97.01 feet to an intersection with said West line of the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of Section 27; thence run N00°49'17"W along said West line for 326.97 feet to the POINT OF BEGINNING.

Containing 2.42 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP01desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR
LandMar GROUP, LLC
2491 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-6517

PROJECT DESCRIPTION
A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROJECT NUMBER

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

FILE NAME	27XWW PREPARED
LAYOUT	7
LOCATION	J:\27XWW\DRAWINGS\SKETCH
PLOT DATE	WED 3-25-2015 1:36 PM
PLOTTED BY	PETER DEMEN

DRAWING DATA	
SURVEY DATE	03-20-2013
DRAWN BY	P. DEMEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-2)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
12355 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 1338.60 to the POINT OF BEGINNING.

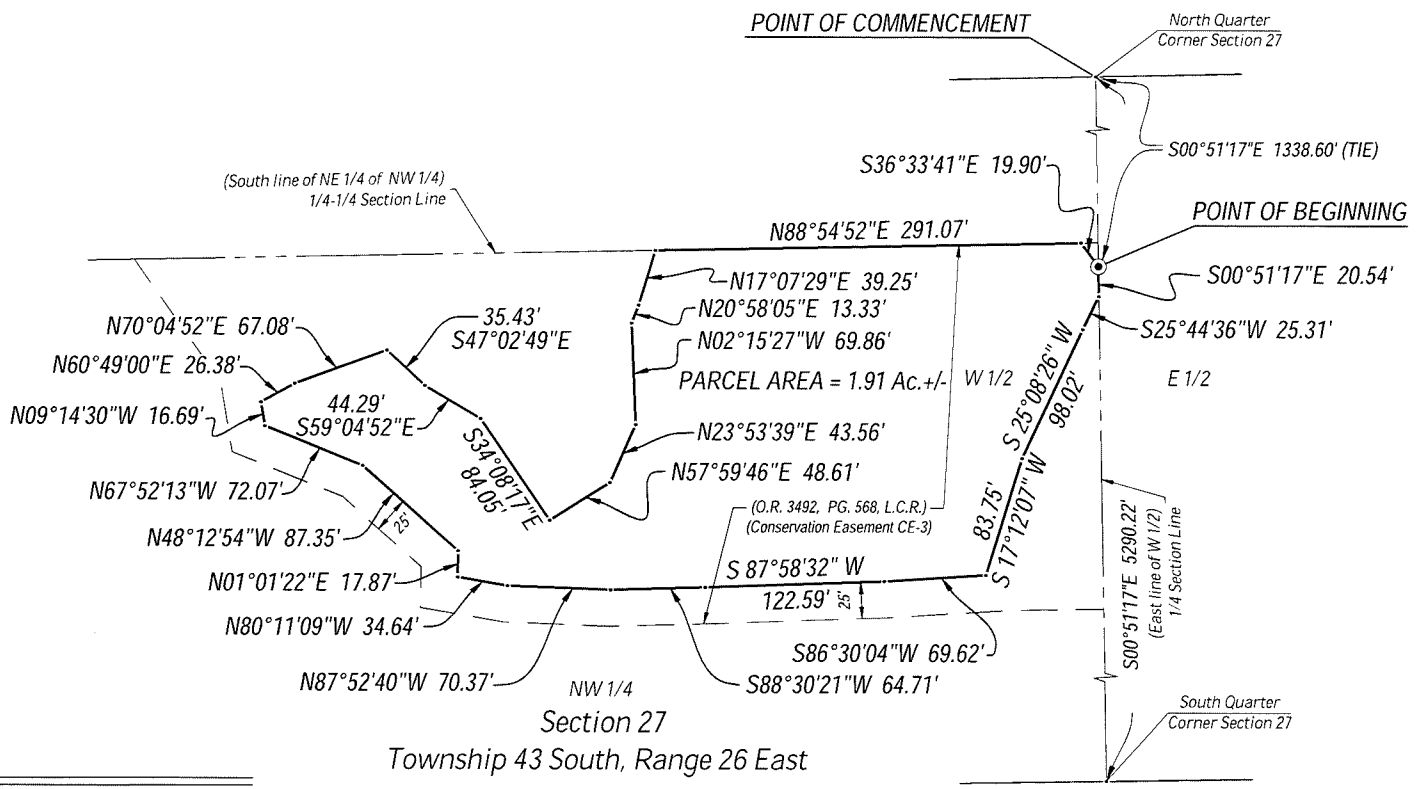
From said Point of Beginning continue S00°51'17"E along said East line for 20.54 feet; thence run S25°44'36"W for 25.31 feet; thence run S25°08'26"W for 98.02 feet; thence run S17°12'07"W for 83.75 feet; thence run S86°30'04"W for 69.62 feet; thence run S87°58'32"W for 122.59 feet; thence run S88°30'21"W for 64.71 feet; thence run N87°52'40"W for 70.37 feet; thence run N80°11'09"W for 34.64 feet; thence run N01°01'22"E for 17.87 feet; thence run N48°12'54"W for 87.35 feet; thence run N67°52'13"W for 72.07 feet; thence run N09°14'30"W for 16.69 feet; thence run N60°49'00"E for 26.38 feet; thence run N70°04'52"E for 67.08 feet; thence run S47°02'49"E for 35.43 feet; thence run S59°04'52"E for 44.29 feet; thence run S34°08'17"E for 84.05 feet; thence run N57°59'46"E for 48.61 feet; thence run N23°53'39"E for 43.56 feet; thence run N02°15'27"W for 69.86 feet; thence run N20°58'05"E for 13.33 feet; thence run N17°07'29"E for 39.25 feet to an intersection with the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run N88°54'52"E along said South line for 291.07 feet; thence run S36°33'41"E for 19.90 feet to the POINT OF BEGINNING.

Containing 1.91 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

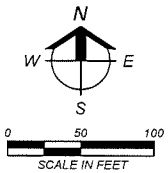
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP02desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:
LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION:
A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

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

FILE NAME	[illegible]
LAYOUT	2
LOCATION	[illegible]
PLOT DATE	[illegible]
PLOT BY	[illegible]

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS:

WETLAND PRESERVE (CE-3)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 2211.05 feet; thence run S89°08'43"W for 231.29 feet to the POINT OF BEGINNING.

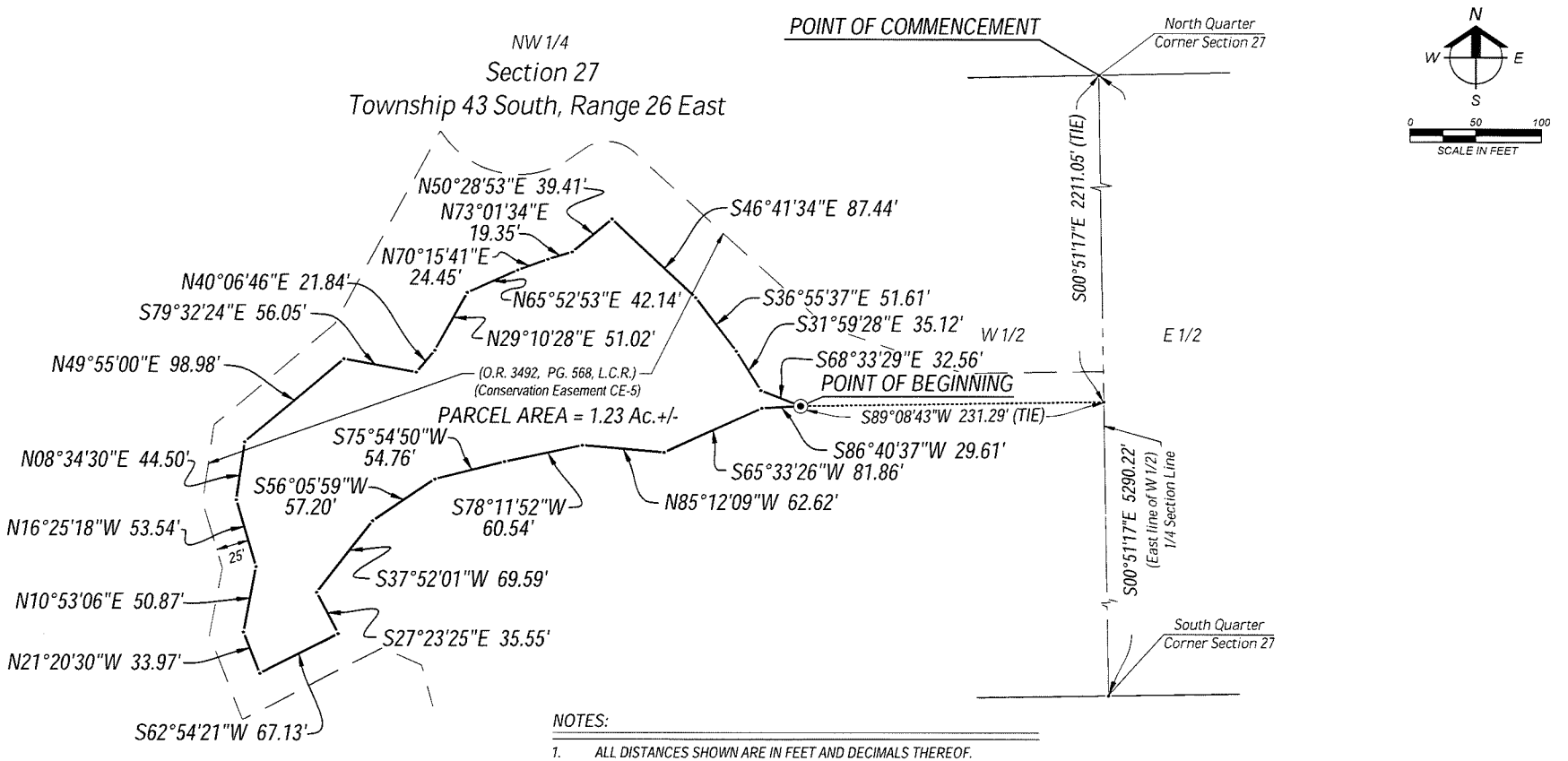
From said Point of Beginning run S86°40'37"W for 29.61 feet; thence run S65°33'26"W for 81.86 feet; thence run N85°12'09"W for 62.62 feet; thence run S78°11'52"W for 60.54 feet; thence run S75°54'50"W for 54.76 feet; thence run S56°05'59"W for 57.20 feet; thence run S37°52'01"W for 69.59 feet; thence run S27°23'25"E for 35.55 feet; thence run S62°54'21"W for 67.13 feet; thence run N21°20'30"W for 33.97 feet; thence run N10°53'06"E for 50.87 feet; thence run N16°25'18"W for 53.54 feet; thence run N08°34'30"E for 44.50 feet; thence run N49°55'00"E for 98.98 feet; thence run S79°32'24"E for 56.05 feet; thence run N40°06'46"E for 21.84 feet; thence run N29°10'28"E for 51.02 feet; thence run N65°52'53"E for 42.14 feet; thence run N70°15'41"E for 24.45 feet; thence run N73°01'34"E for 19.35 feet; thence run N50°28'53"E for 39.41 feet; thence run S46°41'34"E for 87.44 feet; thence run S36°55'37"E for 51.61 feet; thence run S31°59'28"E for 35.12 feet; thence run S68°33'29"E for 32.56 feet to the POINT OF BEGINNING.

Containing 1.23 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP03desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7599 - SURVEYING LB-5940

PREPARED FOR:

LandMar GROUP, LLC
2491 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-0517

PROJECT DESCRIPTION:

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROFESSIONAL SURVEYOR AND MAPPER

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

FILE NAME	2554WLPD.DWG
LAYOUT	2
LOCATION	J:\2554\SURVEY\DRAWINGS\2554WLPD.DWG
PLOT DATE	WED, 3.20.2013 - 5:32 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS:

WETLAND PRESERVE (CE-5) #1

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
12955 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 2550.31 feet; thence run S89°08'43"W for 43.69 feet to the POINT OF BEGINNING.

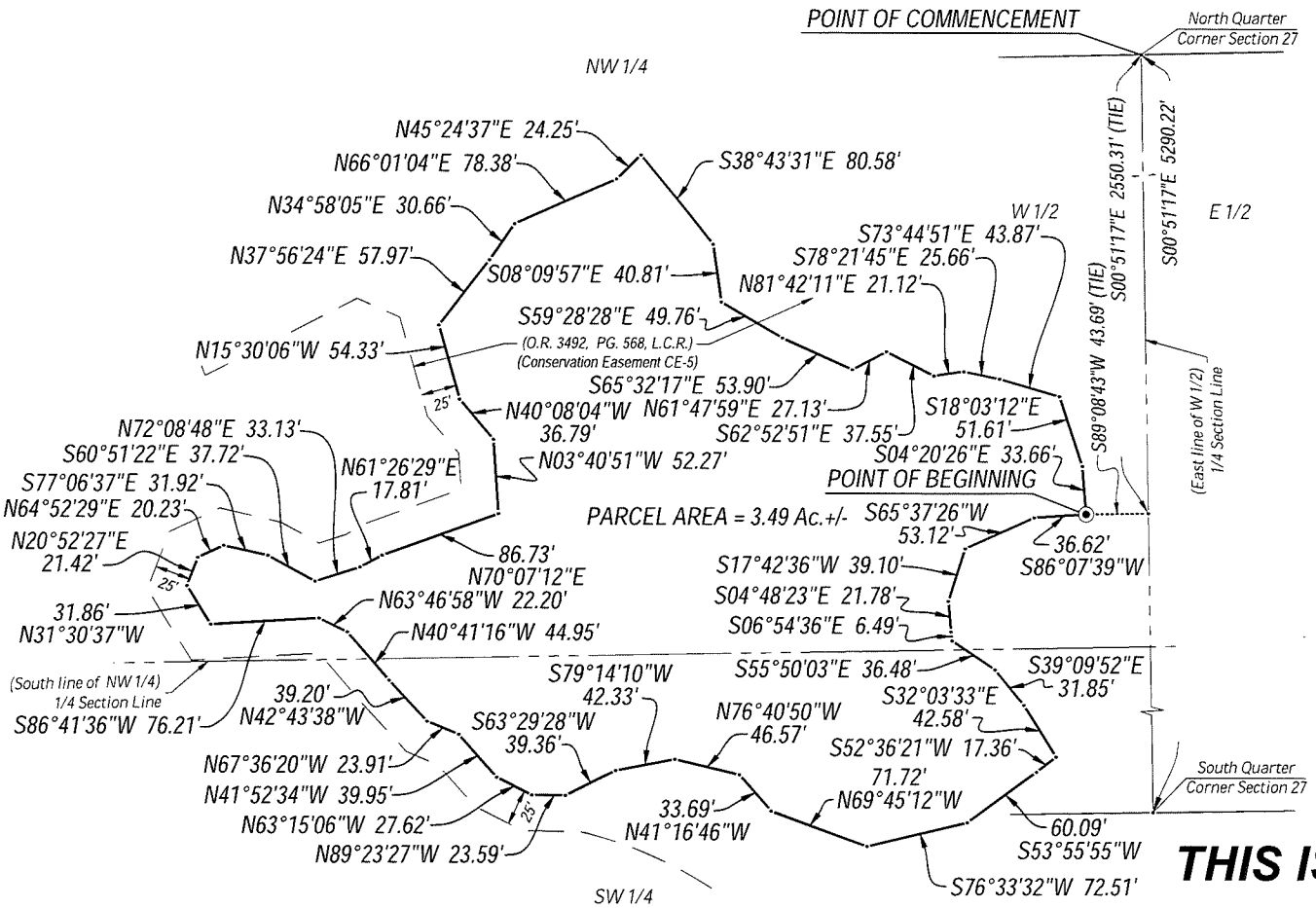
From said Point of Beginning run S86°07'39"W for 36.62 feet; thence run S65°37'26"W for 53.12 feet; thence run S17°42'36"W for 39.10 feet; thence run S04°48'23"E for 21.78 feet; thence run S06°54'36"E for 6.49 feet; thence run S55°50'03"E for 36.48 feet; thence run S39°09'52"E for 31.85 feet; thence run S32°03'33"E for 42.58 feet; thence run S52°36'21"W for 17.36 feet; thence run S53°55'55"W for 60.09 feet; thence run S76°33'32"W for 72.51 feet; thence run N69°45'12"W for 71.72 feet; thence run N41°16'46"W for 33.69 feet; thence run N76°40'50"W for 46.57 feet; thence run S79°14'10"W for 42.33 feet; thence run S63°29'28"W for 39.36 feet; thence run N89°23'27"W for 23.59 feet; thence run N63°15'06"W for 27.62 feet; thence run N41°52'34"W for 39.95 feet; thence run N67°36'20"W for 23.91 feet; thence run N42°43'38"W for 39.20 feet; thence run N40°41'16"W for 44.95 feet; thence run N63°46'58"W for 22.20 feet; thence run S86°41'36"W for 76.21 feet; thence run N31°30'37"W for 31.86 feet; thence run N20°52'27"E for 21.42 feet; thence run N64°52'29"E for 20.23 feet; thence run S77°06'37"E for 31.92 feet; thence run S60°51'22"E for 37.72 feet; thence run N72°08'48"E for 33.13 feet; thence run N61°26'29"E for 17.81 feet; thence run N70°07'12"E for 86.73 feet; thence run N03°40'51"W for 52.27 feet; thence run N40°08'04"W for 36.79 feet; thence run N15°30'06"W for 54.33 feet; thence run N37°56'24"E for 57.97 feet; thence run N34°58'05"E for 30.66 feet; thence run N66°01'04"E for 78.38 feet; thence run N45°24'37"E for 24.25 feet; thence run S38°43'31"E for 80.58 feet; thence run S08°09'57"E for 40.81 feet; thence run S59°28'28"E for 49.76 feet; thence run S65°32'17"E for 53.90 feet; thence run N61°47'59"E for 27.13 feet; thence run S62°52'51"E for 37.55 feet; thence run N81°42'11"E for 21.12 feet; thence run S78°21'45"E for 25.66 feet; thence run S73°44'51"E for 43.87 feet; thence run S18°03'12"E for 51.61 feet; thence run S04°20'26"E for 33.66 feet to the POINT OF BEGINNING.

Containing 3.49 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP04desc.doc



Section 27

Township 43 South, Range 26 East

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROFESSIONAL SURVEYOR AND MAPPER

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

FILE NAME	27944WETPRESERVE.DWG
LAYOUT	2
LOCATION	J:\27944\DWG\SURVEY\27944WETPRESERVE.DWG
PLOT DATE	WED, 3-20-2013 1:37 PM
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-5) #2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
27955 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 2996.64 feet to the POINT OF BEGINNING.

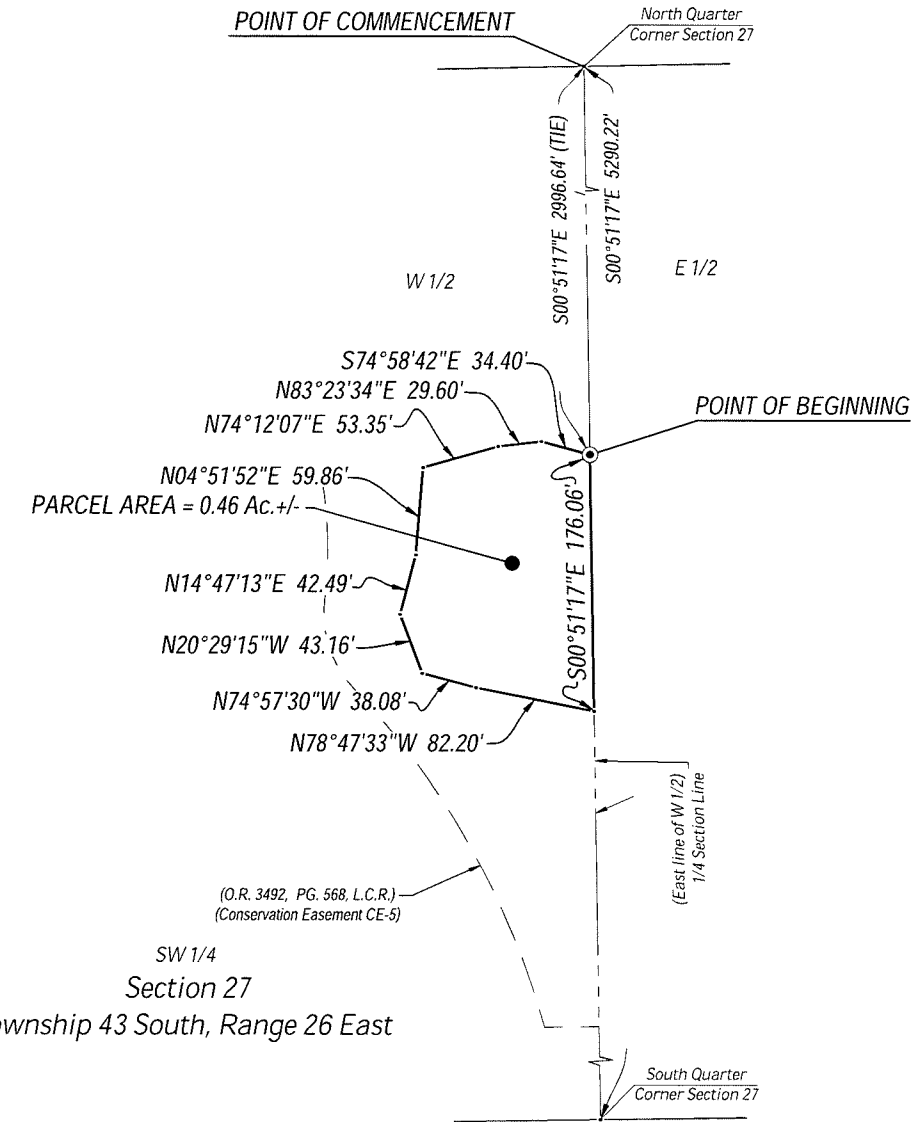
From said Point of Beginning continue S00°51'17"E along said East line for 176.06 feet; thence run N78°47'33"W for 82.20 feet; thence run N74°57'30"W for 38.08 feet; thence run N20°29'15"W for 43.16 feet; thence run N14°47'13"E for 42.49 feet; thence run N04°51'52"E for 59.86 feet; thence run N74°12'07"E for 53.35 feet; thence run N83°23'34"E for 29.60 feet; thence run S74°58'42"E for 34.40 feet to the POINT OF BEGINNING.

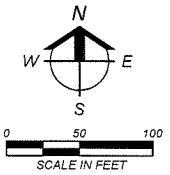
Containing 0.46 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP05desc.doc





NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

ENGINEER / SURVEYOR

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOTTED BY	

DRAWING DATA

SURVEY DATE	
DRAWN BY	
CHECKED BY	
SCALE	
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-5) #3

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 2959.14 feet; thence run S89°08'43"W for 632.64 feet to the POINT OF BEGINNING.

From said Point of Beginning run S16°12'25"W for 52.96 feet; thence run S26°21'33"W for 63.73 feet; thence run S62°02'38"W for 56.37 feet; thence run S61°12'37"W for 53.88 feet; thence run S56°08'31"W for 101.95 feet; thence run S08°22'13"E for 93.15 feet; thence run S71°47'56"W for 43.20 feet; thence run S07°58'00"W for 53.73 feet; thence run S03°55'13"E for 52.52 feet; thence run S23°32'56"W for 39.67 feet; thence run S33°25'14"W for 38.53 feet; thence run S12°58'58"W for 45.24 feet; thence run N86°33'52"W for 71.08 feet; thence run S82°52'46"W for 51.39 feet; thence run S84°07'47"W for 39.78 feet; thence run N44°22'17"W for 72.20 feet; thence run N22°03'38"W for 29.19 feet; thence run N56°46'33"W for 20.04 feet to a point on a non-tangent curve and an intersection with the Westerly line of Conservation Easement CE-6, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run the following two (2) courses along said Westerly line: Northerly along an arc of a curve to the left of radius 645.00 feet (delta 21°47'32") (chord bearing N06°01'27"E) (chord 243.85 feet) for 245.32 feet to a point of tangency and N04°52'19"W for 6.34 feet; thence run N57°01'49"E for 68.01 feet; thence run N58°46'31"E for 66.22 feet; thence run N77°22'56"E for 23.42 feet; thence run N75°57'05"E for 48.96 feet; thence run N58°34'44"E for 57.60 feet; thence run N06°34'30"W for 23.84 feet; thence run N19°48'48"W for 37.23 feet; thence run N09°23'27"E for 49.27 feet; thence run N00°40'13"W for 39.12 feet; thence run N34°37'25"E for 43.37 feet; thence run S84°40'35"E for 121.47 feet; thence run N51°21'20"E for 36.42 feet; thence run N35°27'01"E for 41.38 feet; thence run S71°09'37"E for 38.61 feet; thence run S71°11'27"E for 40.00 feet; thence run S21°19'07"W for 49.11 feet; thence run S29°59'52"E for 76.02 feet to the POINT OF BEGINNING.

Containing 4.01 acres, more or less.

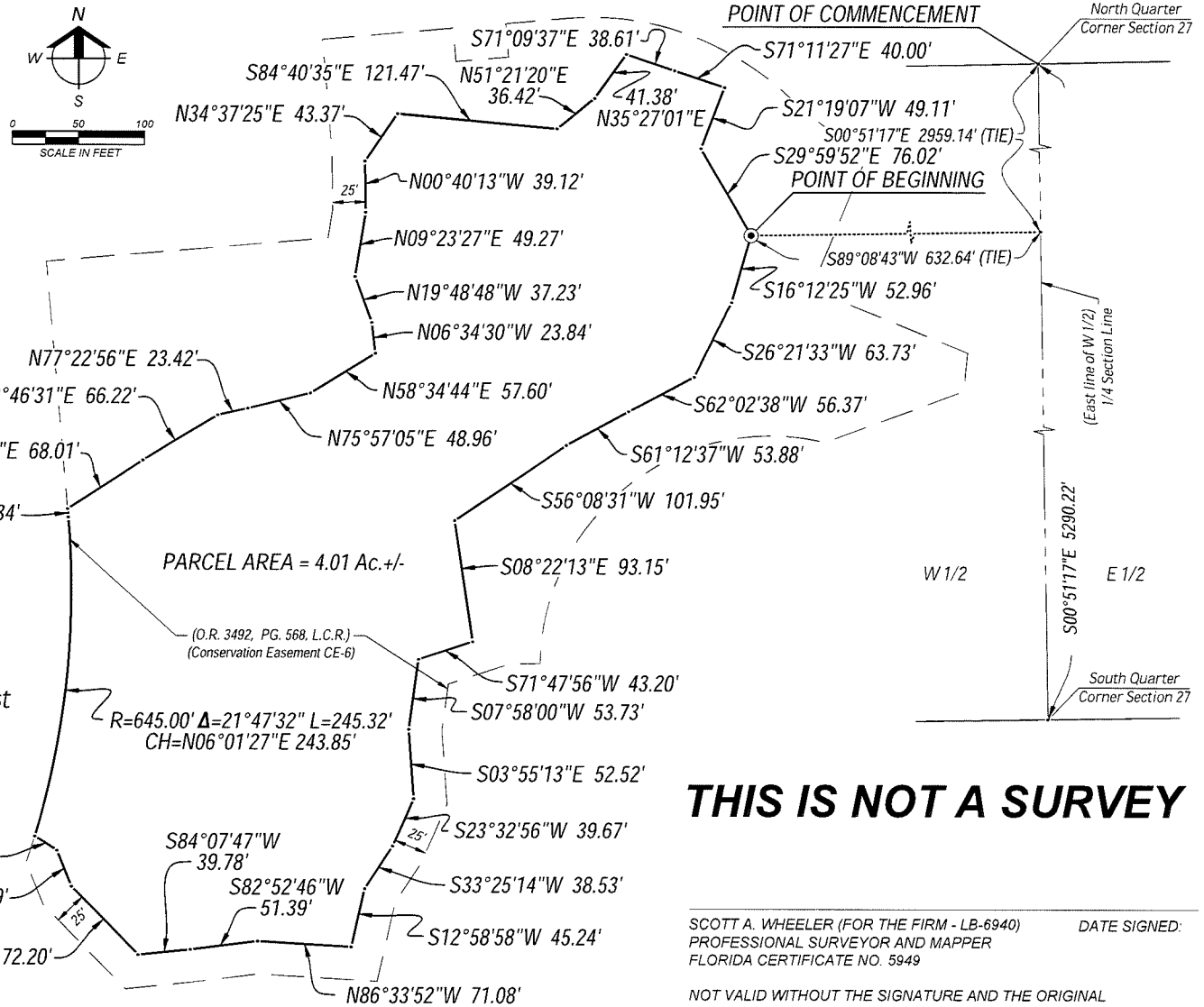
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP06desc.doc

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2481 RIVER MALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION:

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR:

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOTTED BY	

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS:

WETLAND PRESERVE (CE-6)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955 27-43-26	2 OF 2

DESCRIPTION

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

A tract or parcel of land lying in Tract "E-1" of "River Hall Country Club, Phase One", as recorded in Instrument No. 2005000153068, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 27 run S89°10'13"W along the South line of the Southeast Quarter (SE 1/4) of said Section 27 for 1516.97 feet; thence run N00°49'47"W for 175.54 feet to the POINT OF BEGINNING.

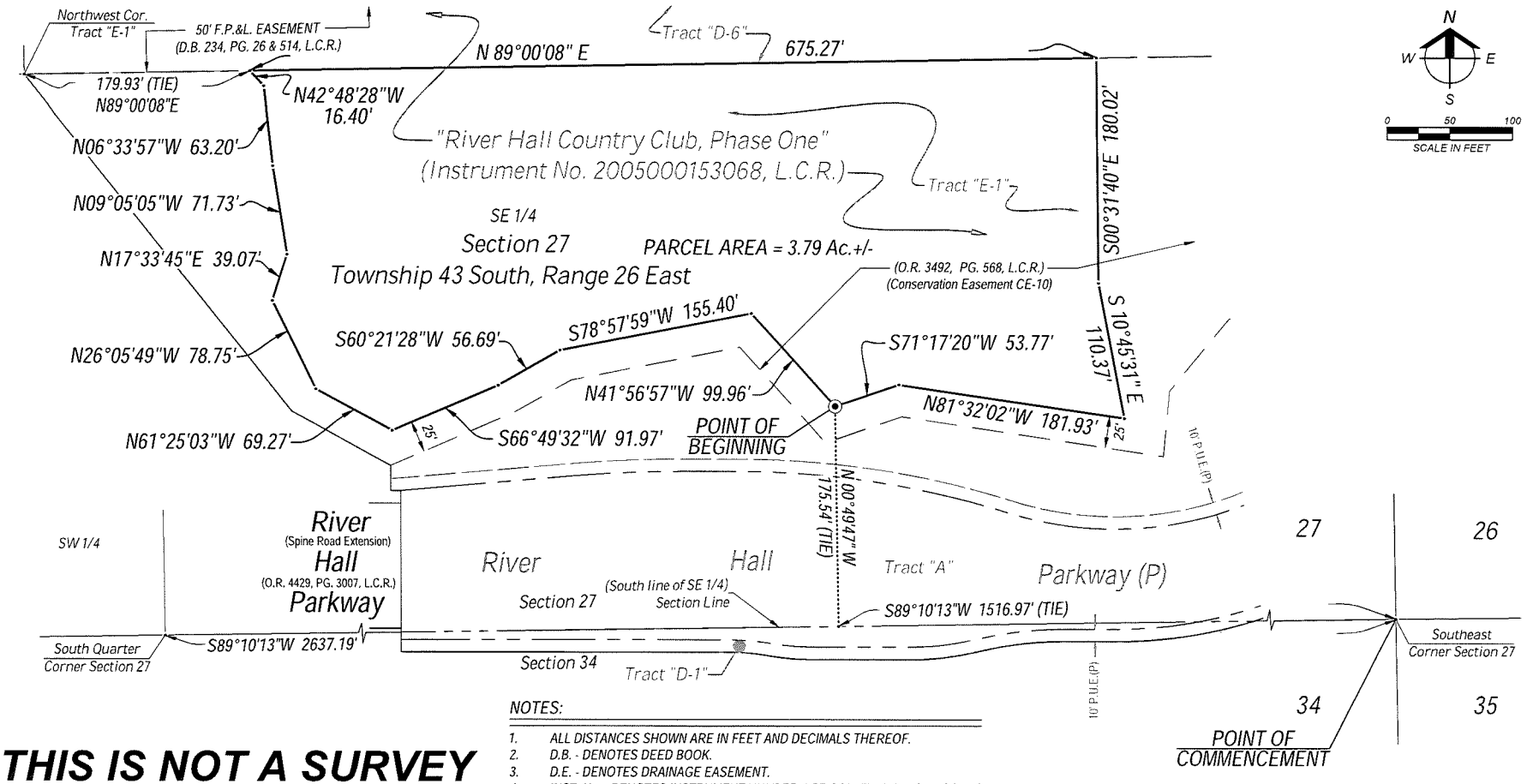
From said Point of Beginning run N41°56'57"W for 99.96 feet; thence run S78°57'59"W for 155.40 feet; thence run S60°21'28"W for 56.69 feet; thence run S66°49'32"W for 91.97 feet; thence run N61°25'03"W for 69.27 feet; thence run N26°05'49"W for 78.75 feet; thence run N17°33'45"E for 39.07 feet; thence run N09°05'05"W for 71.73 feet; thence run N06°33'57"W for 63.20 feet; thence run N42°48'28"W for 16.40 feet to an intersection with the Northerly line of said Tract "E-1"; thence run N89°00'08"E along said Northerly line for 675.27 feet; thence run S00°31'40"E for 180.02 feet; thence run S10°45'31"E for 110.37 feet; thence run N81°32'02"W for 181.93 feet; thence run S71°17'20"W for 53.77 feet to the POINT OF BEGINNING.

Containing 3.79 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 27 to bear S89°10'13"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP07desc.doc



THIS IS NOT A SURVEY

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

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

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

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

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE ONE

INSTRUMENT #2005000153068 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 26, 27, 34, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOT BY	

DRAWING DATA

SURVEY DATE	03-09-2012
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-10) #1

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955 07-43-26	2 OF 2

DESCRIPTION

Parcel in
Sections 27 & 34
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase One", as recorded in Instrument No. 2005000153068, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 27 run S89°10'13"W along the South line of the Southeast Quarter (SE 1/4) of said Section 27 for 511.66 feet; thence run N00°49'47"W for 165.27 feet to the POINT OF BEGINNING.

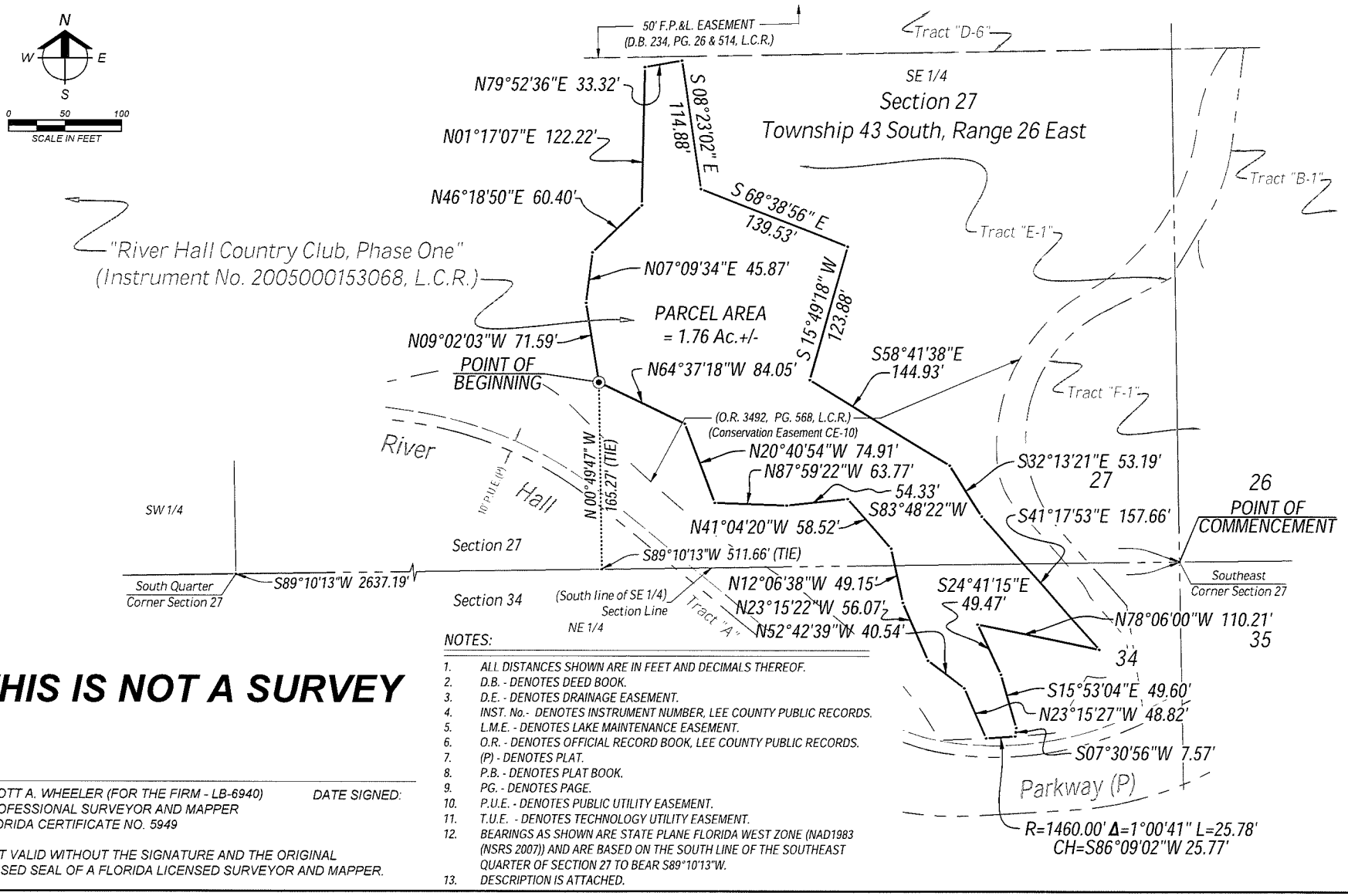
From said Point of Beginning run N09°02'03"W for 71.59 feet; thence run N07°09'34"E for 45.87 feet; thence run N46°18'50"E for 60.40 feet; thence run N01°17'07"E for 122.22 feet; thence run N79°52'36"E for 33.32 feet; thence run S08°23'02"E for 114.88 feet; thence run S68°38'56"E for 139.53 feet; thence run S15°49'18"W for 123.88 feet; thence run S58°41'38"E for 144.93 feet; thence run S32°13'21"E for 53.19 feet; thence run S41°17'53"E for 157.66 feet; thence run N78°06'00"W for 110.21 feet; thence run S24°41'15"E for 49.47 feet; thence run S15°53'04"E for 49.60 feet; thence run S07°30'56"W for 7.57 feet to a point on a non-tangent curve and an intersection with the Southerly line of Conservation Easement CE-10, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run Westerly along said Southerly line and along an arc of a curve to the right of radius 1,460.00 feet (delta 01°00'41") (chord bearing S86°09'02"W) (chord 25.77 feet) for 25.78 feet; thence run N23°15'27"W for 48.82 feet; thence run N52°42'39"W for 40.54 feet; thence run N23°15'22"W for 56.07 feet; thence run N12°06'38"W for 49.15 feet; thence run N41°04'20"W for 58.52 feet; thence run S83°48'22"W for 54.33 feet; thence run N87°59'22"W for 63.77 feet; thence run N20°40'54"W for 74.91 feet; thence run N64°37'18"W for 84.05 feet to the POINT OF BEGINNING.

Containing 1.76 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 27 to bear S89°10'13"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP08desc.doc



THIS IS NOT A SURVEY

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2491 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0311
FAX (239) 274-0517

PROJECT DESCRIPTION:

RIVER HALL COUNTRY CLUB, PHASE ONE

INSTRUMENT #2005000153068 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 26, 27, 34, 35, AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

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

F.B. / NAME	ZONING/PRICING
LAYOUT	2
LOCATION	I:\ZONING\CONSERVATION\2-SKETCH
PLOT DATE	WED, 5/30/2013 - 5:21 PM
PLOTTED BY	PETTIGREW, N

DRAWING DATA	
SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS:

STRAP NUMBERS:

WETLAND PRESERVE (CE-10) #2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22855 27-43-26	2 OF 2

DESCRIPTION

Parcel in
Sections 34 & 35
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "M" of "Hampton Lakes at River Hall, Phase One", as recorded in Instrument No. 2005000153004, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 34 run S89°10'13"W along the North line of the Northeast Quarter (NE 1/4) of said Section 34 for 201.75 feet; thence run S00°49'47"E for 236.23 feet to an intersection with the Northerly line of Conservation Easement CE-11, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records and the POINT OF BEGINNING.

From said Point of Beginning run Easterly along said Northerly line and along an arc of a curve to the left of radius 1,540.00 feet (delta 02°39'35") (chord bearing N86°30'04"E) (chord 71.48 feet) for 71.49 feet; thence run S38°34'30"E for 26.17 feet; thence run S09°33'46"W for 69.65 feet; thence run S06°31'09"E for 55.96 feet; thence run S29°42'31"E for 44.53 feet; thence run S02°17'33"E for 86.17 feet; thence run S11°21'53"E for 83.30 feet; thence run S64°36'53"E for 144.97 feet; thence run S55°20'07"E for 63.03 feet; thence run S01°00'48"W for 61.63 feet; thence run S43°32'55"E for 51.06 feet; thence run N53°53'33"E for 106.01 feet; thence run S63°15'22"E for 53.92 feet; thence run S79°57'06"E for 50.60 feet; thence run N24°27'32"E for 62.50 feet; thence run N74°46'00"E for 52.40 feet; thence run N52°58'28"E for 100.50 feet; thence run N26°19'39"E for 50.01 feet; thence run N48°11'52"E for 100.23 feet; thence run N61°08'39"E for 57.02 feet; thence run N56°11'45"E for 90.62 feet; thence run N80°45'12"E for 35.04 feet; thence run N73°28'00"E for 56.87 feet to a point on a non-tangent curve and an intersection with said Northerly line of Conservation Easement CE-11; thence run the following two (2) courses along said Northerly line: Easterly along an arc of a curve to the right of radius 650.95 feet (delta 08°40'54") (chord bearing S88°03'17"E) (chord 98.54 feet) for 98.63 feet and N89°28'53"E for 44.45 feet; thence run S39°44'31"E for 32.27 feet; thence run N89°28'53"E for 112.09 feet; thence run N85°58'56"E for 72.48 feet; thence run S87°14'01"E for 66.84 feet; thence run S45°39'24"E for 82.81 feet; thence run S72°13'42"E for 79.25 feet; thence run S45°09'49"E for 73.75 feet; thence run S39°42'41"E for 98.34 feet; thence run S69°13'46"E for 77.18 feet; thence run S69°02'43"E for 129.75 feet; thence run S85°53'07"E for 66.99 feet; thence run S14°40'37"E for 67.78 feet; thence run N89°41'00"E for 130.67 feet; thence run S01°26'15"E for 52.58 feet; thence run S14°17'50"W for 62.00 feet; thence run S38°28'24"W for 102.92 feet; thence run S56°01'13"W for 65.66 feet;

DESCRIPTION (Cont.)

thence run S43°31'21"W for 47.22 feet; thence run S33°28'05"E for 84.66 feet; thence run S42°31'58"W for 96.25 feet; thence run S20°46'22"E for 116.19 feet; thence run N45°52'44"E for 106.12 feet; thence run S43°43'52"E for 80.69 feet; thence run S41°48'34"E for 42.65 feet; thence run S19°19'23"E for 144.67 feet; thence run S29°53'23"E for 101.12 feet; thence run S01°46'45"E for 112.31 feet; thence run S42°51'02"W for 55.37 feet; thence run S50°07'59"W for 86.19 feet; thence run S88°04'29"W for 88.69 feet; thence run N34°08'00"W for 65.92 feet; thence run N58°07'43"W for 84.40 feet; thence run N53°21'41"W for 92.56 feet; thence run N69°31'58"W for 55.14 feet; thence run S60°54'25"W for 59.72 feet; thence run S19°41'26"E for 123.99 feet; thence run S21°40'14"E for 80.55 feet; thence run S15°34'11"E for 83.63 feet; thence run S52°23'06"E for 58.97 feet; thence run N71°43'53"W for 61.80 feet; thence run S68°30'35"W for 70.60 feet; thence run S35°39'11"W for 81.03 feet; thence run S19°35'25"W for 35.12 feet; thence run S00°46'58"E for 87.33 feet; thence run S23°52'12"E for 54.84 feet to an intersection with the Southerly line of said Tract "M"; thence run S63°13'10"W along said Southerly line for 151.26 feet; thence run N45°49'22"W for 70.18 feet; thence run N81°28'11"W for 63.24 feet; thence run S56°09'54"W for 54.07 feet; thence run S44°31'05"W for 104.74 feet; thence run S27°42'22"W for 39.99 feet; thence run N60°35'50"W for 69.50 feet; thence run N42°17'16"E for 47.73 feet; thence run N17°06'19"W for 79.85 feet; thence run N25°21'33"E for 70.28 feet; thence run N53°28'48"E for 71.92 feet; thence run N11°56'52"E for 71.75 feet; thence run N19°52'44"W for 73.44 feet; thence run N14°38'58"E for 54.23 feet; thence run N39°55'34"E for 141.90 feet; thence run N41°19'59"E for 95.15 feet; thence run N51°06'26"E for 93.34 feet; thence run N35°52'04"E for 115.93 feet; thence run N56°23'11"E for 78.11 feet; thence run N40°23'31"W for 169.80 feet; thence run N03°26'12"W for 105.53 feet; thence run N43°37'31"E for 3.42 feet; thence run N64°12'23"W for 86.55 feet; thence run N66°09'35"W for 131.30 feet; thence run N55°49'29"W for 87.26 feet; thence run N85°22'30"W for 115.03 feet; thence run S77°57'33"W for 67.68 feet; thence run S87°34'54"W for 85.70 feet; thence run S75°24'52"W for 108.42 feet; thence run S77°58'20"W for 41.54 feet; thence run S71°40'44"W for 80.50 feet; thence run S31°15'52"W for 96.72 feet; thence run S13°58'50"E for 83.61 feet; thence run S35°49'23"W for 48.66 feet; thence run N69°46'03"W for 54.01 feet; thence run S30°13'50"W for 47.54 feet; thence run S17°30'17"W for 132.82 feet; thence run N78°06'11"W for 80.29 feet; thence run N65°32'21"W for 80.72 feet; thence run N53°06'05"W for 104.78 feet; thence run S01°36'27"W for 127.09 feet; thence run S41°29'16"E for 75.84 feet; thence run S57°09'10"E for 54.52 feet; thence run S16°20'41"E for 52.97 feet; thence run S00°21'56"E for 45.85 feet;

DESCRIPTION (Cont.)

thence run S34°43'17"E for 63.20 feet; thence run S00°41'29"E for 135.23 feet; thence run S07°09'57"E for 55.65 feet; thence run S57°53'50"E for 46.12 feet; thence run S68°49'28"E for 62.20 feet; thence run S78°57'23"E for 96.80 feet; thence run N47°11'10"E for 71.68 feet; thence run S68°31'16"E for 69.59 feet; thence run S76°33'01"E for 39.88 feet; thence run S56°04'49"E for 78.88 feet; thence run S38°04'52"E for 87.95 feet; thence run S35°09'16"E for 101.80 feet; thence run S41°22'40"E for 84.85 feet; thence run N82°57'41"E for 87.66 feet; thence run S60°35'50"E for 69.50 feet; thence run S62°02'54"W for 71.03 feet; thence run S28°12'39"W for 38.10 feet; thence run S52°49'22"W for 50.40 feet to a point on a non-tangent curve and an intersection with the Southerly line of said Tract "M"; thence run the following three (3) courses along said Southerly line: Northwesterly along an arc of a curve to the right of radius 980.00 feet (delta 15°28'21") (chord bearing N58°25'15"W) (chord 263.84 feet) for 264.65 feet to a point of reverse curvature; Northwesterly along an arc of a curve to the left of radius 1,345.00 feet (delta 12°24'26") (chord bearing N56°53'18"W) (chord 290.69 feet) for 291.26 feet to a point of compound curvature and Northwesterly along an arc of a curve to the left of radius 1,045.00 feet (delta 05°09'09") (chord bearing N65°40'05"W) (chord 93.94 feet) for 93.97 feet; thence run N59°57'14"W for 47.99 feet; thence run N60°52'32"W for 47.49 feet; thence run N81°42'18"W for 89.29 feet; thence run N55°16'50"W for 67.40 feet; thence run N25°34'00"W for 67.97 feet; thence run N13°01'14"E for 59.43 feet; thence run N00°21'09"W for 54.39 feet; thence run N20°10'54"W for 63.73 feet; thence run N68°30'47"W for 38.70 feet; thence run S27°05'03"W for 73.99 feet; thence run S70°17'22"W for 86.97 feet; thence run S89°02'36"W for 62.82 feet; thence run S47°56'16"W for 47.30 feet; thence run S41°02'27"W for 43.78 feet; thence run N76°05'18"W for 58.73 feet; thence run S29°53'56"W for 54.80 feet; thence run S19°09'24"W for 88.11 feet; thence run S80°26'32"W for 55.51 feet; thence run S60°06'51"W for 60.26 feet; thence run N86°44'12"W for 131.29 feet; thence run S89°53'41"W for 67.31 feet; thence run S78°55'08"W for 89.97 feet; thence run S50°49'15"W for 84.97 feet; thence run S44°59'35"W for 45.99 feet to a point on a non-tangent curve and an intersection with the Southerly line of said Tract "M"; thence run Westerly along said Southerly line and along an arc of a curve to the right of radius 1,605.00 feet (delta 12°18'33") (chord bearing N87°30'02"W) (chord 344.15 feet) for 344.81 feet; thence run N13°23'03"W for 25.82 feet; thence run N49°34'12"W for 92.28 feet; thence run S82°55'24"W for 75.03 feet; thence run S41°09'04"W for 48.96 feet to a point on a non-tangent curve and an intersection with the Southerly line of said Tract "M"; thence run Westerly along said Southerly line and along an arc of a curve to the right of radius 1,605.00 feet (delta 00°39'03") (chord bearing N74°20'31"W) (chord 18.23 feet) for 18.23 feet;

DESCRIPTION (Cont.)

thence run N40°15'41"E for 56.09 feet; thence run N16°45'04"E for 59.33 feet; thence run N21°14'22"E for 102.75 feet; thence run N01°02'58"W for 94.08 feet; thence run N08°09'45"E for 85.07 feet; thence run N23°28'04"E for 71.93 feet; thence run N45°02'56"E for 54.05 feet; thence run N54°57'04"E for 94.04 feet; thence run N10°31'08"E for 61.74 feet; thence run N05°18'19"W for 66.99 feet; thence run N38°14'48"W for 65.61 feet; thence run S09°51'02"W for 84.51 feet; thence run S24°18'45"W for 47.34 feet; thence run S59°13'40"W for 56.54 feet; thence run S88°19'04"W for 75.96 feet; thence run N51°50'39"W for 59.61 feet; thence run N17°36'42"E for 44.84 feet; thence run N16°58'23"W for 34.40 feet; thence run N54°54'20"W for 67.60 feet; thence run S84°42'33"W for 98.72 feet; thence run N83°32'36"W for 62.01 feet; thence run N83°29'40"W for 47.07 feet; thence run S79°52'24"W for 95.58 feet; thence run N88°57'47"W for 79.07 feet; thence run S61°33'55"W for 48.32 feet; thence run S63°45'42"W for 79.78 feet; thence run S81°20'28"W for 79.41 feet; thence run N82°10'43"W for 74.38 feet to a point on a non-tangent curve; thence run Westerly along an arc of a curve to the left of radius 219.59 feet (delta 07°00'45") (chord bearing N67°19'57"W) (chord 26.86 feet) for 26.88 feet; thence run S80°57'38"W for 44.52 feet to a point on a non-tangent curve and an intersection with the Southerly line of said Tract "M"; thence run Northwesterly along said Southerly line and along an arc of a curve to the right of radius 213.20 feet (delta 28°46'12") (chord bearing N44°24'59"W) (chord 105.93 feet) for 107.05 feet; thence run N09°47'51"W for 32.34 feet; thence run N02°43'37"E for 88.01 feet; thence run N19°31'01"E for 95.45 feet; thence run N34°52'03"E for 140.95 feet; thence run N27°46'54"E for 59.19 feet; thence run S72°20'12"E for 78.89 feet; thence run S81°21'35"E for 47.25 feet; thence run S72°41'39"E for 75.96 feet; thence run S78°47'42"E for 88.01 feet; thence run N63°59'52"E for 83.67 feet; thence run N31°10'35"E for 40.63 feet; thence run S72°32'41"E for 26.77 feet; thence run S27°41'18"E for 74.27 feet; thence run S78°25'35"E for 53.33 feet; thence run S15°45'58"W for 45.86 feet; thence run S04°07'45"E for 49.78 feet; thence run S24°53'14"E for 110.36 feet; thence run S83°09'57"E for 46.16 feet; thence run N15°18'24"E for 68.93 feet; thence run N01°18'50"W for 51.36 feet; thence run N48°23'39"E for 79.21 feet; thence run N45°25'54"E for 98.78 feet; thence run S79°36'16"E for 145.77 feet; thence run S78°42'40"E for 95.57 feet; thence run S30°10'43"E for 51.79 feet; thence run S50°41'57"E for 52.92 feet; thence run S21°27'28"E for 101.40 feet; thence run S54°45'11"E for 87.92 feet; thence run S57°35'03"E for 89.98 feet; thence run S63°29'14"E for 87.66 feet; thence run S78°38'22"E for 64.55 feet; thence run N27°00'06"E for 82.51 feet; thence run N24°52'34"E for 43.19 feet; thence run N31°11'45"E for 86.42 feet; thence run N68°29'00"E for 72.37 feet; thence run N48°17'07"E for 36.45 feet; thence run N81°54'56"E for 77.93 feet;

DESCRIPTION (Cont.)

thence run N89°00'46"E for 65.18 feet; thence run N72°14'43"E for 70.79 feet; thence run N04°24'51"W for 54.50 feet; thence run N18°38'23"W for 42.27 feet; thence run N55°41'43"W for 65.18 feet; thence run N53°43'17"W for 41.94 feet; thence run N42°48'41"W for 63.12 feet; thence run N56°43'49"W for 51.21 feet; thence run N17°35'21"W for 55.45 feet; thence run N25°42'13"W for 73.99 feet; thence run N17°43'02"W for 39.35 feet; thence run N11°52'06"W for 47.40 feet; thence run N19°49'27"W for 49.92 feet; thence run N15°08'41"W for 32.68 feet; thence run N63°31'37"W for 47.02 feet; thence run N57°24'55"W for 46.89 feet; thence run N36°17'16"W for 22.76 feet; thence run N25°36'06"E for 56.52 feet; thence run N00°38'30"W for 50.11 feet; thence run N02°35'27"E for 28.13 feet; thence run N02°20'38"W for 42.42 feet; thence run N46°33'51"E for 49.10 feet; thence run N59°50'31"E for 43.69 feet; thence run N72°00'15"E for 68.98 feet; thence run N61°56'47"E for 23.22 feet; thence run N87°31'50"E for 64.87 feet; thence run S61°34'39"E for 37.35 feet; thence run N62°41'24"E for 39.96 feet; thence run N60°58'25"E for 82.35 feet; thence run N12°52'11"E for 14.31 feet to the POINT OF BEGINNING.
Containing 80.76 acres, more or less.

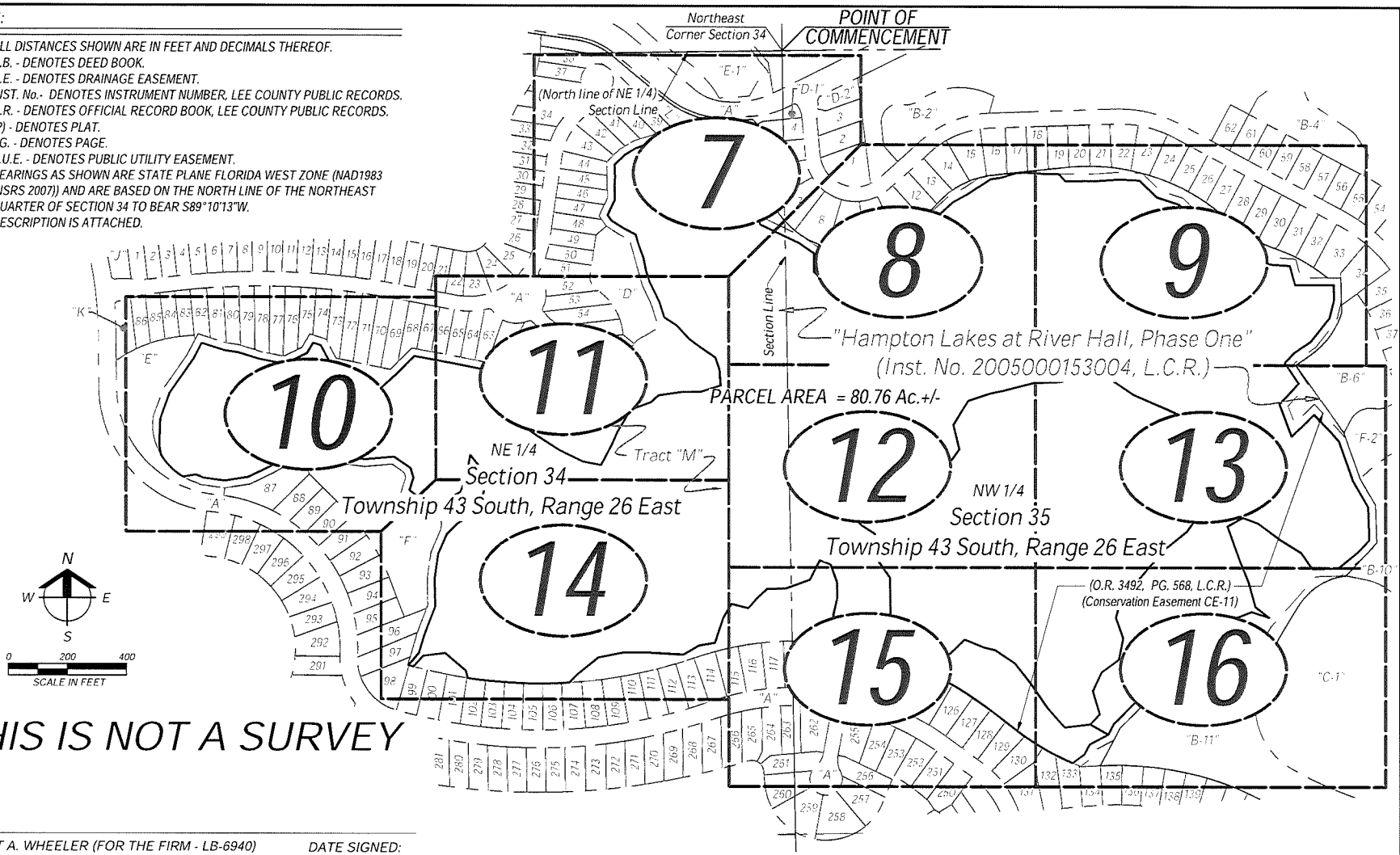
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the North Line of the Northeast Quarter (NE 1/4) of said Section 34 to bear S89°10'13"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP09desc.doc

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 7999
FORT MYERS, FLORIDA 33902-7999
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7999 - SURVEYING LB6940

PREPARED FOR:

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-4027
FAX (239) 274-0517

PROJECT DESCRIPTION:

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

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

FILE NAME	[illegible]
LAYOUT	A
LOCATION	[illegible]
PLOT DATE	WED 3/28/2012 - 9:18 PM
PLOTTED BY	[illegible]

DRAWING DATA

SURVEY DATE	03/26/2012
DRAWN BY	[illegible]
CHECKED BY	[illegible]
SCALE	1" = 400'
FILE FOLDER	[illegible]

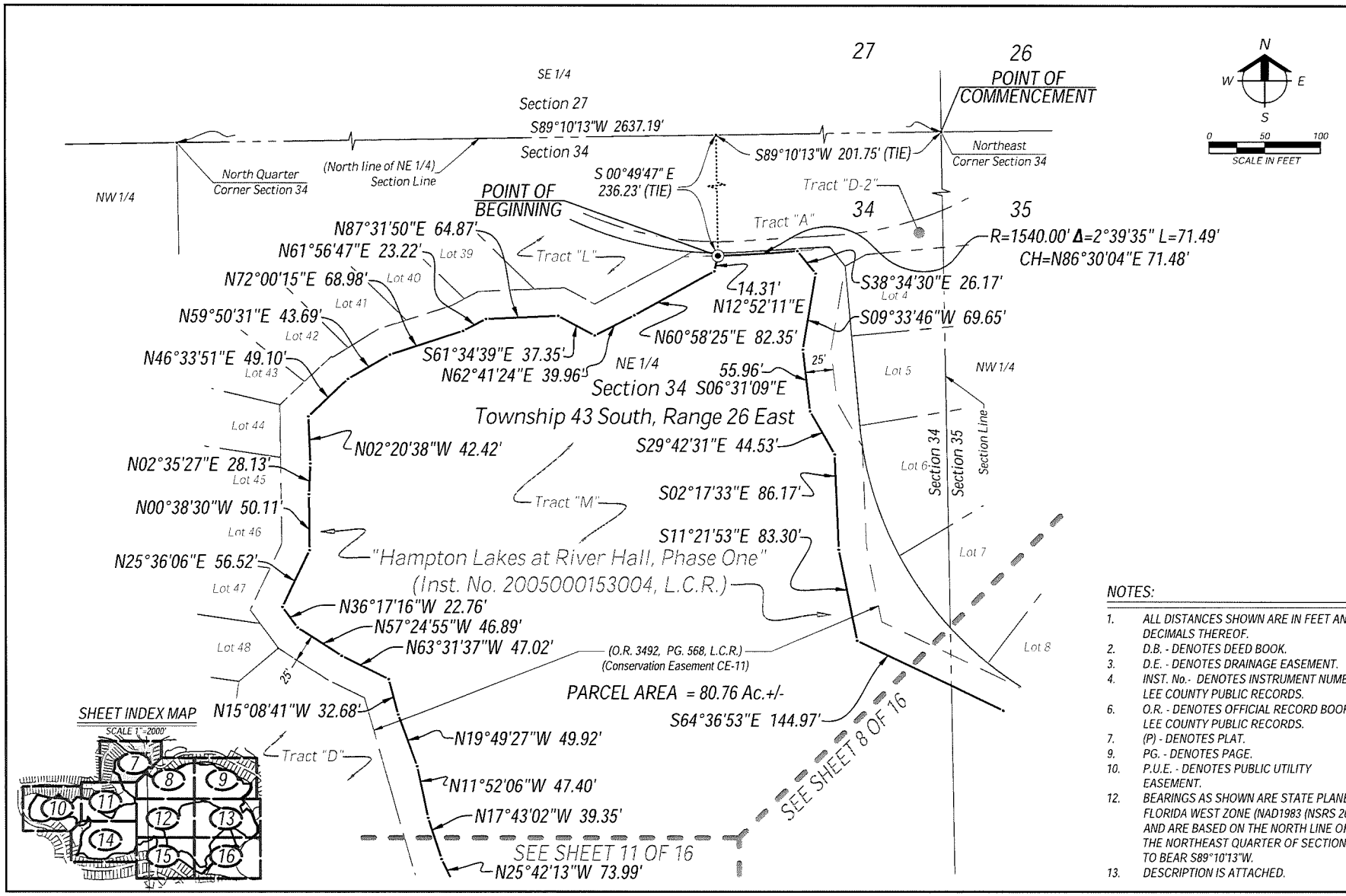
PLAN REVISIONS:

DRAWING NO.

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
2790c 34-43-26	6 OF 16



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2809
FORT MYERS, FLORIDA 33902-2809
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 2656 - SURVEYING LB 6746

PREPARED FOR:

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-8321
FAX (239) 731-0517

PROJECT DESCRIPTION:

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT MANAGER:

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	09.10.2013
DRAWN BY	P. OLSEN
CHECKED BY	GAR
SCALE	1"=400'
FIELD BOOK	

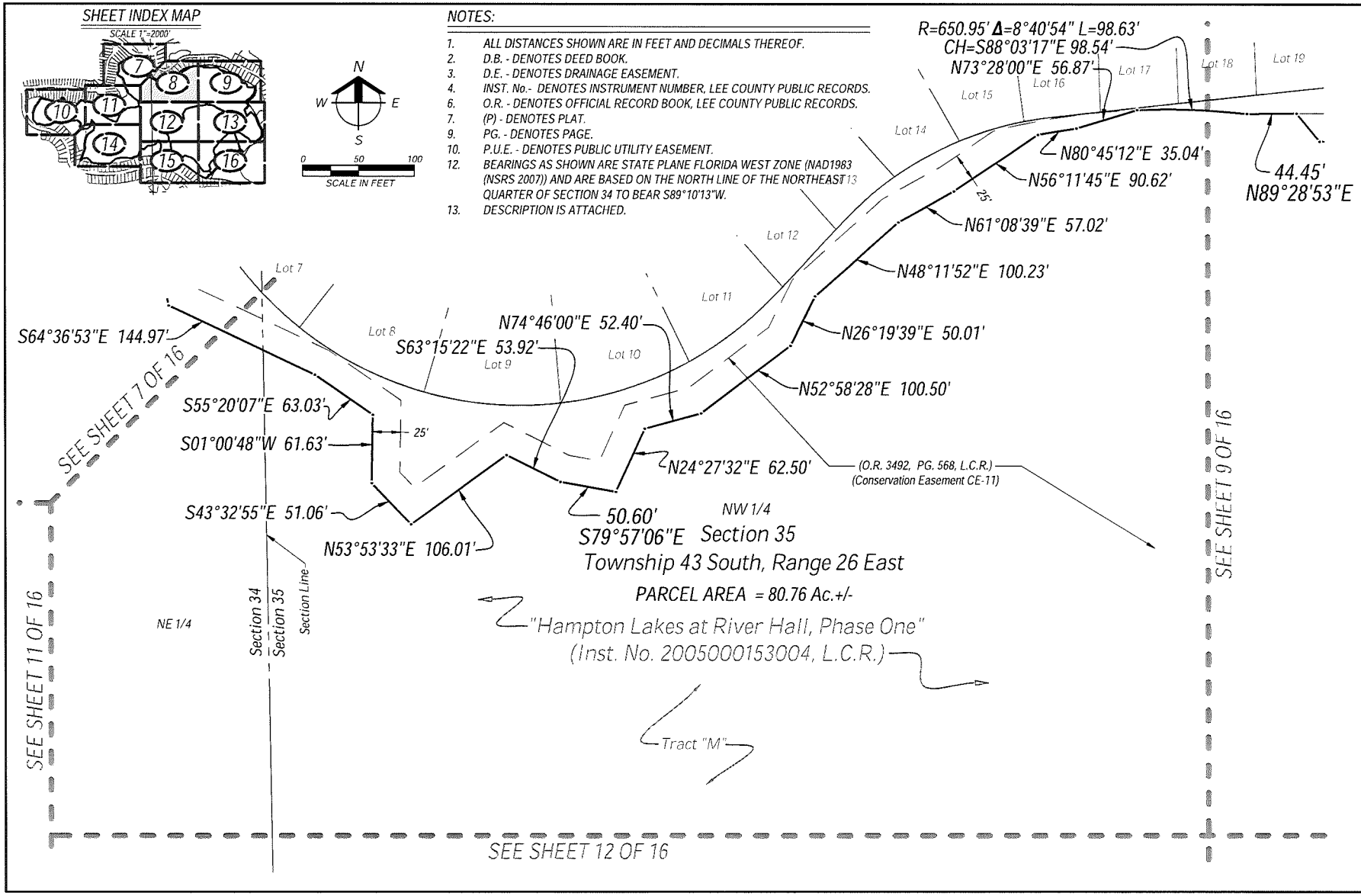
ITEM REVISIONS

UNDERGROUND ET

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
2656 34-43-26	7 OF 16



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 2904 - SURVEYING LB-642

PREPARED FOR:
LandMar GROUP, LLC
7401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-4032
FAX (239) 274-0517

PROJECT LOCATION:
HAMPTON LAKES AT RIVER HALL, PHASE ONE
INSTRUMENT #2005000153004 LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

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

FILE NAME	2595-RIVER HALL PHASE ONE
LAYOUT	1
LOCATION	I:\2595-RIVER HALL PHASE ONE\SURVEY\SKETCH
PLOT DATE	WED, 1-25-2023, 1:16 PM
PLOTTED	BY TIMOTHY OLSEN

DRAWING DATA

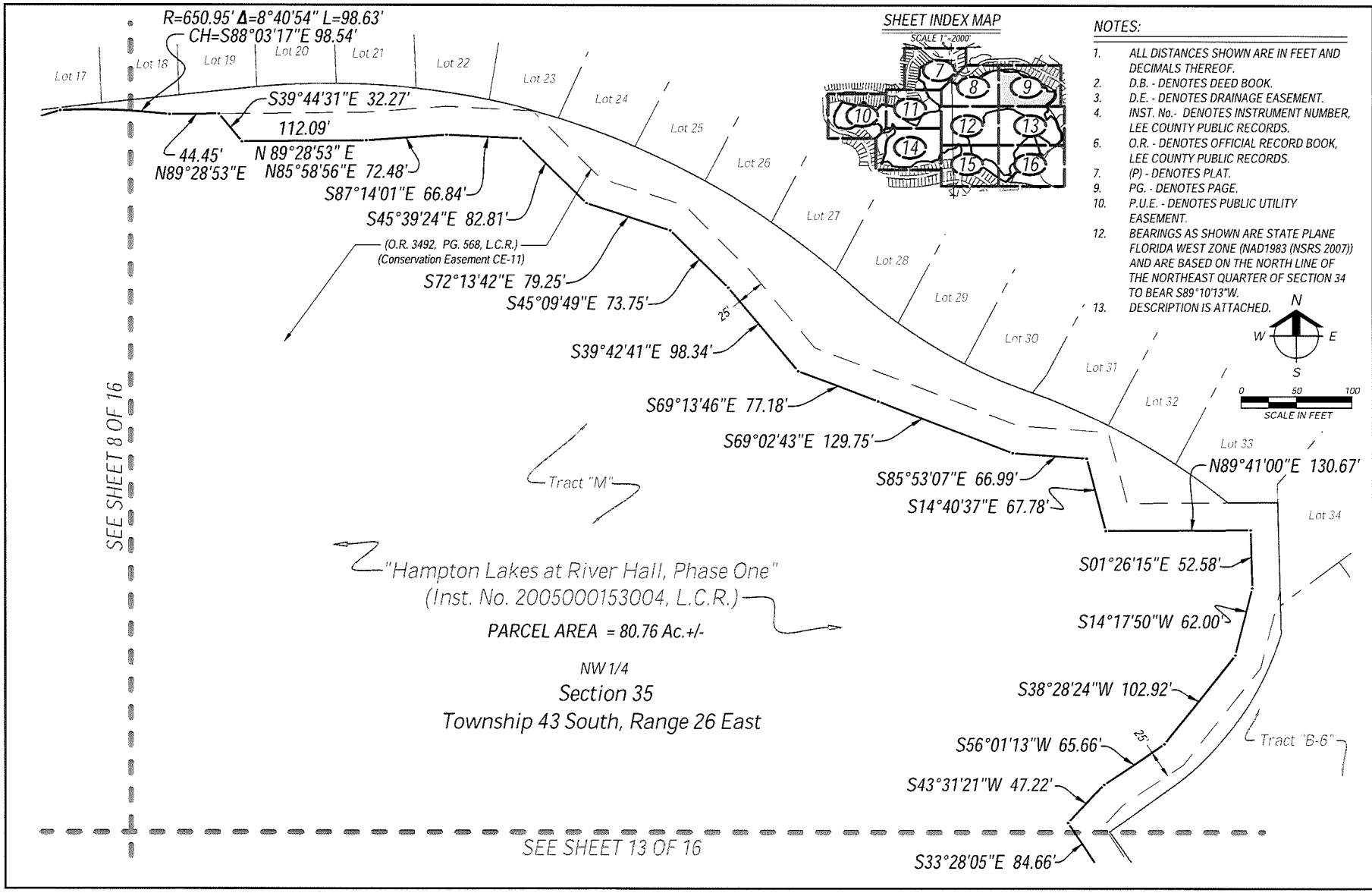
SURVEY DATE	03-31-2022
DRAWN BY	TIMOTHY OLSEN
CHECKED BY	SMH
SCALE	1" = 400'
FIELD BOOK	

REVISION

SHEET NUMBER:
WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
2595-34-43-26	8 OF 16



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 7009
FORT MYERS, FLORIDA 33902-7009
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATES OF AUTHORIZATION
ENGINEERING 1994 - SURVEYING LB-3947
PREPARED FOR:
LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0537

PROJECT DESCRIPTION:

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOTTED BY	

DRAWING DATA

SURVEY DATE	
DRAWN BY	
CHECKED BY	
SCALE	
FIELD BOOK	

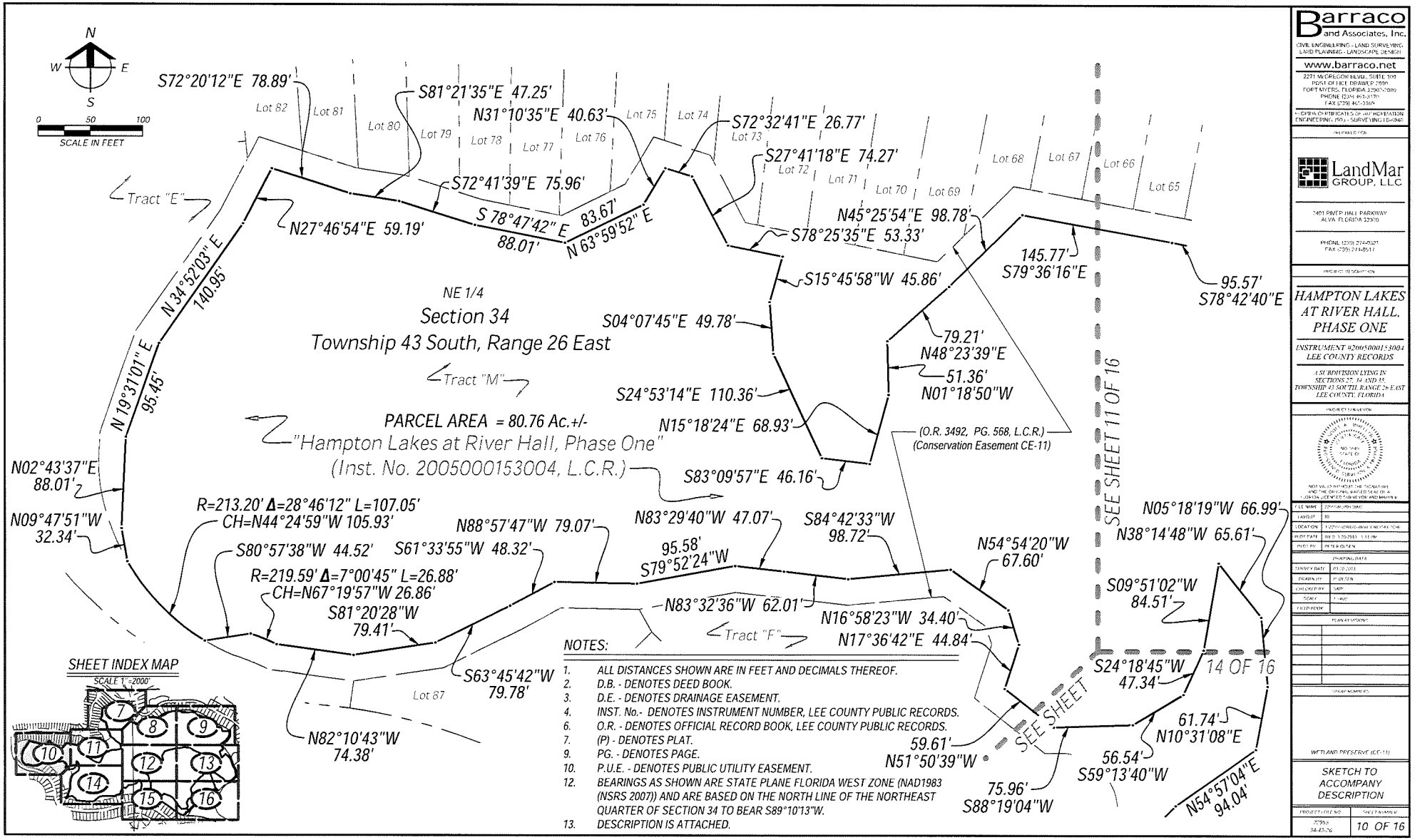
REVISIONS

PROJECT MANAGER:

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
3285 34-43-26	9 OF 16



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATES OF AUTHORIZATION
ENGINEERING (EB) - SURVEYING (LB 3846)

PREPARED FOR:

LandMar GROUP, LLC
3401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0021
FAX (239) 274-0517

PROJECT DESCRIPTION:

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

SURVEYOR'S CERTIFICATION:

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

FILE NAME	2005000153004
LAYOUT	10
LOCATION	T:\2005-0153004\SURVEY\PRODUCTION\
PLOT DATE	WED, 3-20-2013 - 1:11 PM
PLOT BY	PETER GUSEN

DRAWING DATA:

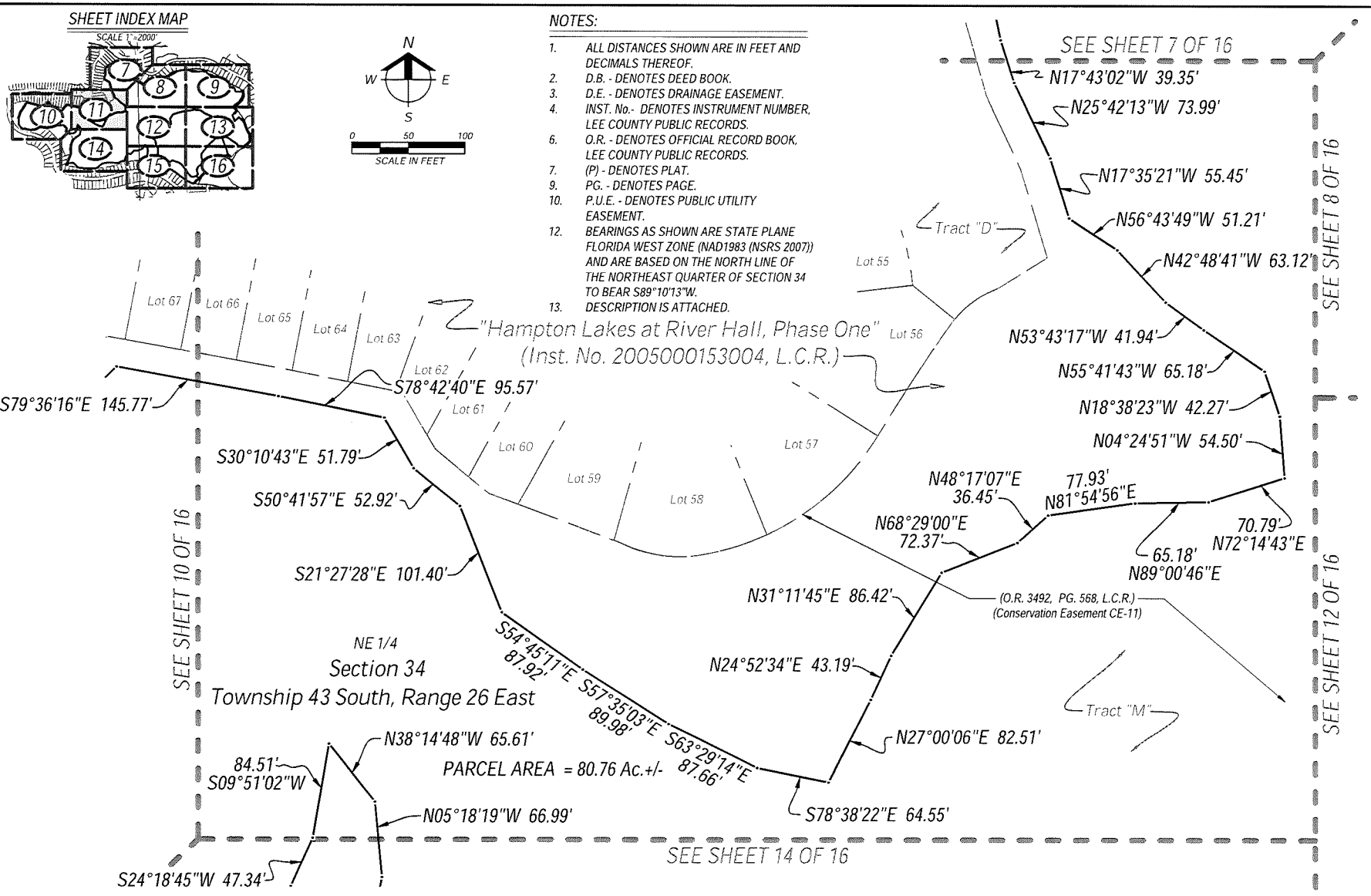
SURVEY DATE	01.31.2013
DRAWN BY	P. GUSEN
CHECKED BY	MDP
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS:

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
2005 34-43-26	10 OF 16



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION ENGINEERING 2585 - SURVEYING LB-6540
PREPARED FOR:
LandMar GROUP, LLC
3451 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-5321
FAX (239) 274-0511

PROJECT DESCRIPTION:

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROFESSIONAL SURVEYOR

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

FILE NAME	[illegible]
LAYOUT	11
LOCATION	[illegible]
PLOT DATE	WED 12/9/2015 [illegible]
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-27-2013
DRAWN BY	P. OLSEN
CHECKED BY	MP
SCALE	1"=400'
FIELD BOOK	[illegible]

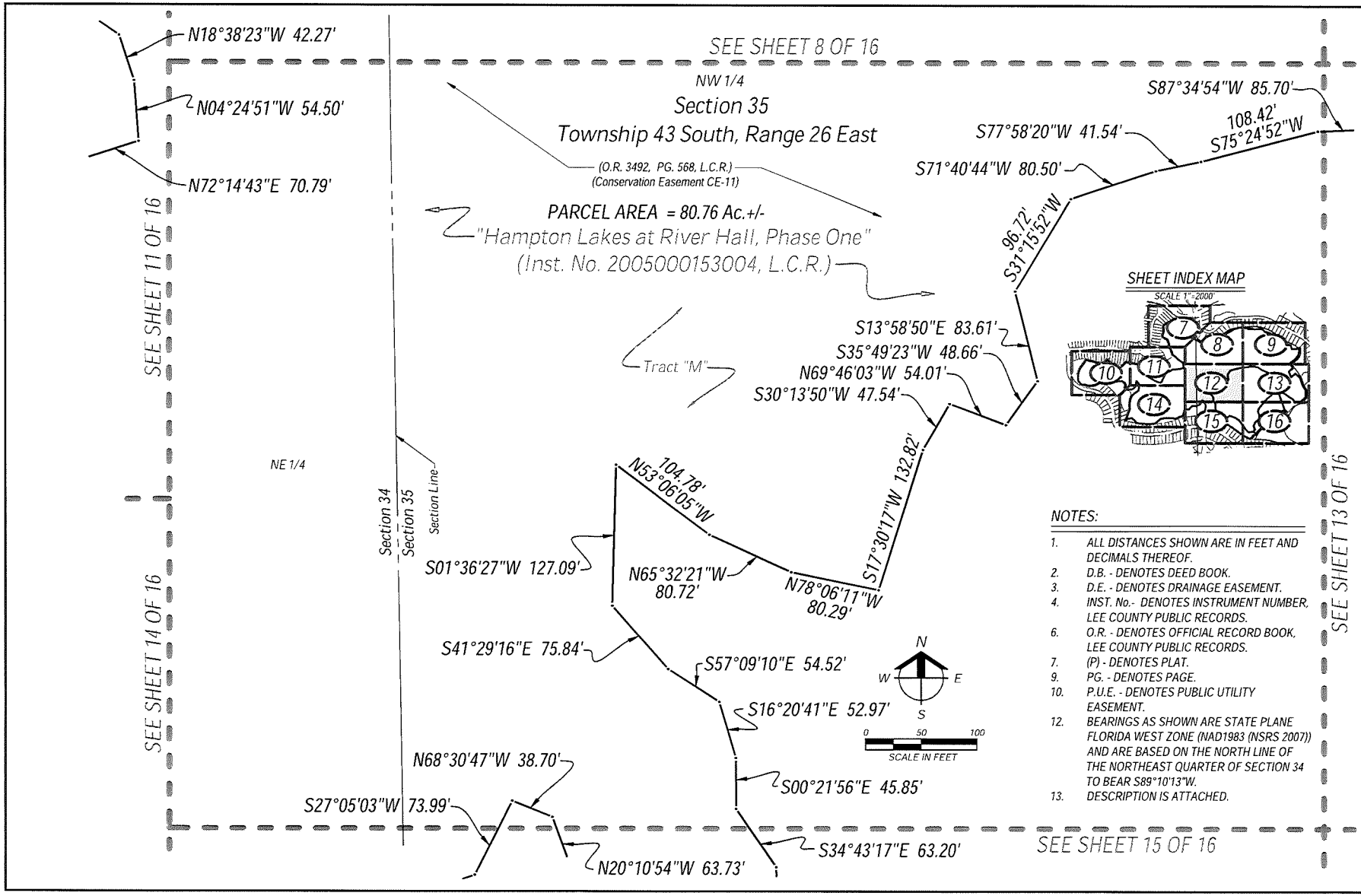
ITEM REVISION

ITEM NUMBER

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
3795b 34-43-26	11 OF 16



SHEET INDEX MAP

SCALE 1"=2000'

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 7800
FORT MYERS, FLORIDA 33907-7800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 4956 - SURVEYING LB 6660

PREPARED FOR:

LandMar GROUP, LLC

2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0021
FAX (239) 274-0517

PROJECT DESCRIPTION:

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

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

FILE NAME	2299W_PH ONE
LAYOUT	12
LOCATION	T:\2299\SURVEY\SKETCH\
PLOT DATE	WED 1/30/2019 - 1:12 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

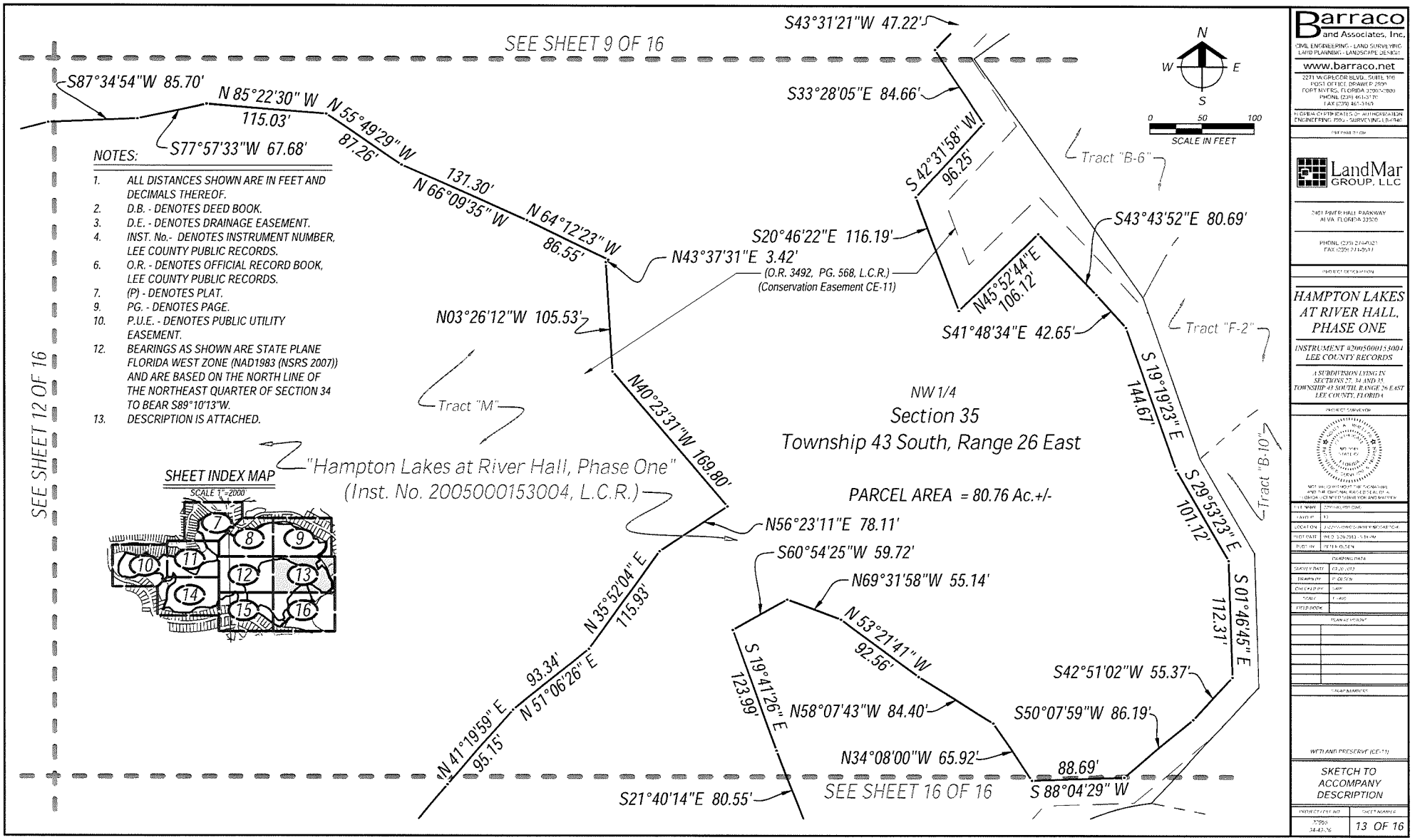
SURVEY DATE	03-27-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAP
SCALE	1"=400'
FIELD BOOK	

ITEM NUMBER:

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
2299S 24-43-26	12 OF 16



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

SHEET INDEX MAP

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 1589 - SURVEYING LB-7340

LandMar GROUP, LLC
3451 PINE HALL PARKWAY
ALVA, FLORIDA 33920
PHONE: (239) 274-0021
FAX: (239) 274-0571

PROJECT DESCRIPTION

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	[illegible]
PARTY #	13
LOCATION	[illegible]
PLOT DATE	9/6/2013 5:19 PM
PLOT BY	PETER OLSEN

DRAWING DATA

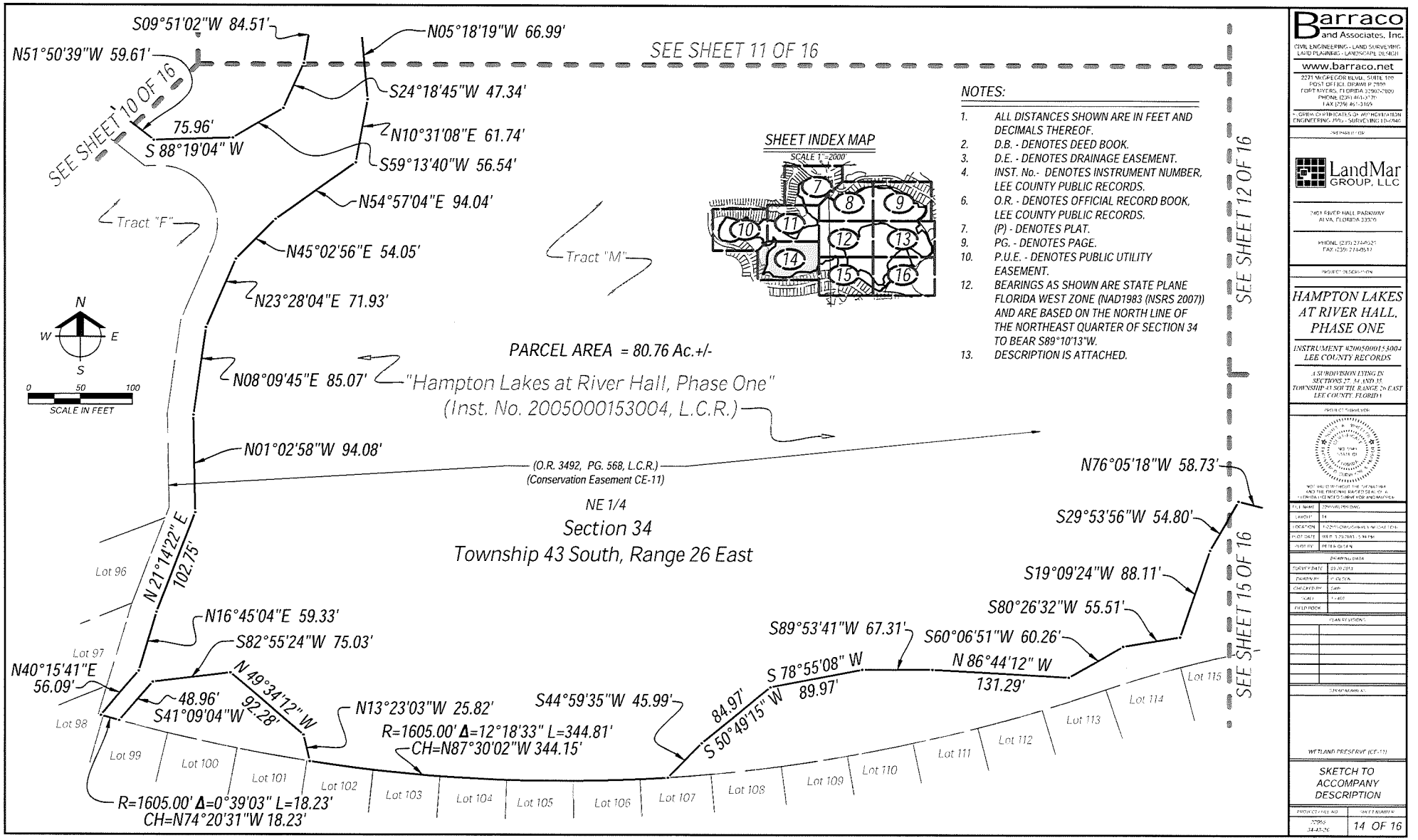
SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	GMV
SCALE	1" = 400'
FIELD BOOK	

PLAN REVISIONS

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
7955 34-43-26	13 OF 16



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATES OF AUTHORIZATION
ENGINEERING 7990 - SURVEYING LB-6946

PREPARED FOR:
LandMar GROUP, LLC
7401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0325
FAX (239) 274-0537

PROJECT DESCRIPTION:

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

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

FILE NAME	2700-00 PH ONE
LAYOUT	14
LOCATION	F:\2700\DWG\SURVEY\14-SKETCH.DWG
PLOT DATE	WED, 3-27-2013, 3:16 PM
PLOTTED BY	PETER GRAHAM

DRAWING DATA:

SURVEY DATE	03-20-2013
DRAWN BY	J.P. OLSON
CHECKED BY	GARY
SCALE	1" = 400'
FIELD BOOK	

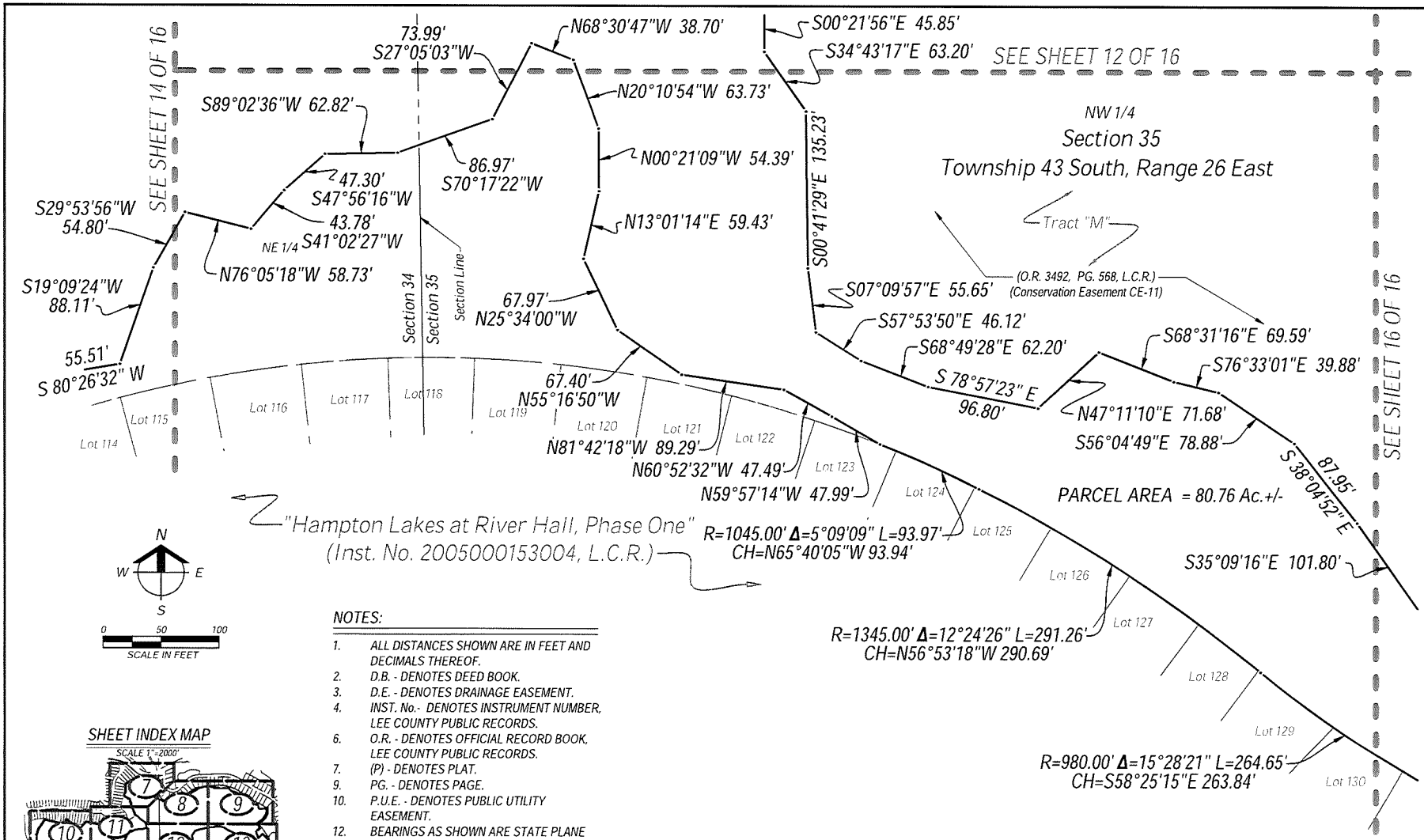
PLAN REVISIONS:

DRAWING NUMBER:

WETLAND PRESERVE (CE-11)

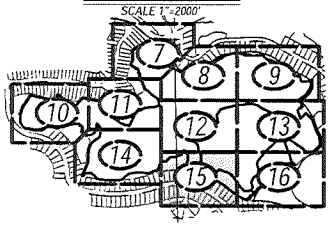
SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
2700 34-43-26	14 OF 16



SHEET INDEX MAP

SCALE 1"=2000'



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2000
FORT MYERS, FLORIDA 33902-2000
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATES OF AUTHORIZATION
ENGINEERING #550 - SURVEYING LB-5740

LandMar GROUP, LLC
3451 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0327

PROJECT DESCRIPTION

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOTTED BY	

DRAWING DATA

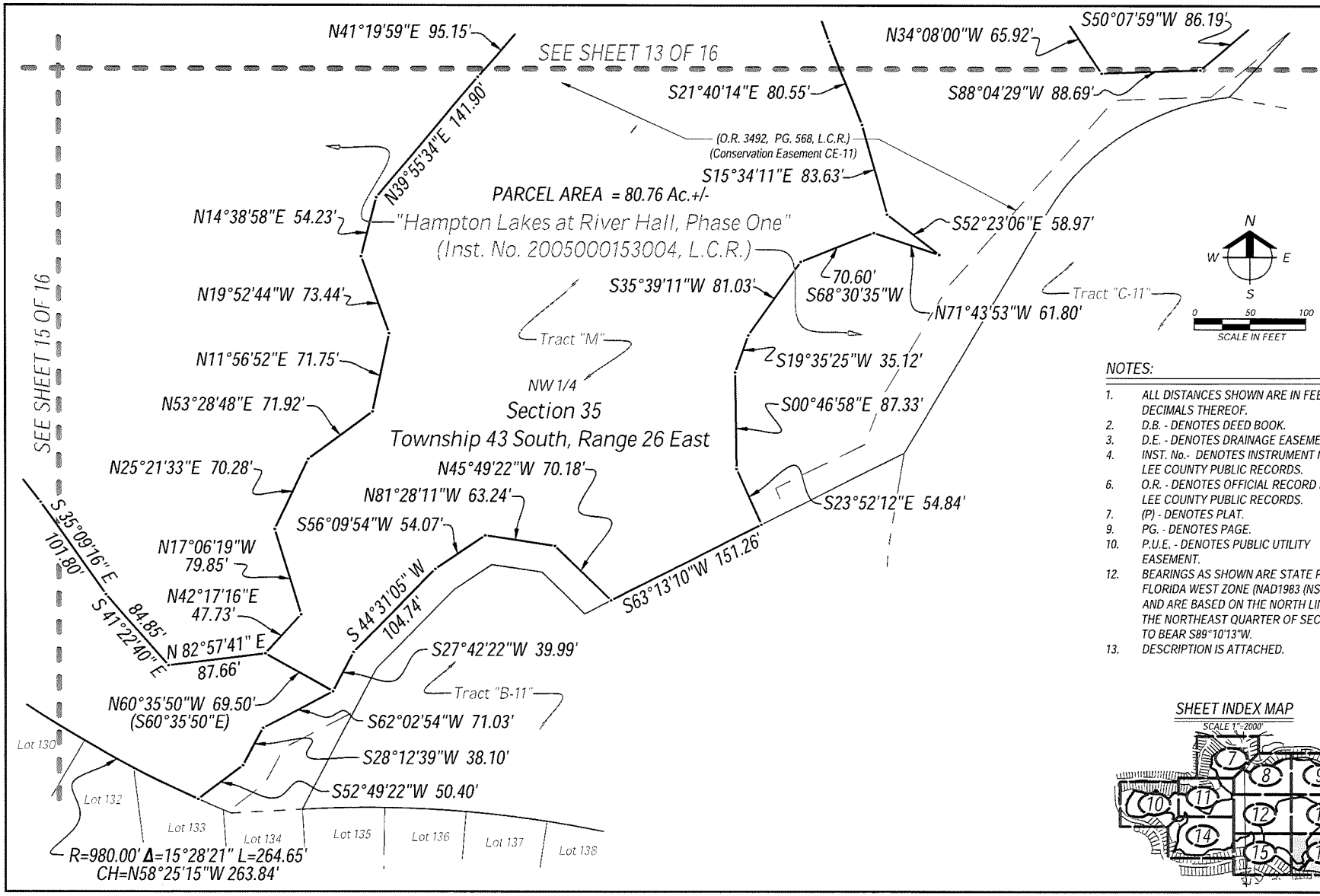
SURVEY DATE	
DRAWN BY	
CHECKED BY	
SCALE	
OFFICE BOOK	

REVISIONS

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
7295	15 OF 16

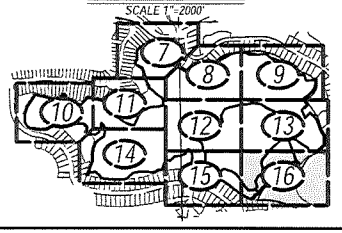


NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

SHEET INDEX MAP

SCALE 1"=2000'



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 00914 - SURVEYING LB-0746

PREPARED FOR:
LandMar GROUP, LLC
2481 PRESTWICK PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-6021
FAX (239) 274-6537

PROJECT DESCRIPTION:
HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

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

FILE NAME	[illegible]
LAYOUT	M
LOCATION	[illegible]
PLOT DATE	WED 1.29.2025 [illegible]
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03.01.2019
DRAWN BY	P. OLSEN
CHECKED BY	SAP
SCALE	1" = 400'
FIELD BOOK	

RVAN REVISIONS

RIGHT-OF-WAY NO.

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
2265 34-43-26	16 OF 16

DESCRIPTION

Parcel in
Sections 26 & 35
Township 43 South, Range 26 East
Lee County, Florida

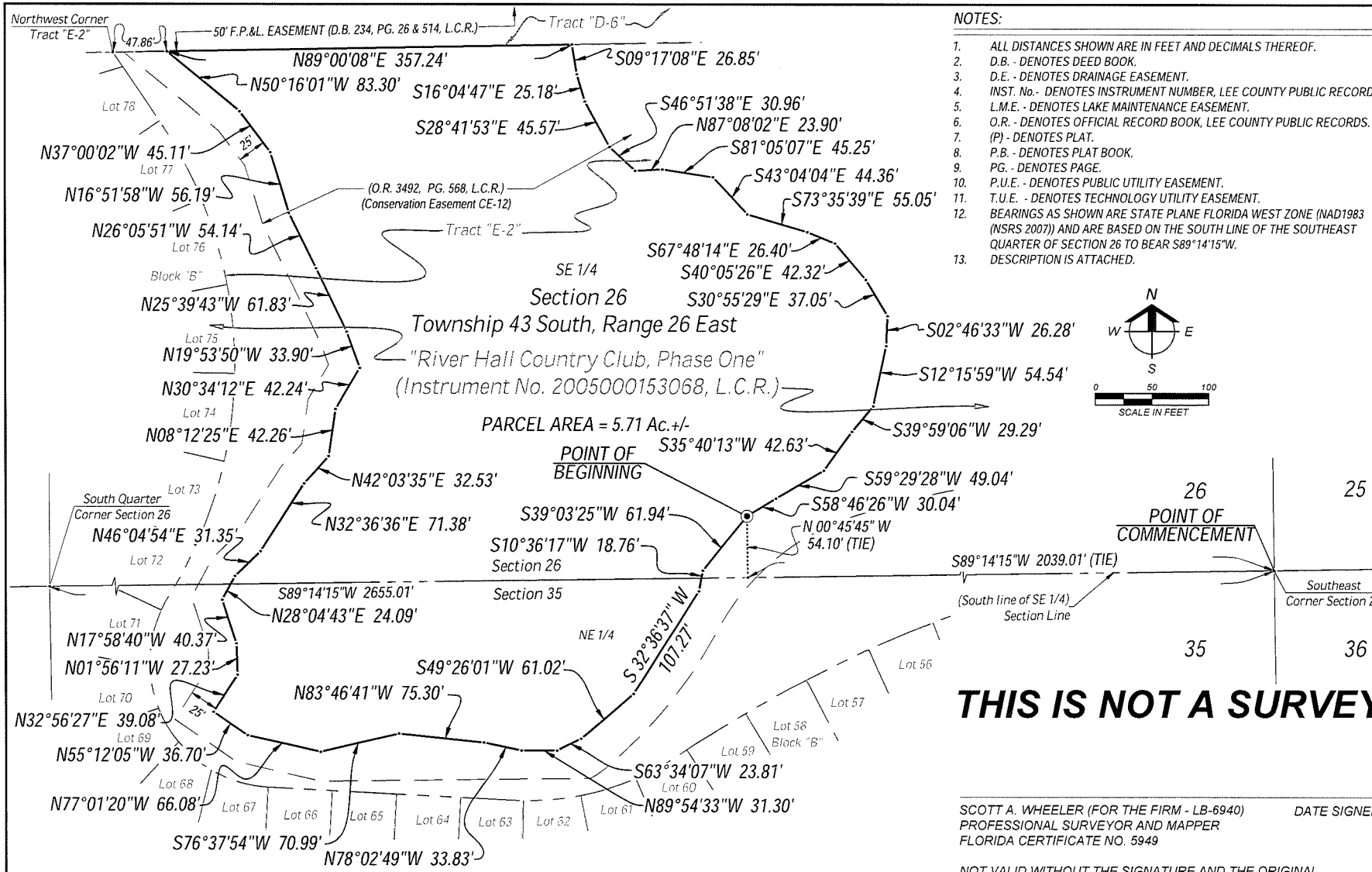
A tract or parcel of land lying in Tract "E-2"of "River Hall Country Club, Phase One", as recorded in Instrument No. 2005000153068, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 26 run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 2,039.01 feet; thence run N00°45'45"W for 54.10 feet to the POINT OF BEGINNING.
From said Point of Beginning run S39°03'25"W for 61.94 feet; thence run S10°36'17"W for 18.76 feet; thence run S32°36'37"W for 107.27 feet; thence run S49°26'01"W for 61.02 feet; thence run S63°34'07"W for 23.81 feet; thence run N89°54'33"W for 31.30 feet; thence run N78°02'49"W for 33.83 feet; thence run N83°46'41"W for 75.30 feet; thence run S76°37'54"W for 70.99 feet; thence run N77°01'20"W for 66.08 feet; thence run N55°12'05"W for 36.70 feet; thence run N32°56'27"E for 39.08 feet; thence run N01°56'11"W for 27.23 feet; thence run N17°58'40"W for 40.37 feet; thence run N28°04'43"E for 24.09 feet; thence run N46°04'54"E for 31.35 feet; thence run N32°36'36"E for 71.38 feet; thence run N42°03'35"E for 32.53 feet; thence run N08°12'25"E for 42.26 feet; thence run N30°34'12"E for 42.24 feet; thence run N19°53'50"W for 33.90 feet; thence run N25°39'43"W for 61.83 feet; thence run N26°05'51"W for 54.14 feet; thence run N16°51'58"W for 56.19 feet; thence run N37°00'02"W for 45.11 feet; thence run N50°16'01"W for 83.30 feet to an intersection with the Northerly line of said Tract "E-2"; thence run N89°00'08"E along said Northerly line for 357.24 feet; thence run S09°17'08"E for 26.85 feet; thence run S16°04'47"E for 25.18 feet; thence run S28°41'53"E for 45.57 feet; thence run S46°51'38"E for 30.96 feet; thence run N87°08'02"E for 23.90 feet; thence run S81°05'07"E for 45.25 feet; thence run S43°04'04"E for 44.36 feet; thence run S73°35'39"E for 55.05 feet; thence run S67°48'14"E for 26.40 feet; thence run S40°05'26"E for 42.32 feet; thence run S30°55'29"E for 37.05 feet; thence run S02°46'33"W for 26.28 feet; thence run S12°15'59"W for 54.54 feet; thence run S39°59'06"W for 29.29 feet; thence run S35°40'13"W for 42.63 feet; thence run S59°29'28"W for 49.04 feet; thence run S58°46'26"W for 30.04 feet to the POINT OF BEGINNING.
Containing 5.71 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 26 to bear S89°14'15"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP10desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 26 TO BEAR S89°14'15"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7599 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION:

RIVER HALL COUNTRY CLUB, PHASE ONE

INSTRUMENT #2005000153068
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 26, 27, 34, 35, AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

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

F.B. / PG.	2269/PG 5 DWG
LAYOUT	2
LOCATION	T:\2269\WD\WORKING\RIVER HALL COUNTRY CLUB, PHASE ONE.DWG
PLOT DATE	WED, 3/20/2013 - 4:13 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS:

WETLAND PRESERVE (CE-12) #1

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955 26-43-26	2 OF 2

DESCRIPTION

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

A tract or parcel of land lying in Tract "E-2"of "River Hall Country Club, Phase One", as recorded in Instrument No. 2005000153068, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 26 run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,603.32 feet; thence run N00°45'45"W for 101.46 feet to the POINT OF BEGINNING.

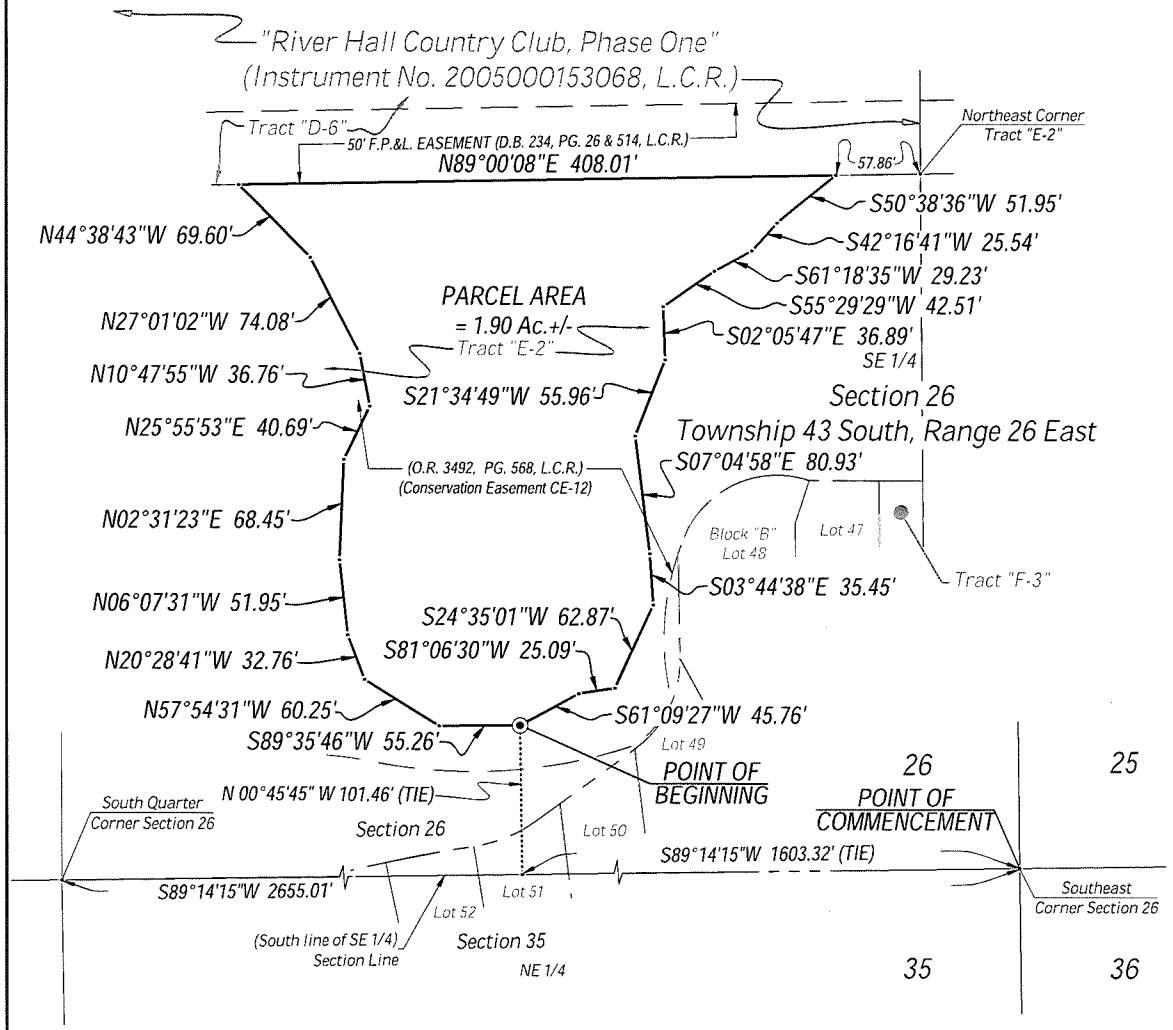
From said Point of Beginning run S89°35'46"W for 55.26 feet; thence run N57°54'31"W for 60.25 feet; thence run N20°28'41"W for 32.76 feet; thence run N06°07'31"W for 51.95 feet; thence run N02°31'23"E for 68.45 feet; thence run N25°55'53"E for 40.69 feet; thence run N10°47'55"W for 36.76 feet; thence run N27°01'02"W for 74.08 feet; thence run N44°38'43"W for 69.60 feet to an intersection with the Northerly line of said Tract "E-2"; thence run N89°00'08"E along said Northerly line for 408.01 feet; thence run S50°38'36"W for 51.95 feet; thence run S42°16'41"W for 25.54 feet; thence run S61°18'35"W for 29.23 feet; thence run S55°29'29"W for 42.51 feet; thence run S02°05'47"E for 36.89 feet; thence run S21°34'49"W for 55.96 feet; thence run S07°04'58"E for 80.93 feet; thence run S03°44'38"E for 35.45 feet; thence run S24°35'01"W for 62.87 feet; thence run S81°06'30"W for 25.09 feet; thence run S61°09'27"W for 45.76 feet to the POINT OF BEGINNING.

Containing 1.90 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 26 to bear S89°14'15"W.

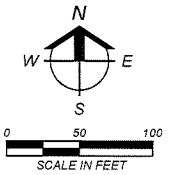
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP11desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 26 TO BEAR S89°14'15"W.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB#6940

PREPARED FOR:

LandMar GROUP, LLC

3401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION:

RIVER HALL COUNTRY CLUB, PHASE ONE

INSTRUMENT #2005000153068
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 26, 27, 34, 35, AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT NUMBER(S):

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

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

FILE NAME	2005WHITE.DWG
LAYOUT	2
LOCATION	J:\2005\DWG\SURVEY\2005WL.DWG
PLOT DATE	WED, 5/29/2013 - 3:07PM
PLOT BY	SCOTT WHEELER

DRAWING DATA

SURVEY DATE	05-29-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS:

WETLAND PRESERVE (CE-12) #2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22855 06-02-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-2"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northwest Corner of said Section 36 run S00°44'00"E along the West line of the Northwest Quarter (NW 1/4) of said Section 36 for 2,087.70 feet; thence run N89°16'00"E for 2,087.48 feet to the POINT OF BEGINNING.

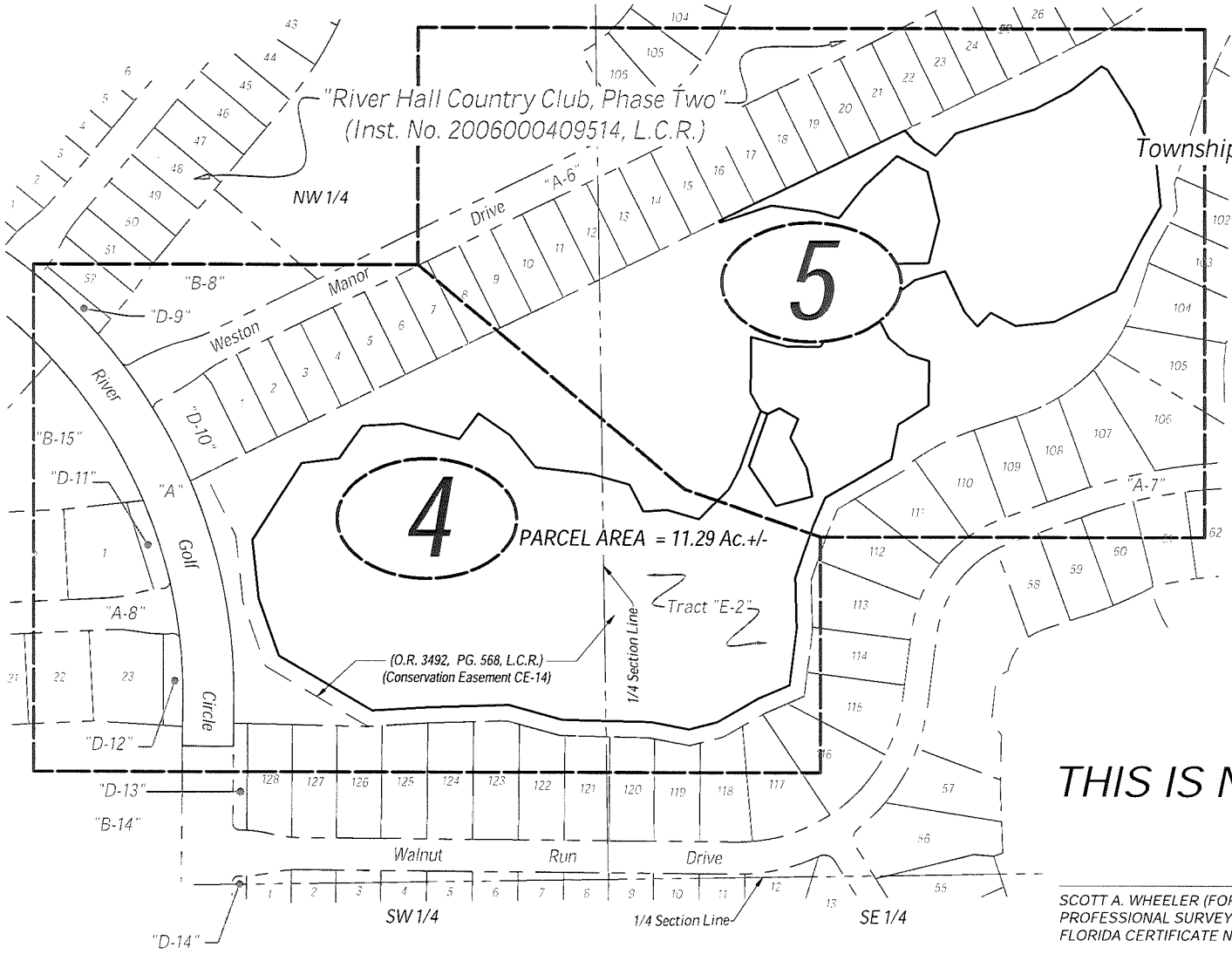
From said Point of Beginning run N32°42'00"E for 142.85 feet; thence run N82°58'04"E for 59.07 feet; thence run N35°57'50"E for 62.54 feet; thence run N86°36'30"E for 63.36 feet; thence run S74°38'45"E for 91.88 feet; thence run N36°21'51"E for 50.48 feet; thence run S55°10'41"E for 60.29 feet; thence run S39°09'20"E for 63.41 feet; thence run S83°26'12"E for 87.78 feet; thence run S74°22'22"E for 62.23 feet; thence run S27°31'46"E for 47.62 feet; thence run N85°35'09"E for 36.92 feet; thence run S74°16'31"E for 51.97 feet; thence run N45°29'34"E for 65.94 feet; thence run N27°24'35"E for 38.58 feet; thence run N19°54'38"E for 93.88 feet; thence run S66°29'20"E for 11.81 feet; thence run S19°31'51"W for 86.20 feet; thence run S33°48'37"E for 75.05 feet; thence run N75°09'07"E for 59.37 feet; thence run N11°10'58"W for 45.44 feet; thence run N28°49'05"W for 52.95 feet; thence run N22°14'22"E for 32.16 feet; thence run N60°07'24"W for 33.77 feet; thence run S64°05'10"W for 20.99 feet; thence run N66°29'20"W for 11.81 feet; thence run N28°56'27"W for 31.88 feet; thence run N00°30'20"E for 87.73 feet; thence run S75°18'21"E for 57.55 feet; thence run S89°19'58"E for 52.50 feet; thence run N37°39'50"E for 51.63 feet; thence run N11°45'14"W for 61.41 feet; thence run N38°33'26"E for 50.73 feet; thence run N78°19'36"E for 22.18 feet; thence run S73°18'48"E for 46.96 feet; thence run N88°59'06"E for 52.83 feet; thence run N13°57'37"E for 67.78 feet; thence run N13°01'45"W for 80.80 feet; thence run N63°07'21"W for 53.68 feet; thence run S47°01'52"W for 70.84 feet; thence run S37°43'39"W for 63.84 feet; thence run N73°56'07"W for 36.49 feet; thence run N82°19'06"W for 71.56 feet; thence run S71°32'34"W for 84.47 feet; thence run N39°44'45"W for 3.01 feet to an intersection with the Northerly line of said Tract "E-2"; thence run N63°43'09"E along said Northerly line for 324.80 feet; thence run S40°59'51"E for 23.80 feet; thence run S56°29'48"E for 39.27 feet; thence run N42°02'24"E for 47.36 feet; thence run N72°49'52"E for 40.97 feet; thence run N73°04'04"E for 82.43 feet; thence run N74°40'04"E for 6.45 feet; thence run N62°14'36"E for 62.96 feet;

DESCRIPTION (Cont.)

thence run N51°16'29"E for 61.69 feet; thence run S60°10'00"E for 11.09 feet; thence run S32°25'37"E for 76.65 feet; thence run S24°11'37"E for 86.72 feet; thence run S05°37'45"E for 71.72 feet; thence run S29°56'44"W for 62.17 feet; thence run S26°23'23"W for 88.22 feet; thence run S63°07'08"W for 108.42 feet; thence run S83°45'14"W for 60.85 feet; thence run N62°08'49"W for 44.54 feet; thence run S43°15'22"W for 30.12 feet; thence run N40°53'26"W for 30.88 feet; thence run N25°21'01"W for 70.81 feet; thence run S73°36'40"W for 48.79 feet; thence run S52°41'49"W for 54.92 feet; thence run S39°00'56"W for 27.47 feet; thence run S27°09'34"E for 42.70 feet; thence run S50°18'11"E for 39.08 feet; thence run S72°45'53"E for 34.62 feet; thence run S01°20'19"W for 69.48 feet; thence run S57°22'34"W for 56.00 feet; thence run S10°55'02"W for 54.68 feet; thence run S59°50'47"W for 120.21 feet; thence run S23°27'18"W for 47.21 feet; thence run S19°06'25"W for 86.77 feet; thence run S01°33'44"E for 81.79 feet; thence run S07°12'25"W for 88.26 feet; thence run S66°39'44"W for 53.51 feet; thence run S59°58'21"W for 74.05 feet; thence run S75°27'17"W for 45.76 feet; thence run N79°09'06"W for 60.64 feet; thence run N88°32'44"W for 139.38 feet; thence run N74°32'17"W for 86.87 feet; thence run S88°14'30"W for 126.32 feet; thence run S86°33'20"W for 88.03 feet; thence run N59°42'18"W for 169.46 feet; thence run N19°17'19"W for 95.93 feet; thence run N06°02'05"W for 91.95 feet to the POINT OF BEGINNING.
Containing 11.29 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on West line of the Northwest Quarter (NW 1/4) of said Section 36 to bear S00°44'00"E.

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



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 36 TO BEAR S00°44'00"E
10. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING (#00) - SURVEYING (LB-6940)

LandMar GROUP, LLC
2401 PINE HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0027
FAX (239) 271-0517

PROJECT LOCATION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PREPARED BY/SURVEYOR

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

FILE NAME	[illegible].DWG
LAYOUT	1
LOCATION	[illegible]
PLOT DATE	[illegible]
PLOTTED BY	[illegible]

DRAWING DATA

SURVEY DATE	03-26-2013
DRAWN BY	P. PETEK
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

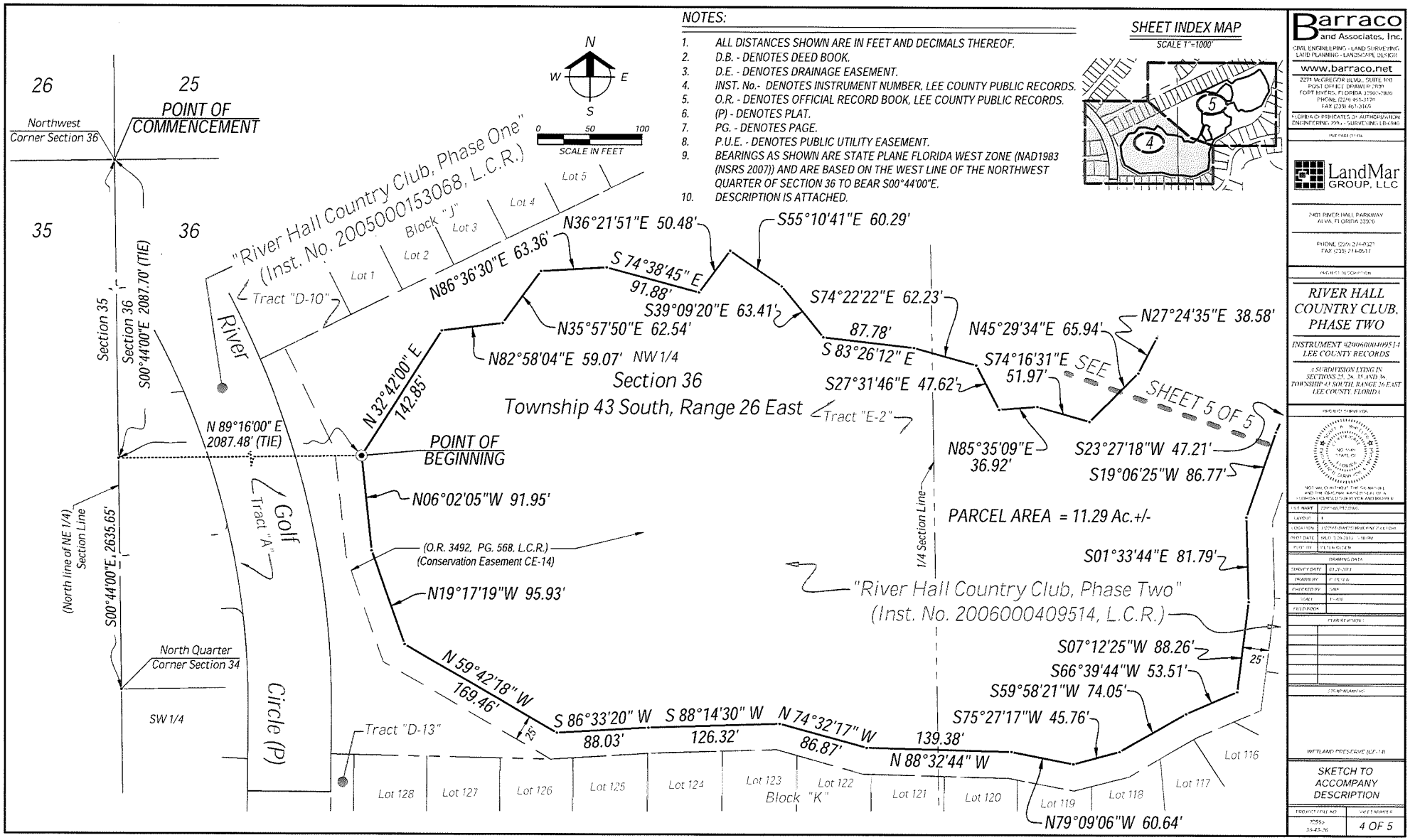
7-31-2013	R.V.C. COMMENTS

SURVEY NOTES

WETLAND PRESERVE (CE-14)

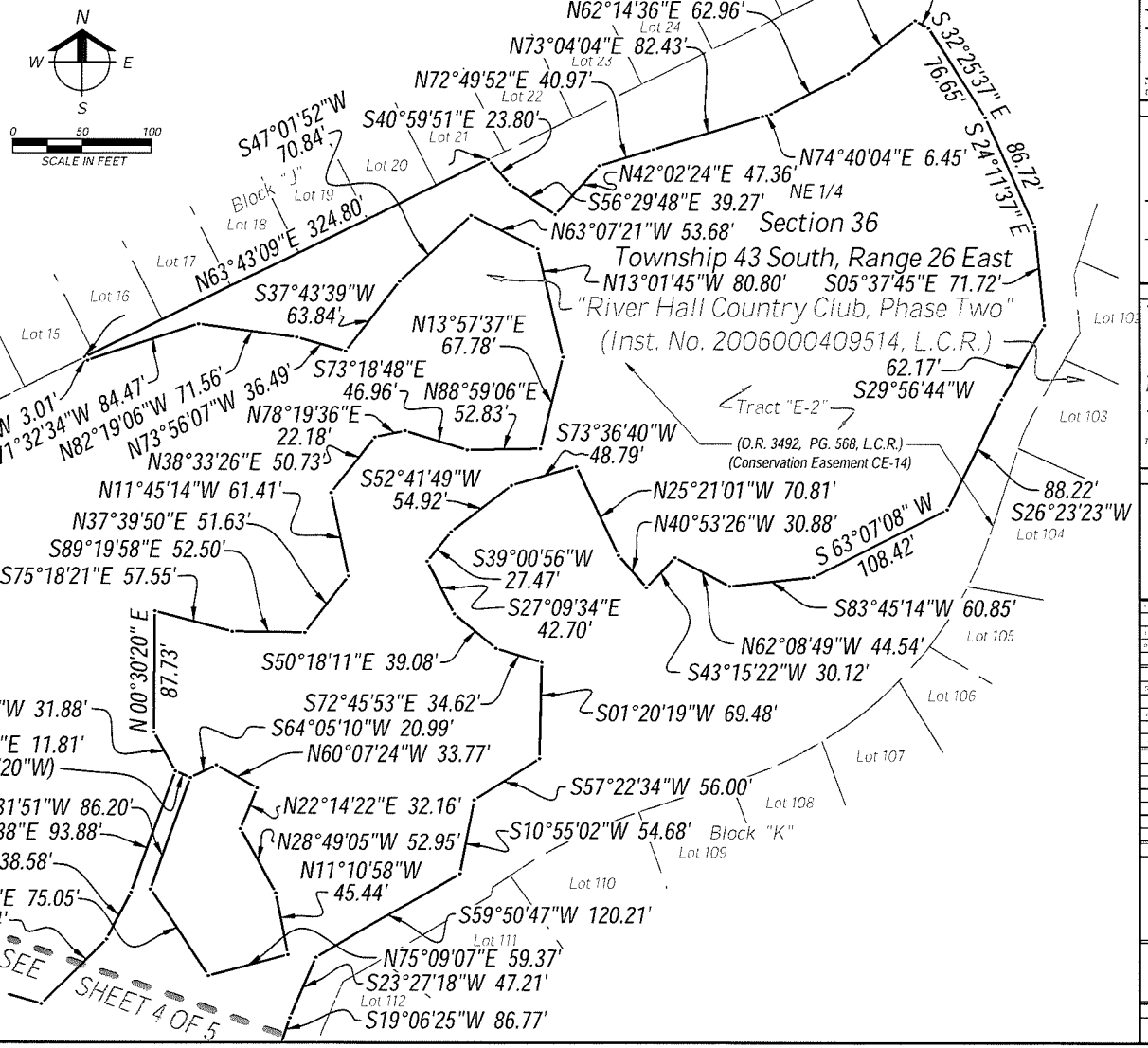
SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
7295-0 36-43-26	3 OF 5


NOTES:
1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 36 TO BEAR S00°44'00"E.
10. DESCRIPTION IS ATTACHED.
SHEET INDEX MAP
SCALE 1"=1000'
N
W
E
S
0
50
100
SCALE IN FEET
26
25
35
36
Northwest Corner Section 36
POINT OF COMMENCEMENT
Section 35
Section 36
S00°44'00"E 2087.70' (TIE)
N 89°16'00" E 2087.48' (TIE)
(North line of NE 1/4) Section Line
S00°44'00"E, 2635.65'
North Quarter Corner Section 34
SW 1/4
"River Hall Country Club, Phase One" (Inst. No. 2005000153068, L.C.R.)
Tract "D-10"
Lot 1
Lot 2
Block "J"
Lot 3
Lot 4
Lot 5
N86°36'30"E 63.36'
River
Golf
Tract "A"
Circle (P)
N36°21'51"E 50.48'
S 74°38'45" E
91.88'
S55°10'41"E 60.29'
S39°09'20"E 63.41'
S74°22'22"E 62.23'
N35°57'50"E 62.54'
87.78'
S 83°26'12" E
N45°29'34"E 65.94'
N27°24'35"E 38.58'
N82°58'04"E 59.07'
NW 1/4
N 32°42'00" E
142.85'
Section 36
Township 43 South, Range 26 East
Tract "E-2"
S74°16'31"E
51.97'
SEE SHEET 5 OF 5
S27°31'46"E 47.62'
POINT OF BEGINNING
N85°35'09"E
36.92'
S23°27'18"W 47.21'
S19°06'25"W 86.77'
N06°02'05"W 91.95'
PARCEL AREA = 11.29 Ac.+/-
(O.R. 3492, PG. 568, L.C.R.)
(Conservation Easement CE-14)
1/4 Section Line
S01°33'44"E 81.79'
N19°17'19"W 95.93'
"River Hall Country Club, Phase Two" (Inst. No. 2006000409514, L.C.R.)
S07°12'25"W 88.26'
25'
S66°39'44"W 53.51'
S59°58'21"W 74.05'
N 59°42'18" W
169.46'
25'
S 86°33'20" W
88.03'
S 88°14'30" W
126.32'
N 74°32'17" W
86.87'
S75°27'17"W 45.76'
139.38'
N 88°32'44" W
Tract "D-13"
Lot 128
Lot 127
Lot 126
Lot 125
Lot 124
Lot 123
Block "K"
Lot 122
Lot 121
Lot 120
Lot 119
Lot 118
Lot 117
Lot 116
N79°09'06"W 60.64'
Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2809
FORT MYERS, FLORIDA 33902-2809
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 6661 · SURVEYING LB 6540
LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0027
FAX (239) 274-0517
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
DRAWING DATA
CHECKED BY: GAR
SCALE: 1"=100'
WETLAND PRESERVE (CE-14)
SKETCH TO ACCOMPANY DESCRIPTION
PROJECT FILE NO.: 32993
SHEET NUMBER: 4 OF 5

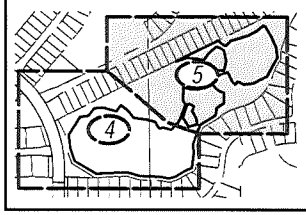
NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 36 TO BEAR S00°44'00"E.
10. DESCRIPTION IS ATTACHED.



SHEET INDEX MAP

SCALE 1"=1000'



Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD, SUITE 100
POST OFFICE DRAWER 2030
FORT MYERS, FLORIDA 33902-2030
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 2991 · SURVEYING LB 6540

PREPARED FOR:

LandMar GROUP, LLC

3401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-4021
FAX (239) 274-0513

PLAT OF RECREATION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	2006-RIVER HALL PHASE TWO
LAYOUT	1
LOCATION	H:\2006\2006-RIVER HALL PHASE TWO
PLOT DATE	AUG 3, 2006 @ 1:38 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	07-26-2006
DRAWN BY	P. OLSEN
CHECKED BY	SAM
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

WETLAND PRESERVE (CE-14)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
72855	5 OF 5
7-26-06	

DESCRIPTION

Parcel in
Section 25
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southwest Corner of said Section 25 run N89°12'44"E along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,111.82 feet; thence run N00°47'16"W for 148.92 feet to the POINT OF BEGINNING.

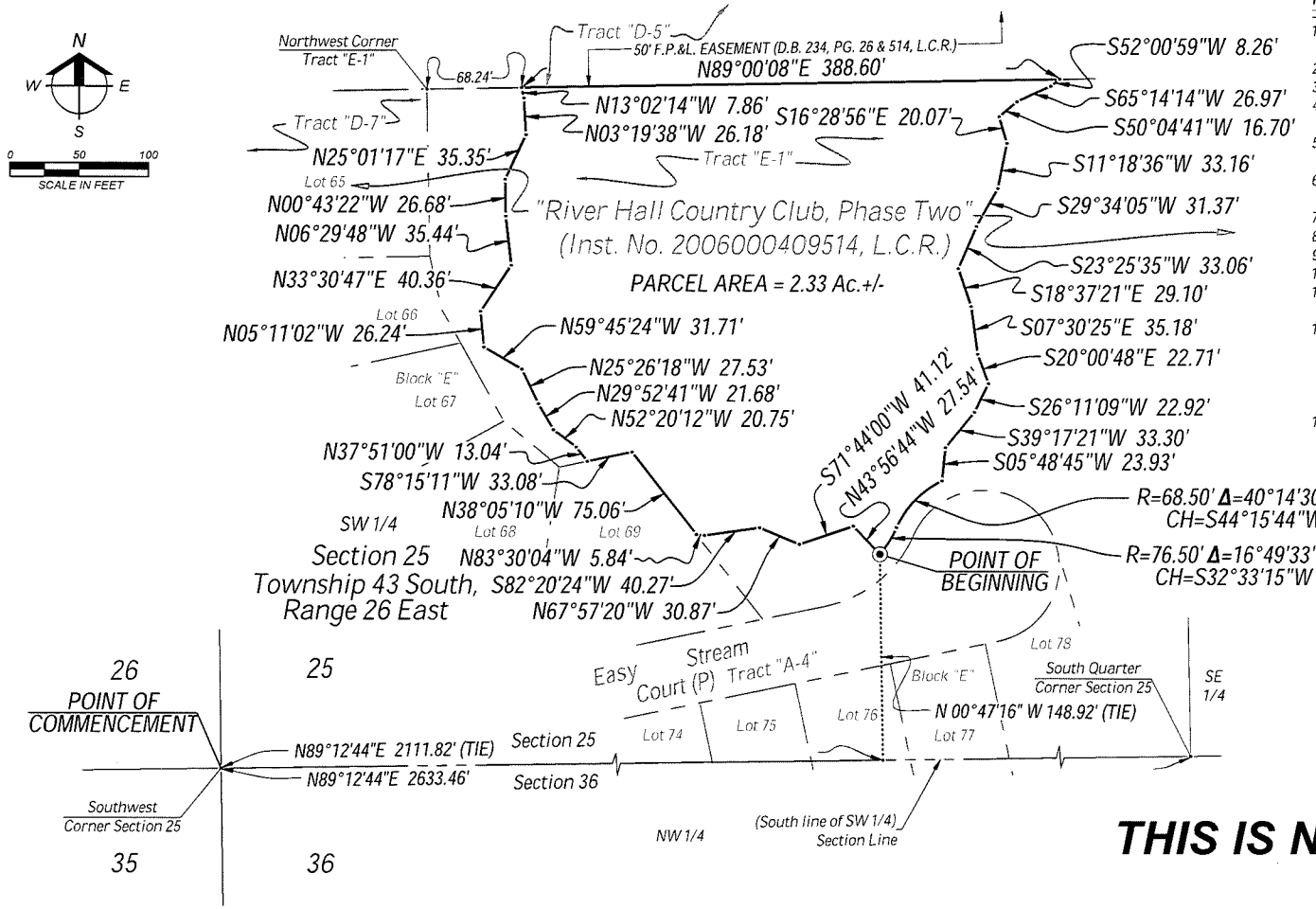
From said Point of Beginning run N43°56'44"W for 27.54 feet; thence run S71°44'00"W for 41.12 feet; thence run N67°57'20"W for 30.87 feet; thence run S82°20'24"W for 40.27 feet; thence run N83°30'04"W for 5.84 feet to an intersection with the Westerly line of said Tract "E-1"; thence run the following two (2) courses along said Westerly line: N38°05'10"W for 75.06 feet and S78°15'11"W for 33.08 feet; thence run N37°51'00"W for 13.04 feet; thence run N52°20'12"W for 20.75 feet; thence run N29°52'41"W for 21.68 feet; thence run N25°26'18"W for 27.53 feet; thence run N59°45'24"W for 31.71 feet; thence run N05°11'02"W for 26.24 feet; thence run N33°30'47"E for 40.36 feet; thence run N06°29'48"W for 35.44 feet; thence run N00°43'22"W for 26.68 feet; thence run N25°01'17"E for 35.35 feet; thence run N03°19'38"W for 26.18 feet; thence run N13°02'14"W for 7.86 feet to an intersection with the Northerly line of said Tract "E-1"; thence run N89°00'08"E along said Northerly line for 388.60 feet; thence run S52°00'59"W for 8.26 feet; thence run S65°14'14"W for 26.97 feet; thence run S50°04'41"W for 16.70 feet; thence run S16°28'56"E for 20.07 feet; thence run S11°18'36"W for 33.16 feet; thence run S29°34'05"W for 31.37 feet; thence run S23°25'35"W for 33.06 feet; thence run S18°37'21"E for 29.10 feet; thence run S07°30'25"E for 35.18 feet; thence run S20°00'48"E for 22.71 feet; thence run S26°11'09"W for 22.92 feet; thence run S39°17'21"W for 33.30 feet; thence run S05°48'45"W for 23.93 feet; thence run Southwesterly along an arc of a curve to the left of radius 68.50 feet (delta 40°14'30") (chord bearing S44°15'44"W) (chord 47.13 feet) for 48.11 feet to a point of reverse curvature; thence run Southwesterly along an arc of a curve to the right of radius 76.50 feet (delta 16°49'33") (chord bearing S32°33'15"W) (chord 22.38 feet) for 22.47 feet to the POINT OF BEGINNING.

Containing 2.33 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the South line of the Southwest Quarter (SW 1/4) of said Section 25 to bear N89°12'44"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP13desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 25 TO BEAR N89°12'44"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING • LAND SURVEYING
LAND PLANNING • LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7905 • SURVEYING LB-6940

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROFESSIONAL SURVEYOR

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

FILE NAME	2006WLP2.DWG
LAYOUT	2
LOCATION	J:\2006\SITWORK\RIVER VINEYARD\
PLOT DATE	WED, 3-20-2013, 4:49 PM
PLOT BY	SCOTT A. WHEELER

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (DEAN PARCEL)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
2.2855 25-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 25
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southwest Corner of said Section 25 run N89°12'44"E along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,407.27 feet; thence run N00°47'16"W for 83.11 feet to an intersection with the Southerly line of said Tract "E-1" and the POINT OF BEGINNING.

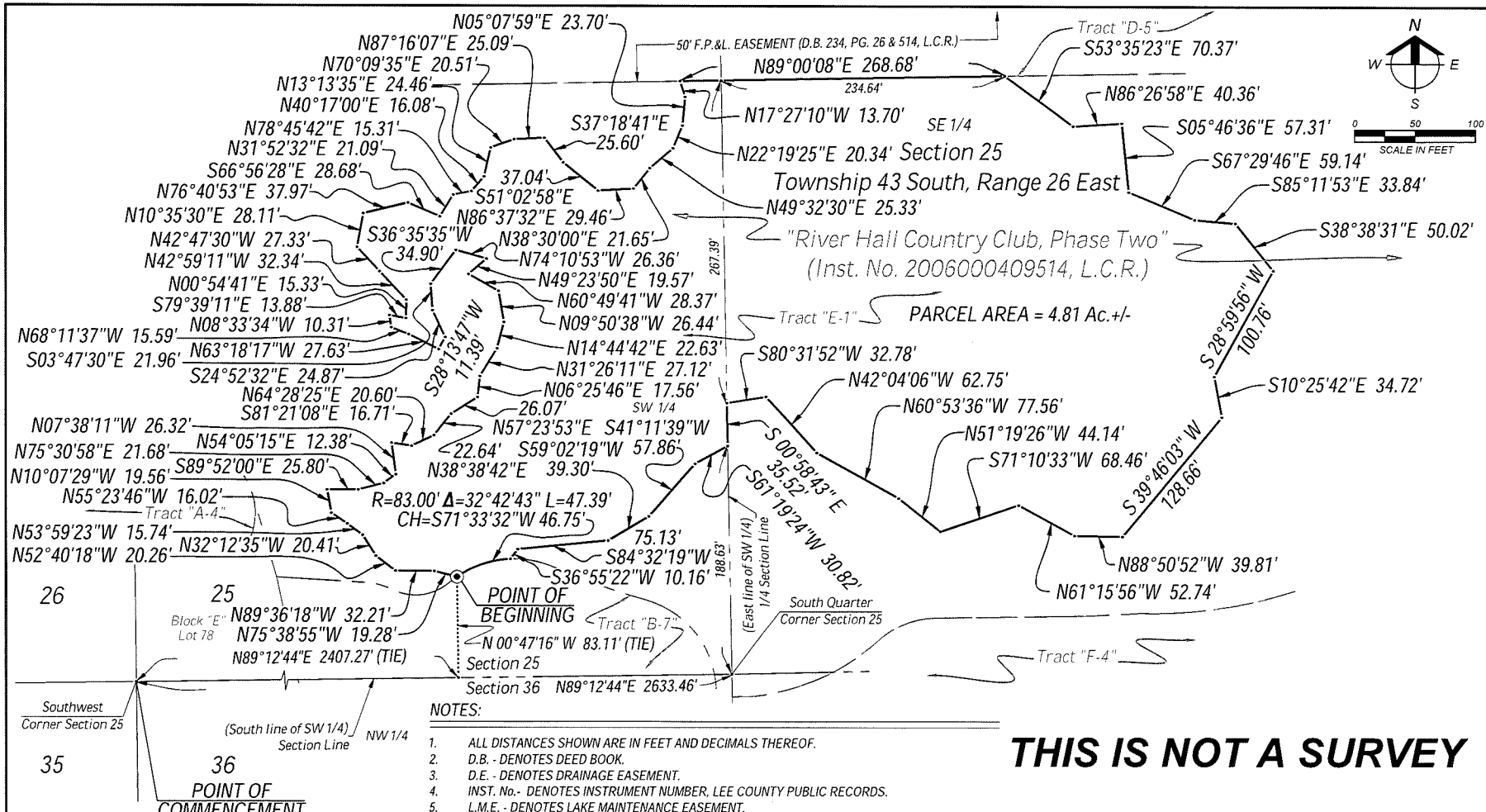
From said Point of Beginning run N75°38'55"W for 19.28 feet; thence run N89°36'18"W for 32.21 feet; thence run N52°40'18"W for 20.26 feet; thence run N32°12'35"W for 20.41 feet; thence run N53°59'23"W for 15.74 feet; thence run N55°23'46"W for 16.02 feet; thence run N10°07'29"W for 19.56 feet; thence run S89°52'00"E for 25.80 feet; thence run N75°30'58"E for 21.68 feet; thence run N54°05'15"E for 12.38 feet; thence run N07°38'11"W for 26.32 feet; thence run S81°21'08"E for 16.71 feet; thence run N64°28'25"E for 20.60 feet; thence run N38°38'42"E for 22.64 feet; thence run N57°23'53"E for 26.07 feet; thence run N06°25'46"E for 17.56 feet; thence run N31°26'11"E for 27.12 feet; thence run N14°44'42"E for 22.63 feet; thence run N09°50'38"W for 26.44 feet; thence run N60°49'41"W for 28.37 feet; thence run N49°23'50"E for 19.57 feet; thence run N74°10'53"W for 26.36 feet; thence run S36°35'35"W for 34.90 feet; thence run S03°47'30"E for 21.96 feet; thence run S24°52'32"E for 24.87 feet; thence run S28°13'47"W for 11.39 feet; thence run N63°18'17"W for 27.63 feet; thence run N68°11'37"W for 15.59 feet; thence run N08°33'34"W for 10.31 feet; thence run S79°39'11"E for 13.88 feet; thence run N00°54'41"E for 15.33 feet; thence run N42°59'11"W for 32.34 feet; thence run N42°47'30"W for 27.33 feet; thence run N10°35'30"E for 28.11 feet; thence run N76°40'53"E for 37.97 feet; thence run S66°56'28"E for 28.68 feet; thence run N31°52'32"E for 21.09 feet; thence run N78°45'42"E for 15.31 feet; thence run N40°17'00"E for 16.08 feet; thence run N13°13'35"E for 24.46 feet; thence run N70°09'35"E for 20.51 feet; thence run N87°16'07"E for 25.09 feet; thence run S37°18'41"E for 25.60 feet; thence run S51°02'58"E for 37.04 feet; thence run N86°37'32"E for 29.46 feet; thence run N38°30'00"E for 21.65 feet; thence run N49°32'30"E for 25.33 feet; thence run N22°19'25"E for 20.34 feet; thence run N05°07'59"E for 23.70 feet; thence run N17°27'10"W for 13.70 feet to an intersection with the Northerly line of said Tract "E-1"; thence run N89°00'08"E along said Northerly line for 268.68 feet; thence run S53°35'23"E for 70.37 feet; thence run N86°26'58"E for 40.36 feet; thence run S05°46'36"E for 57.31 feet; thence run S67°29'46"E for 59.14 feet;

DESCRIPTION (Cont.)

thence run S85°11'53"E for 33.84 feet; thence run S38°38'31"E for 50.02 feet; thence run S28°59'56"W for 100.76 feet; thence run S10°25'42"E for 34.72 feet; thence run S39°46'03"W for 128.66 feet; thence run N88°50'52"W for 39.81 feet; thence run N61°15'56"W for 52.74 feet; thence run S71°10'33"W for 68.46 feet; thence run N51°19'26"W for 44.14 feet; thence run N60°53'36"W for 77.56 feet; thence run N42°04'06"W for 62.75 feet; thence run S80°31'52"W for 32.78 feet to an intersection with the East line of the Southwest Quarter (SW 1/4) of Section 25; thence run S00°58'43"E along said East line for 35.52 feet; thence run S61°19'24"W for 30.82 feet; thence run S41°11'39"W for 57.86 feet; thence run S59°02'19"W for 39.30 feet; thence run S84°32'19"W for 75.13 feet; thence run S36°55'22"W for 10.16 feet to an intersection with said Southerly line of Tract "E-1"; thence run Westerly along said Southerly line and along an arc of a curve to the left of radius 83.00 feet (delta 32°42'43") (chord bearing S71°33'32"W) (chord 46.75 feet) for 47.39 feet to the POINT OF BEGINNING.
Containing 4.81 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the South line of the Southwest Quarter (SW 1/4) of said Section 25 to bear N89°12'44"E.

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



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 25 TO BEAR N89°12'44"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2491 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

SUBJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	DRAWAM PLATTING
LAYOUT	1
LOCATION	J:\DRAWING\DRAW PLATTING\
PLOT DATE	WED, 5/29/2013 - 1:10 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-29-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-15) #1

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22955 25&36-26	3 OF 3

DESCRIPTION

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

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 for 639.59 feet; thence run N01°15'14"W for 143.78 feet to the POINT OF BEGINNING.

From said Point of Beginning run S74°40'29"W for 28.54 feet; thence run N56°52'05"W for 27.93 feet; thence run S69°10'51"W for 39.57 feet; thence run S17°26'41"W for 53.95 feet; thence run S37°39'33"W for 35.74 feet; thence run S09°23'15"E for 35.72 feet; thence run S36°25'30"W for 40.26 feet; thence run S85°48'05"W for 17.31 feet; thence run N45°49'45"W for 50.80 feet; thence run N20°27'17"W for 74.16 feet; thence run N65°25'06"W for 40.16 feet; thence run N41°13'36"W for 59.72 feet; thence run S81°06'55"E for 82.84 feet; thence run N26°24'57"E for 52.75 feet; thence run N64°22'35"W for 45.90 feet; thence run N25°16'38"W for 32.68 feet; thence run N65°06'01"W for 28.70 feet; thence run N19°57'13"E for 41.06 feet; thence run N37°16'17"E for 46.81 feet; thence run N78°39'09"E for 27.80 feet; thence run N36°35'44"W for 42.17 feet; thence run N41°45'33"W for 47.44 feet; thence run S76°50'36"W for 46.55 feet; thence run S43°32'46"W for 113.97 feet; thence run S43°27'05"W for 60.45 feet; thence run S32°16'03"W for 41.26 feet; thence run S08°54'25"E for 20.41 feet; thence run S09°17'13"E for 71.09 feet; thence run S25°47'11"W for 37.48 feet; thence run S81°22'06"W for 50.86 feet; thence run S14°10'59"E for 78.05 feet; thence run S01°45'42"E for 86.79 feet; thence run S24°37'08"E for 116.81 feet; thence run S70°44'55"E for 58.51 feet; thence run N72°22'33"E for 64.72 feet; thence run N67°35'41"E for 113.51 feet; thence run N28°12'38"E for 51.54 feet; thence run N18°57'20"E for 74.33 feet; thence run N85°48'05"E for 17.31 feet; thence run S30°44'13"W for 33.28 feet; thence run S08°05'12"E for 41.74 feet; thence run S29°46'00"E for 63.20 feet; thence run S31°48'09"E for 42.50 feet; thence run S00°33'17"W for 29.19 feet; thence run S27°32'29"W for 77.22 feet; thence run S23°07'24"W for 42.52 feet; thence run S10°46'18"W for 42.51 feet; thence run S35°38'00"W for 47.79 feet; thence run S33°52'40"E for 32.79 feet; thence run S31°43'02"W for 45.44 feet; thence run S38°20'33"W for 26.49 feet; thence run S16°27'20"W for 33.26 feet; thence run S35°19'24"W for 43.59 feet; thence run S69°15'30"W for 26.87 feet; thence run N47°14'21"W for 68.47 feet; thence run N56°17'26"W for 31.82 feet;

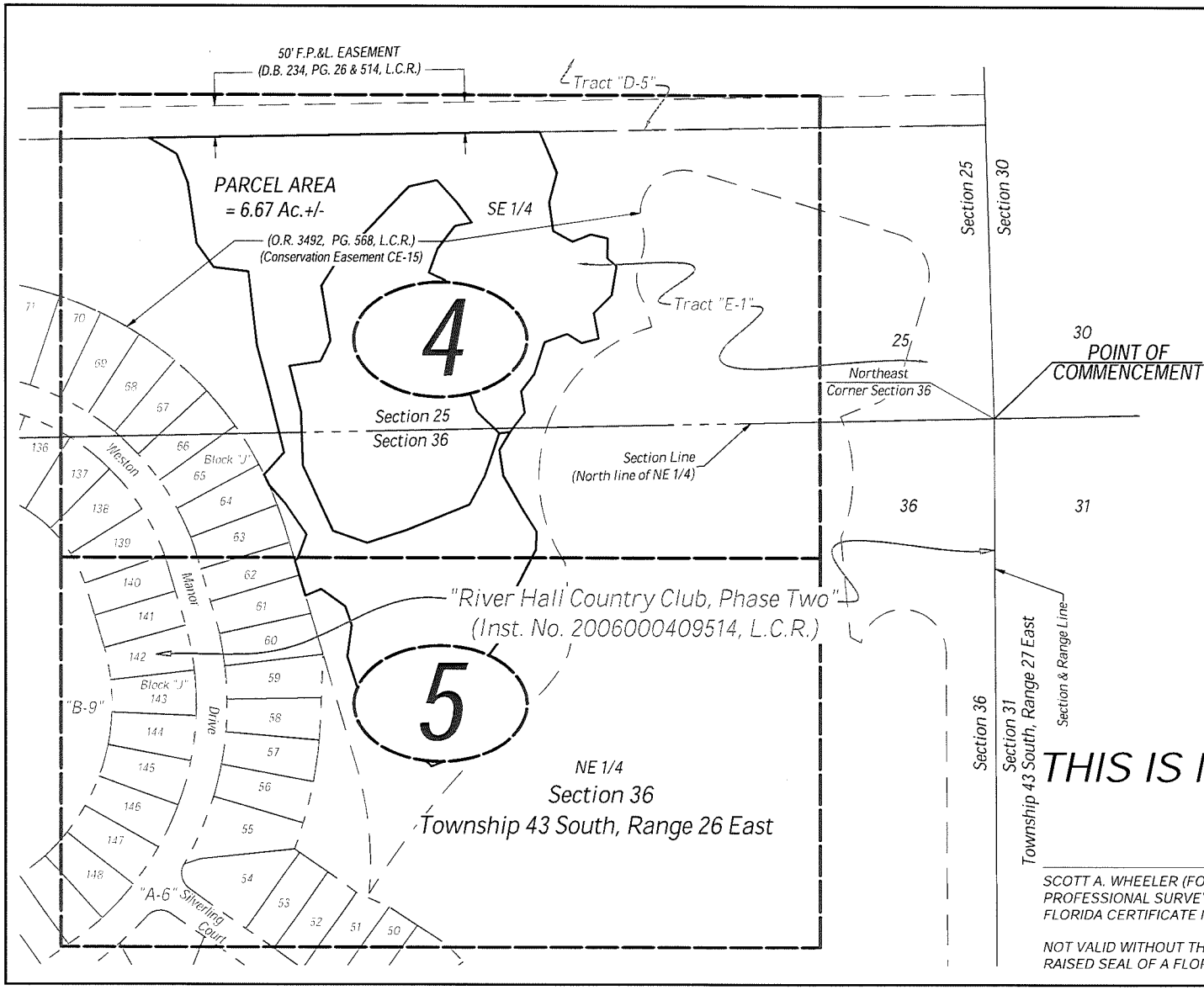
DESCRIPTION (Cont.)

thence run N44°42'08"W for 48.73 feet; thence run N18°16'58"W for 82.47 feet; thence run N08°07'22"E for 52.08 feet; thence run N19°16'06"W for 32.04 feet; thence run N54°13'52"W for 48.21 feet; thence run S66°43'54"W for 27.89 feet to an intersection with the Westerly line of said Tract "E-1"; thence run N16°42'49"W along said Westerly line for 58.99 feet; thence run N50°18'01"E for 5.50 feet; thence run N19°59'12"E for 41.94 feet; thence run N33°52'48"W for 60.29 feet; thence run N41°29'03"W for 40.89 feet to a point on a non-tangent curve and an intersection with said Westerly line of Tract "E-1"; thence run Northwesterly along said Westerly line and along an arc of a curve to the left of radius 570.00 feet (delta 01°51'42") (chord bearing N25°05'16"W) (chord 18.52 feet) for 18.52 feet; thence run N42°03'32"E for 48.29 feet; thence run N13°26'53"W for 101.16 feet; thence run N15°00'58"W for 78.93 feet; thence run N06°29'15"W for 122.07 feet; thence run N83°11'16"W for 56.45 feet; thence run N36°02'16"W for 47.73 feet; thence run N07°58'53"W for 99.51 feet; thence run N21°29'09"W for 50.33 feet; thence run N59°57'20"W for 52.48 feet o an intersection with the Northerly line of said Tract "E-1"; thence run N89°00'08"E along said Northerly line for 634.97 feet; thence run S22°56'00"E for 72.54 feet; thence run S14°23'07"W for 50.69 feet; thence run S08°05'00"E for 46.55 feet; thence run S61°26'13"E for 35.56 feet; thence run N68°45'44"E for 31.73 feet; thence run S78°05'01"E for 28.26 feet; thence run S00°43'22"W for 32.87 feet; thence run S48°52'24"E for 19.54 feet; thence run S09°22'52"W for 48.19 feet; thence run S44°58'21"W for 40.95 feet; thence run S10°23'11"E for 42.17 feet to the POINT OF BEGINNING.
Containing 6.67 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP15desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2090
FORT MYERS, FLORIDA 33902-2090
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING (EB) - SURVEYING (LB-6940)

PREPARED FOR:

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0317

PROJECT DESCRIPTION:

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROFESSIONAL SURVEYOR:

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

FILE NAME	2006409514.DWG
LAYOUT	1
LOCATION	J:\2006\2006409514\SURVEY\
PLOT DATE	WED, 3/28/2013 - 1:30 PM
PLOT BY	PETER OLSEN

DRAWING DATA:

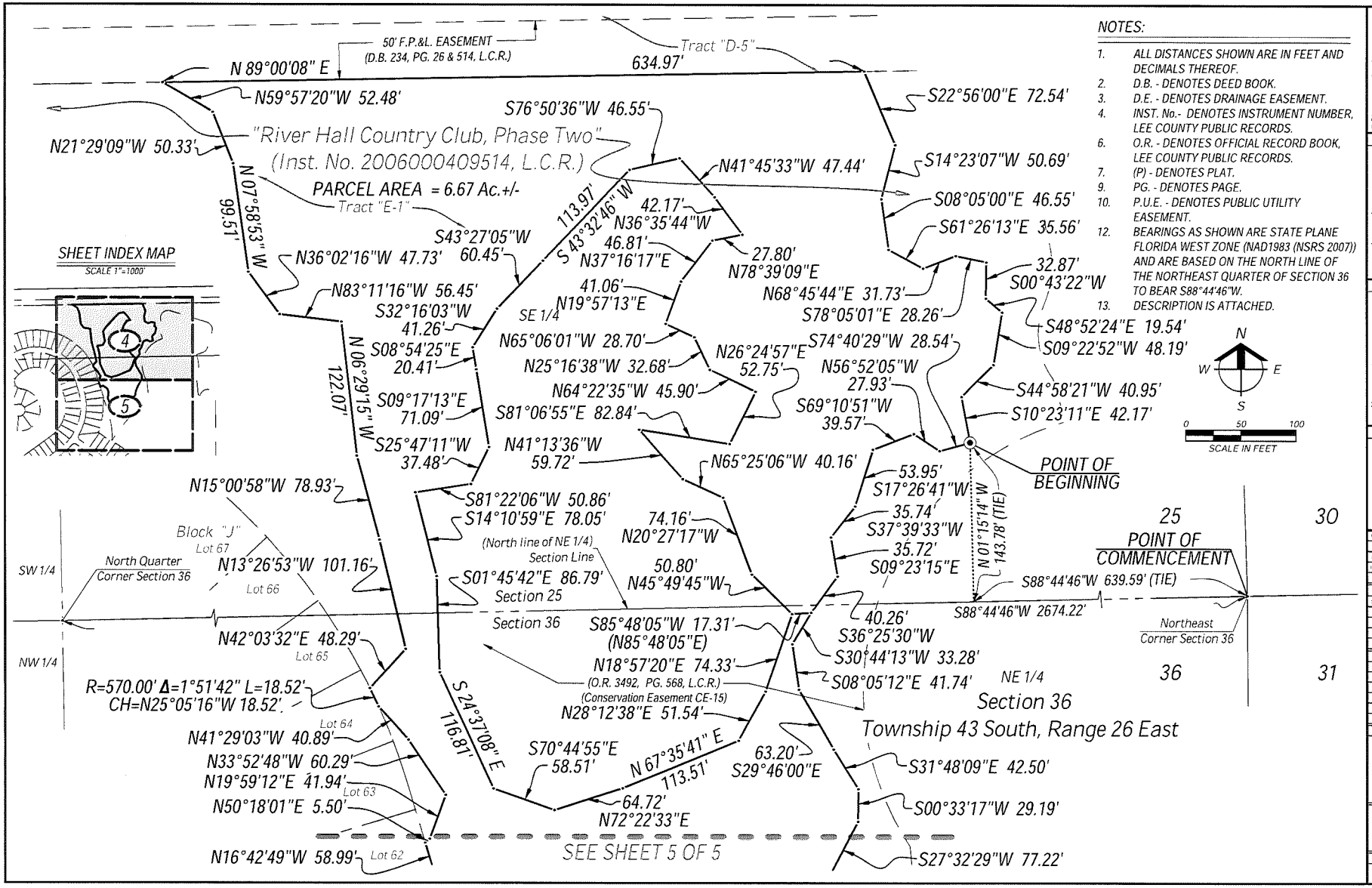
SURVEY DATE	02.26.2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 200'
FIELD BOOK	

PLAN REVISIONS:

WETLAND PRESERVE (CE-15) #2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT NUMBER	SHEET NUMBER
7359-79-43-26	3 OF 5



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2090
FORT MYERS, FLORIDA 33902-2090
PHONE (239) 461-3170
FAX (239) 461-3169

LandMar GROUP, LLC

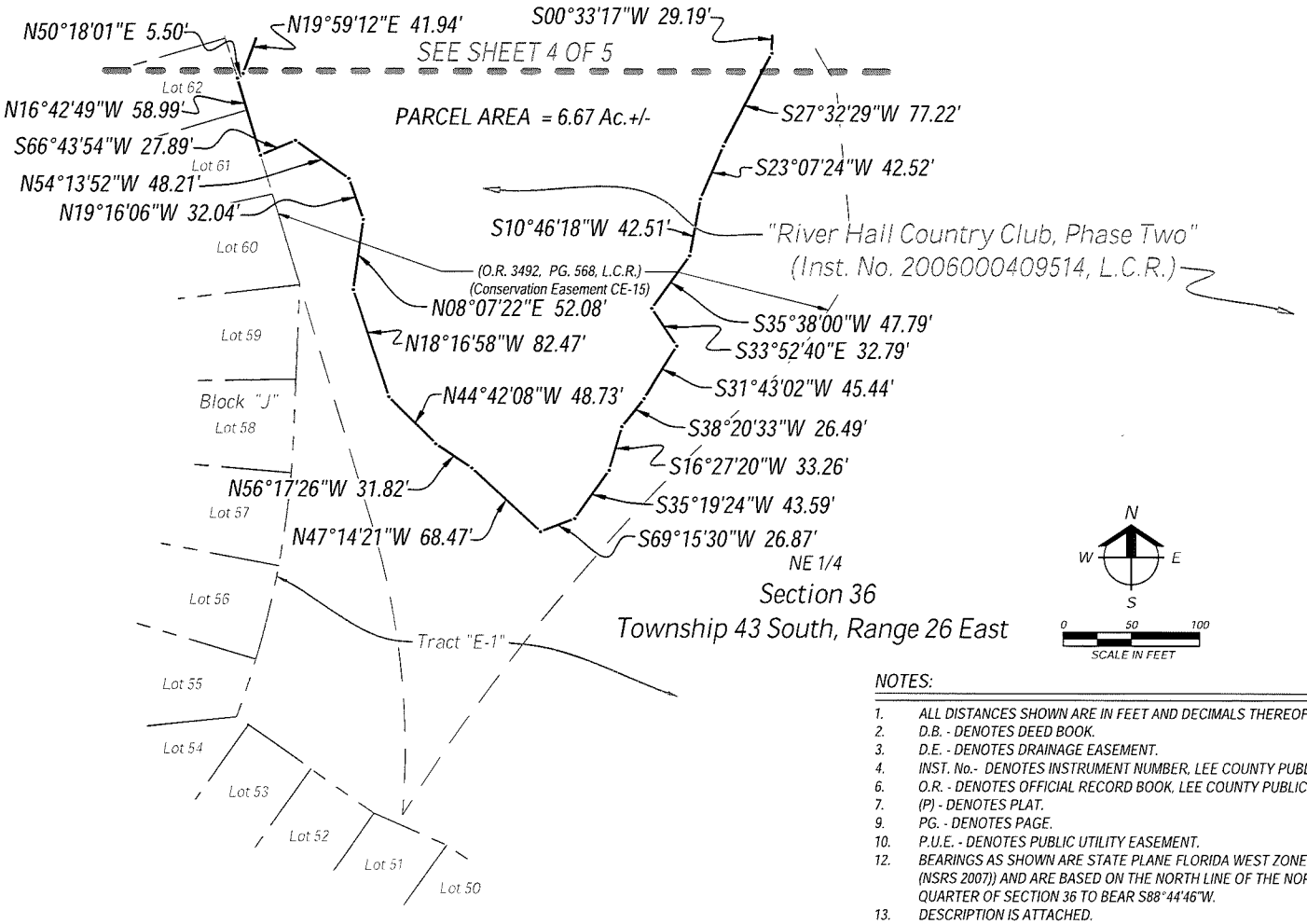
RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

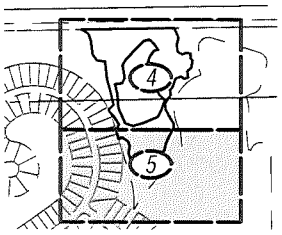
SKETCH TO ACCOMPANY DESCRIPTION

SHEET NUMBER: 4 OF 5



SHEET INDEX MAP

SCALE 1"=1000'



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING (#00) - SURVEYING (LB#4)

PREPARED FOR:

LandMar GROUP, LLC

2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0027
FAX (239) 274-0617

PROJECT DESIGNATION:

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

C.E. NAME	RIVER HALL PH2 - PLAT
LAYOUT	1
LOCATION	I:\2005\05-043\Civil\SKETCH\05-043-SK4.DWG
PLOT DATE	WED, 3-20-2013 - 1:57 PM
PLOT BY	PETER BOSEN

DRAWING DATA

DRAWN BY	PETER BOSEN
CHECKED BY	GARY
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

WETLAND PRESERVE (CE-15) #2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
05-043-06	5 OF 5

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run N00°45'42"W along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,095.99 feet to the POINT OF BEGINNING.

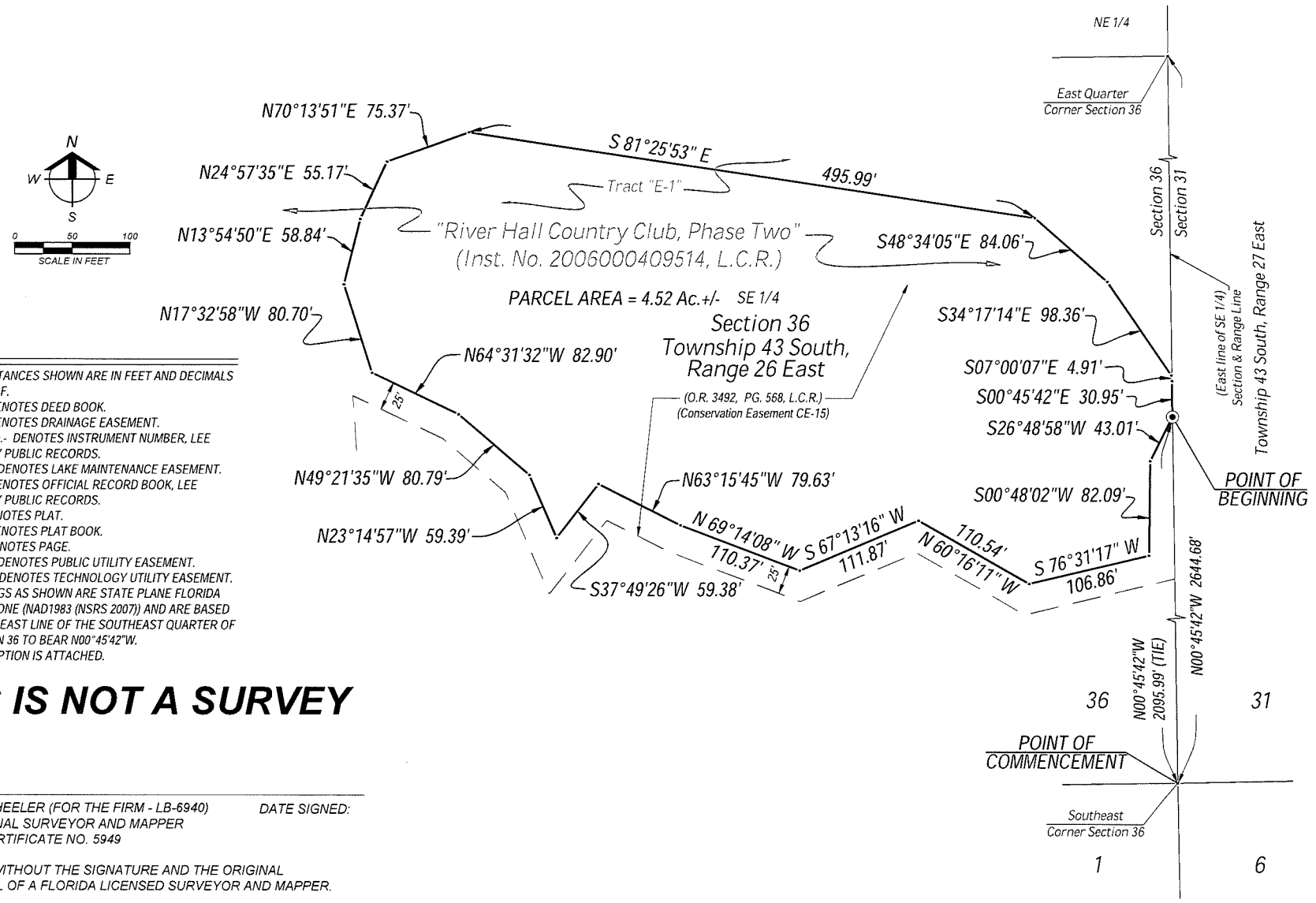
From said Point of Beginning run S26°48'58"W for 43.01 feet; thence run S00°48'02"W for 82.09 feet; thence run S76°31'17"W for 106.86 feet; thence run N60°16'11"W for 110.54 feet; thence run S67°13'16"W for 111.87 feet; thence run N69°14'08"W for 110.37 feet; thence run N63°15'45"W for 79.63 feet; thence run S37°49'26"W for 59.38 feet; thence run N23°14'57"W for 59.39 feet; thence run N49°21'35"W for 80.79 feet; thence run N64°31'32"W for 82.90 feet; thence run N17°32'58"W for 80.70 feet; thence run N13°54'50"E for 58.84 feet; thence run N24°57'35"E for 55.17 feet; thence run N70°13'51"E for 75.37 feet; thence run S81°25'53"E for 495.99 feet; thence run S48°34'05"E for 84.06 feet; thence run S34°17'14"E for 98.36 feet; thence run S07°00'07"E for 4.91 feet to an intersection with the East line of said Southeast Quarter (SE ¼); thence run S00°45'42"E along said East line for 30.95 feet to the POINT OF BEGINNING.

Containing 4.52 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the East line of the Southeast Quarter (SE 1/4) of said Section 36 to bear N00°45'42"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP16desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR N00°45'42"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT LOCATION

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

FILE NAME	RHPH2 PH2 DWG
LAYOUT	2
LOCATION	X:\2006\06-0409\SURVEY\RHPH2 PH2.DWG
PLOT DATE	WED, 3-20-2013, 3:24 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-15) #3

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22955 36-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run N00°45'42"W along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 1,442.70 feet; thence run S89°14'18"W for 948.05 feet to the POINT OF BEGINNING.

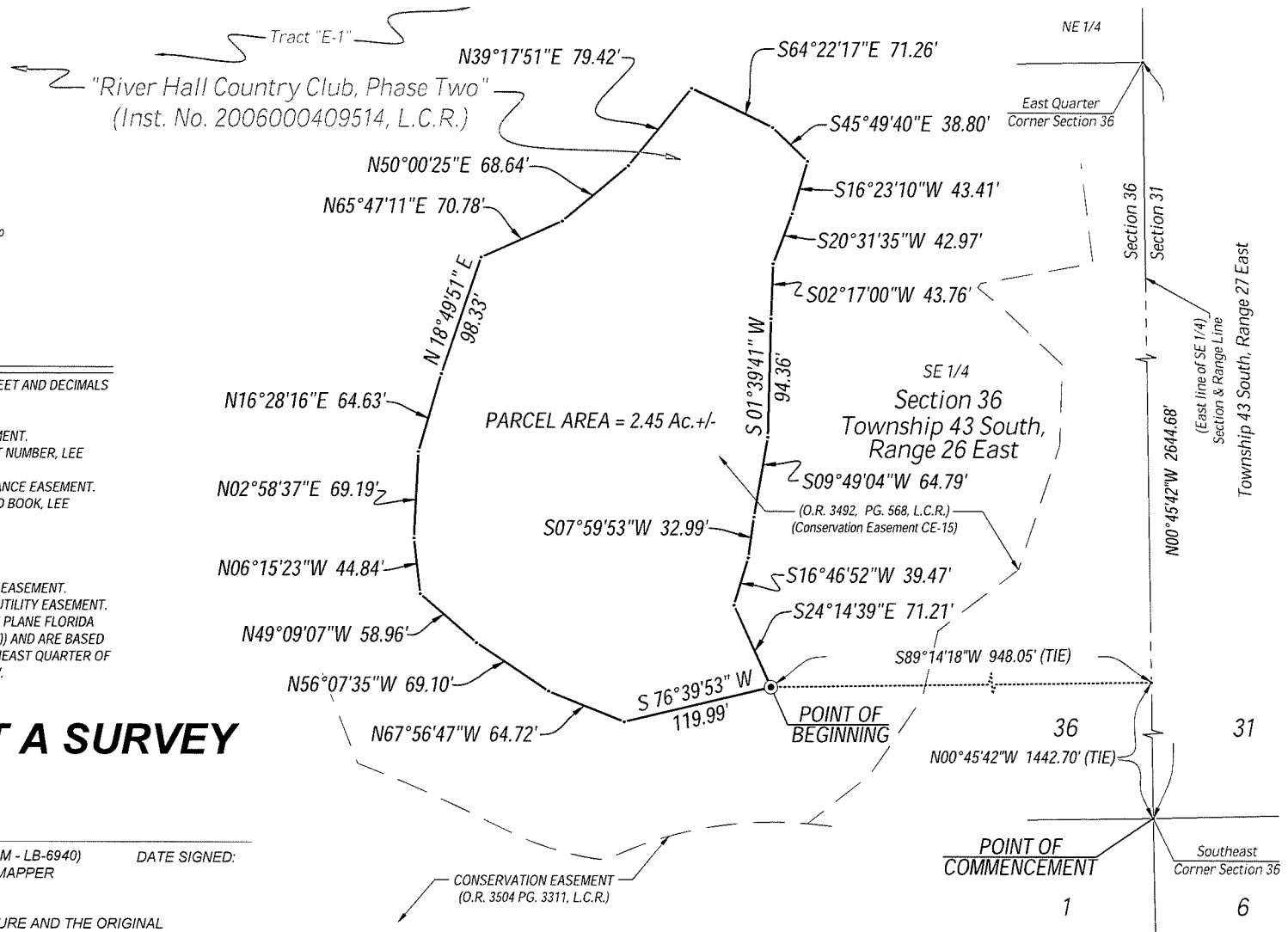
From said Point of Beginning run S76°39'53"W for 119.99 feet; thence run N67°56'47"W for 64.72 feet; thence run N56°07'35"W for 69.10 feet; thence run N49°09'07"W for 58.96 feet; thence run N06°15'23"W for 44.84 feet; thence run N02°58'37"E for 69.19 feet; thence run N16°28'16"E for 64.63 feet; thence run N18°49'51"E for 98.33 feet; thence run N65°47'11"E for 70.78 feet; thence run N50°00'25"E for 68.64 feet; thence run N39°17'51"E for 79.42 feet; thence run S64°22'17"E for 71.26 feet; thence run S45°49'40"E for 38.80 feet; thence run S16°23'10"W for 43.41 feet; thence run S20°31'35"W for 42.97 feet; thence run S02°17'00"W for 43.76 feet; thence run S01°39'41"W for 94.36 feet; thence run S09°49'04"W for 64.79 feet; thence run S07°59'53"W for 32.99 feet; thence run S16°46'52"W for 39.47 feet; thence run S24°14'39"E for 71.21 feet to the POINT OF BEGINNING.

Containing 2.45 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the East line of the Southeast Quarter (SE 1/4) of said Section 36 to bear N00°45'42"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP17desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR N00°45'42"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

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

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	2266MMTP1.DWG
LAYOUT	2
LOCATION	J:\2266\SURVEY\2266MMTP1.DWG
PLOT DATE	WED, 3-20-2013 - 5:24 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-15) #4

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
2266 36-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

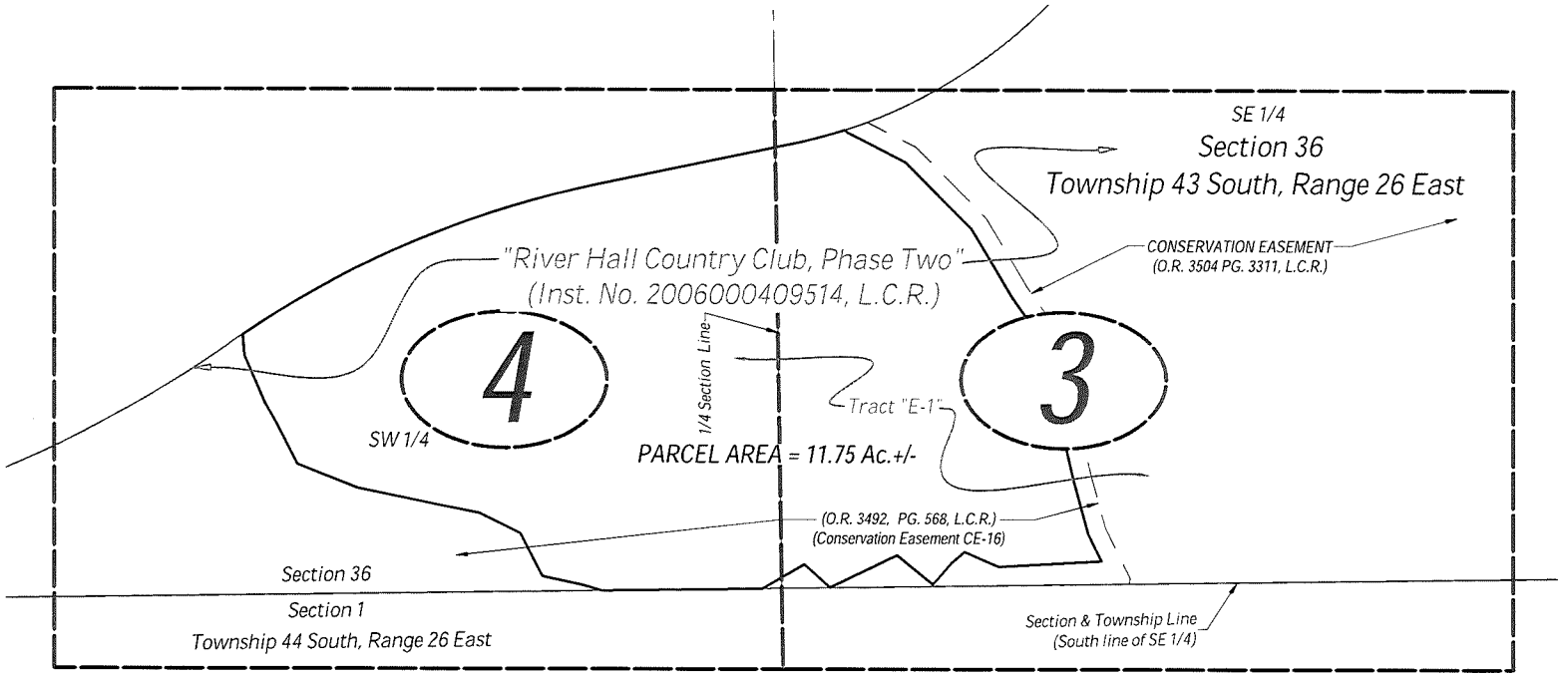
A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,205.87 feet; thence run N00°47'33"W for 31.98 feet to the POINT OF BEGINNING.
From said Point of Beginning run S86°50'27"W for 141.68 feet; thence run N66°30'31"W for 50.48 feet; thence run S48°54'09"W for 25.10 feet; thence run S40°14'25"W for 37.52 feet; thence run N50°24'25"W for 63.84 feet; thence run S64°06'53"W for 102.43 feet; thence run N47°31'00"W for 47.35 feet; thence run S59°42'28"W for 66.49 feet to an intersection with the South line of the Southwest Quarter (SW 1/4) of said Section 36; thence run S89°11'43"W along said South line for 220.33 feet; thence run N73°14'29"W for 27.47 feet; thence run N77°54'50"W for 56.54 feet; thence run N26°55'31"W for 65.99 feet; thence run N63°34'56"W for 62.64 feet; thence run N78°33'38"W for 61.33 feet; thence run N78°14'08"W for 108.91 feet; thence run N68°11'39"W for 89.03 feet; thence run N27°12'03"W for 58.55 feet; thence run N29°28'30"W for 34.12 feet; thence run N23°22'21"W for 72.53 feet; thence run N04°52'29"W for 29.55 feet to a point on a non-tangent curve and an intersection with the Northwesterly line of said Tract "E-1"; thence run the following three (3) courses along said Northwesterly line: Northeasterly along an arc of a curve to the right of radius 1,335.00 feet (delta 22°43'20") (chord bearing N66°51'10"E) (chord 525.97 feet) for 529.43 feet to a point of tangency; N78°12'50"E for 275.30 feet to a point of curvature and Easterly along an arc of a curve to the left of radius 690.00 feet (delta 06°11'33") (chord bearing N75°07'04"E) (chord 74.54 feet) for 74.57 feet; thence run S43°53'03"E for 5.25 feet; thence run S62°54'19"E for 89.02 feet; thence run S44°49'18"E for 128.43 feet; thence run S30°35'26"E for 107.68 feet; thence run S35°05'33"E for 64.03 feet; thence run S13°55'14"E for 126.29 feet; thence run S13°01'34"E for 81.97 feet; thence run S15°07'29"E for 75.29 feet; thence run S26°08'25"E for 40.86 feet to the POINT OF BEGINNING.
Containing 11.75 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the South line of the Southeast Quarter (SE 1/4) of said Section 36 to bear S89°12'27"W.

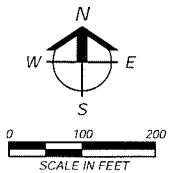
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP18desc.doc REV. 12-17-2012



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR S89°12'27"W.
10. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING (EB) - SURVEYING (LB 6940)

PREPARED FOR:

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0067
FAX (239) 274-0517

PROJECT DESCRIPTION:

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR:

STATE OF FLORIDA
SCOTT A. WHEELER
NO. 5949

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

FILE NAME	2006RIVER.DWG
LAYOUT	1
LOCATION	X:\2006\DWG\SURVEY\RECREATION
PLOT DATE	03/11/2013 4:55 PM
PLOT BY	PETER OLSEN

Drawing Data

SURVEY DATE	03/29/2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 400'
FIELD BOOK	

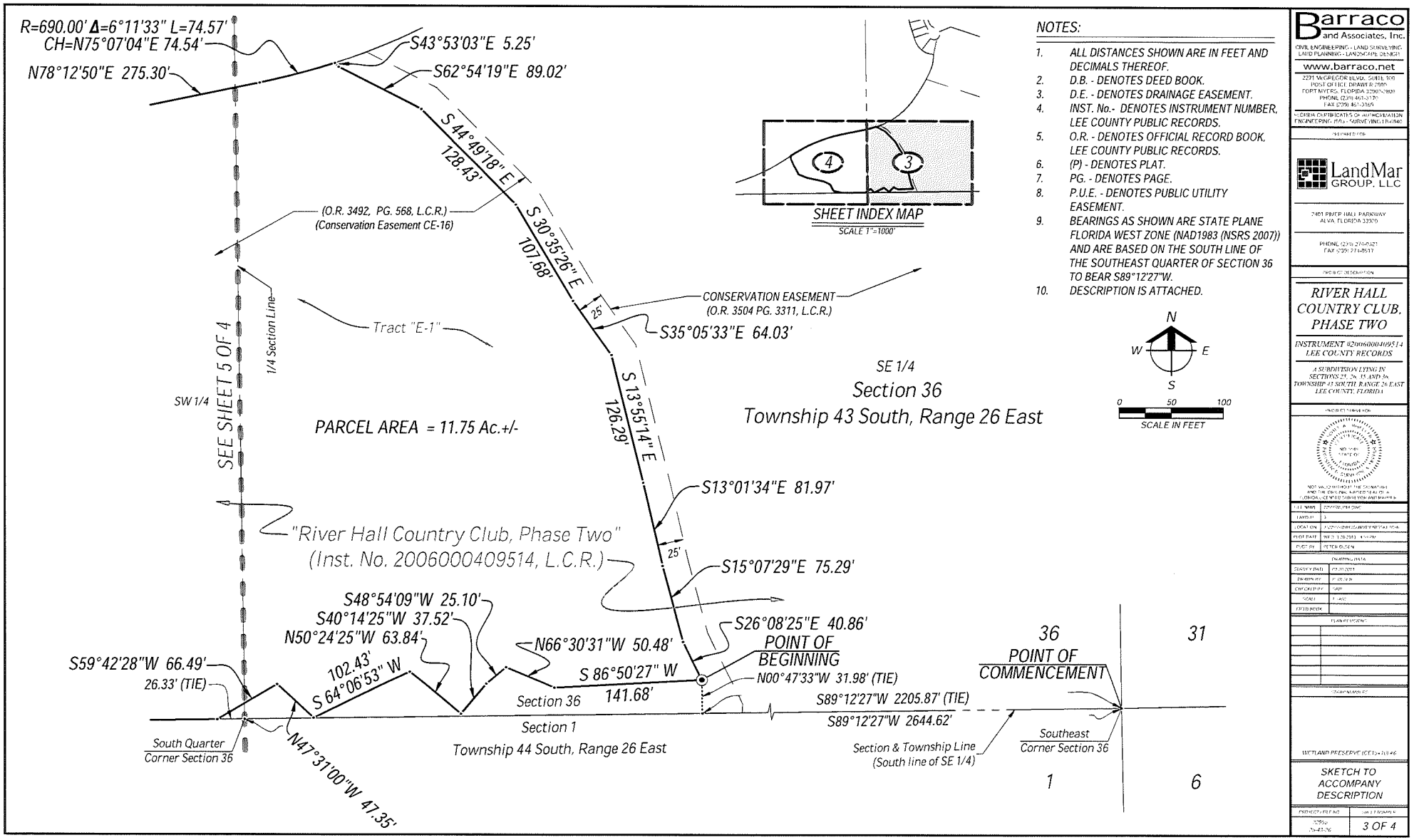
REVISIONS:

TRACT MAP NO. 46

WETLAND PRESERVE (CE 16) TR 46

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
2006 25-43-26	2 OF 4



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR S89°12'27"W.
10. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER R
FORT MYERS, FLORIDA 33902-1900
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING #6514 · SURVEYING LB-0882

PREPARED FOR:
LandMar GROUP, LLC
7401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0537

PROJECT DESCRIPTION:
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT DIRECTION

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

C.I.T. NAME	RIVER HALL PHASE TWO
LAYER(S)	1
LOCATION	N:\2276-00\SURVEY\RIVER HALL PHASE TWO
PLOT DATE	MAY 31, 2012 - 4:14 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-29-2012
DRAWN BY	P. OLSEN
CHECKED BY	GBP
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS:

DRAWING NUMBER:

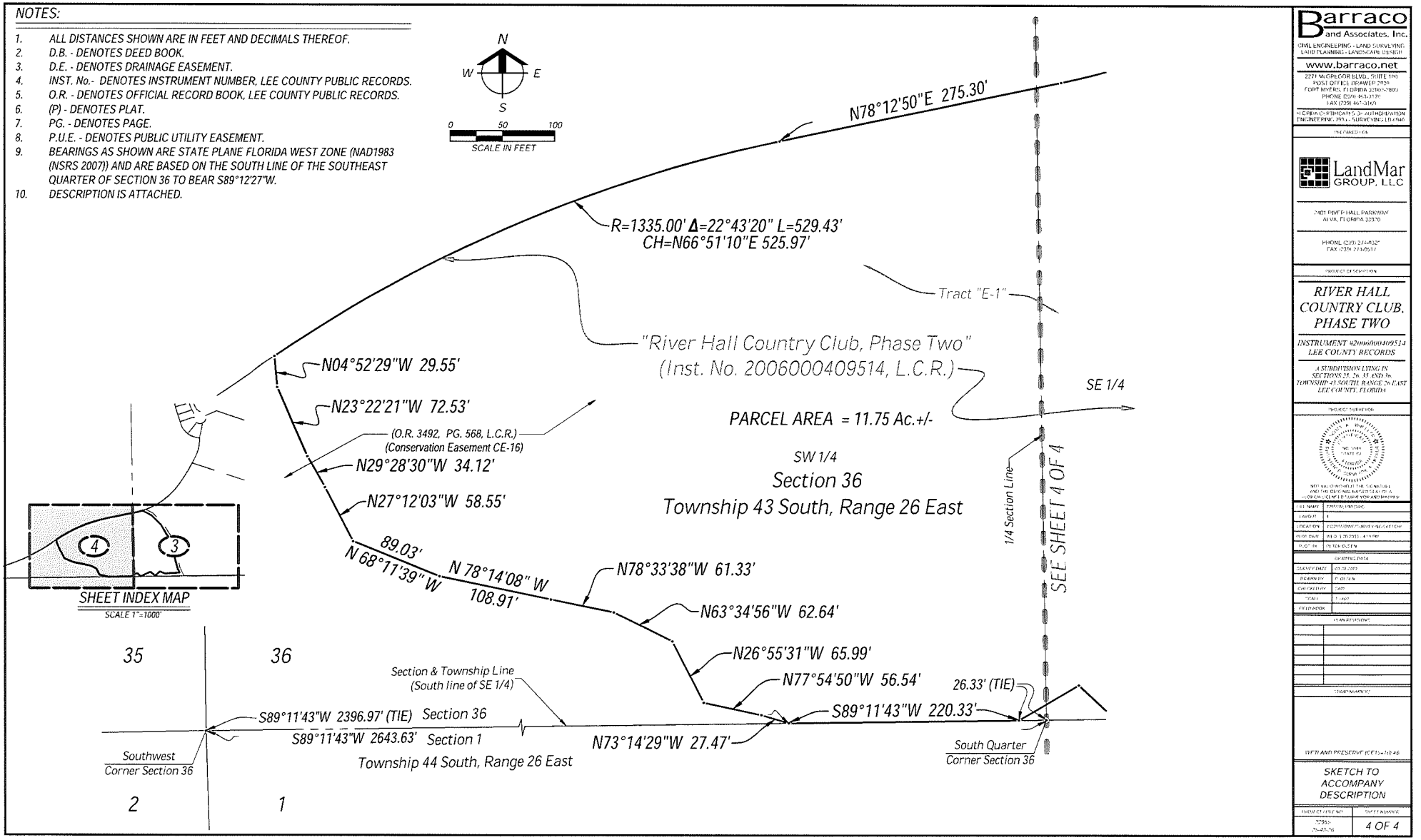
WETLAND PRESERVE (CE16) = 20.46

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
3276.0	3 OF 4
12-43-26	

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR S89°12'27"W.
10. DESCRIPTION IS ATTACHED.



Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2830
FORT MYERS, FLORIDA 33902-2830
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING (EB) - SURVEYING (LB 696)

PREPARED FOR:
LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-4932
FAX (239) 274-0511

PROJECT DESCRIPTION:
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

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

FILE NAME	[illegible]
LAYOUT	4
LOCATION	[illegible]
PLOT DATE	[illegible]
PLOTTED	[illegible]

DRAWING DATA

SURVEY DATE	03.01.2013
DRAWN BY	P. OLSEN
CHECKED BY	SMD
YEAR	13-060
SHEET BOOK	

REVISIONS

SHEET NUMBER

WETLAND PRESERVE (CE15+16) #6

SKETCH TO ACCOMPANY DESCRIPTION

SHEET LINE NO.	SHEET NUMBER
25&26-43-26	4 OF 4

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run N00°45'42"W along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 282.83 feet; thence run S89°14'18"W for 503.48 feet to the POINT OF BEGINNING.

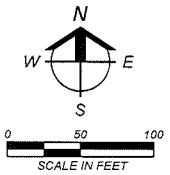
From said Point of Beginning run S58°59'23" W for 57.88 feet; thence run S65°44'12" W for 85.53 feet; thence run N67°33'20" W for 65.21 feet; thence run N45°11'04" W for 105.11 feet; thence run N24°30'41" W for 77.39 feet; thence run N06°47'10" E for 42.23 feet; thence run N35°04'41"E for 49.47 feet; thence run N62°05'31" E for 79.46 feet; thence run N66°34'32" E for 55.33 feet; thence run S83°05'01" E for 54.16 feet; thence run S46°25'55" E for 42.18 feet; thence run S49°07'52" E for 53.46 feet; thence run S40°42'27" E for 57.96 feet; thence run S02°47'22" W for 66.93 feet; thence run S16°45'16" W for 56.77 feet; thence run S15°16'20" W for 10.70 feet to the POINT OF BEGINNING.

Containing 1.60 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the East line of the Southeast Quarter (SE 1/4) of said Section 36 to bear N00°45'42"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP19desc.doc



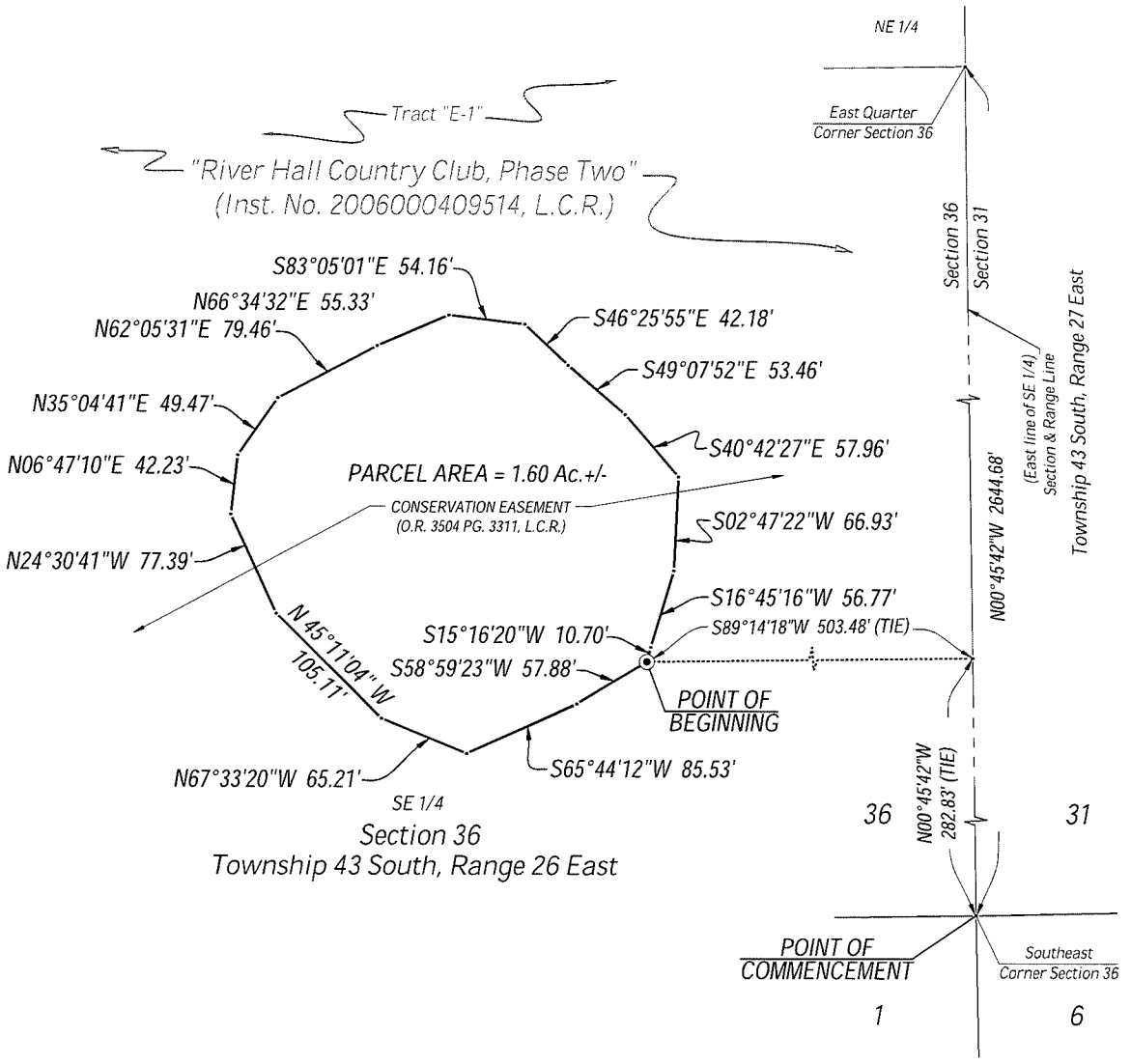
NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR N00°45'42"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7505 - SURVEYING LB-6940

PREPARED FOR:

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

PROJECT DESCRIPTION:

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROJECT NUMBER YEAR

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

FILE NAME	2006-WETLAND
LAYOUT	2
LOCATION	J:\2006\WORKING\ENGINEERING
PLOT DATE	WED, 3-26-2025, 4:26 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	08-29-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (O.R. 3504 PG. 3311)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22355 36-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1" of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,278.50 feet; thence run S89°43'09"W for 550.33 feet to the POINT OF BEGINNING.

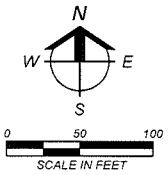
From said Point of Beginning S35°23'43" W for 21.89 feet; thence run S56°27'01" W for 55.93 feet; thence run N72°50'36" W for 51.38 feet; thence run N11°47'34" W for 70.34 feet; thence run N19°16'35" E for 51.51 feet; thence run N82°50'08" E for 40.47 feet; thence run S79°41'47" E for 41.59 feet; thence run S16°50'53" E for 85.15 feet to the POINT OF BEGINNING.

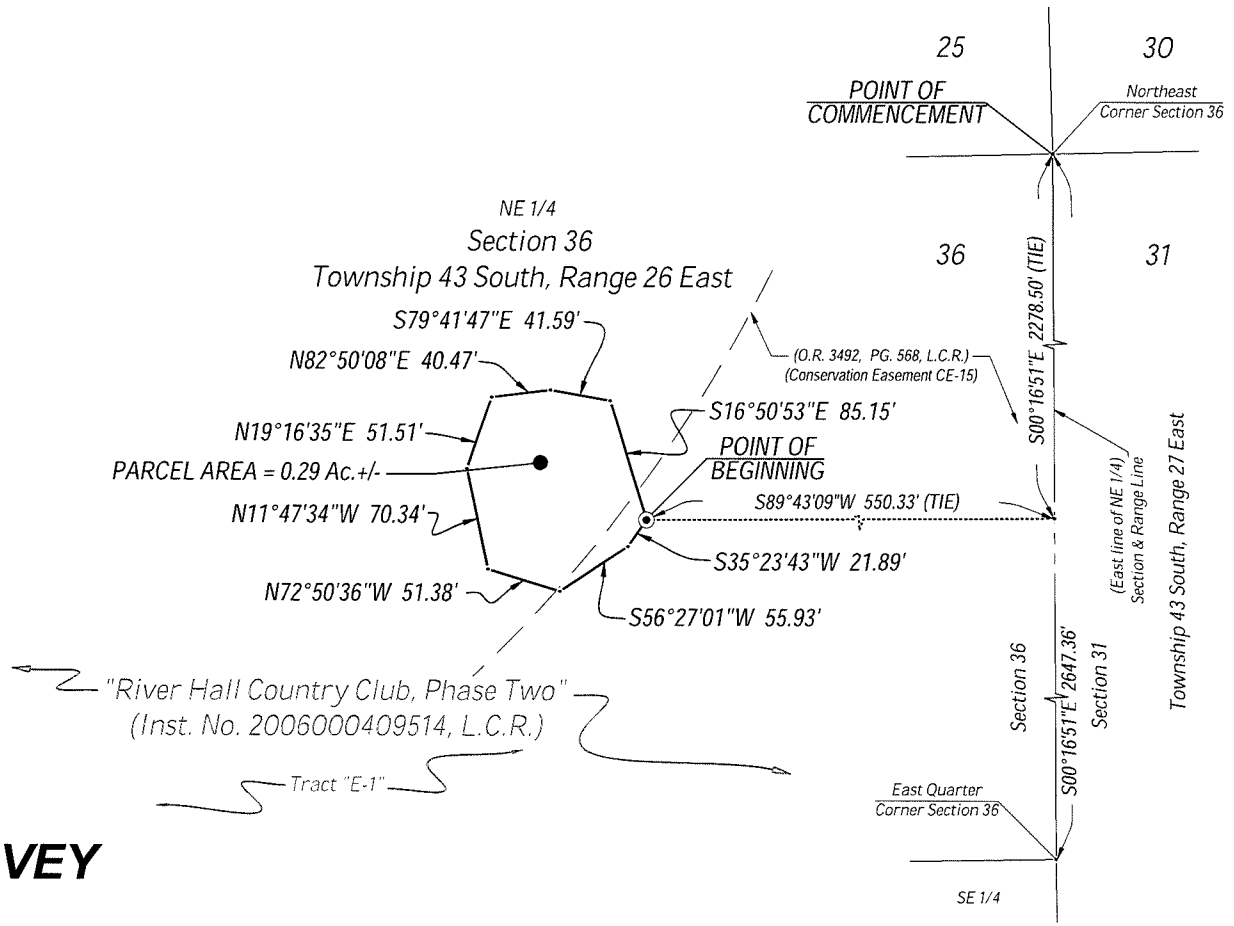
Containing 0.29 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the East line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S00°16'51"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP20desc.doc





NOTES:

1. *ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.*
2. *D.B. - DENOTES DEED BOOK.*
3. *D.E. - DENOTES DRAINAGE EASEMENT.*
4. *INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.*
5. *L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.*
6. *O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.*
7. *(P) - DENOTES PLAT.*
8. *P.B. - DENOTES PLAT BOOK.*
9. *PG. - DENOTES PAGE.*
10. *P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.*
11. *T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.*
12. *BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S00°16'51"E.*
13. *DESCRIPTION IS ATTACHED.*

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7956 - SURVEYING LB-6940

PREPARED FOR

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

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT NARRATIVE

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOT BY	

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-15) #2A

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO	SHEET NUMBER
22355 36-43-26	2 OF 2

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

DESCRIPTION (WETLAND PRESERVE)

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

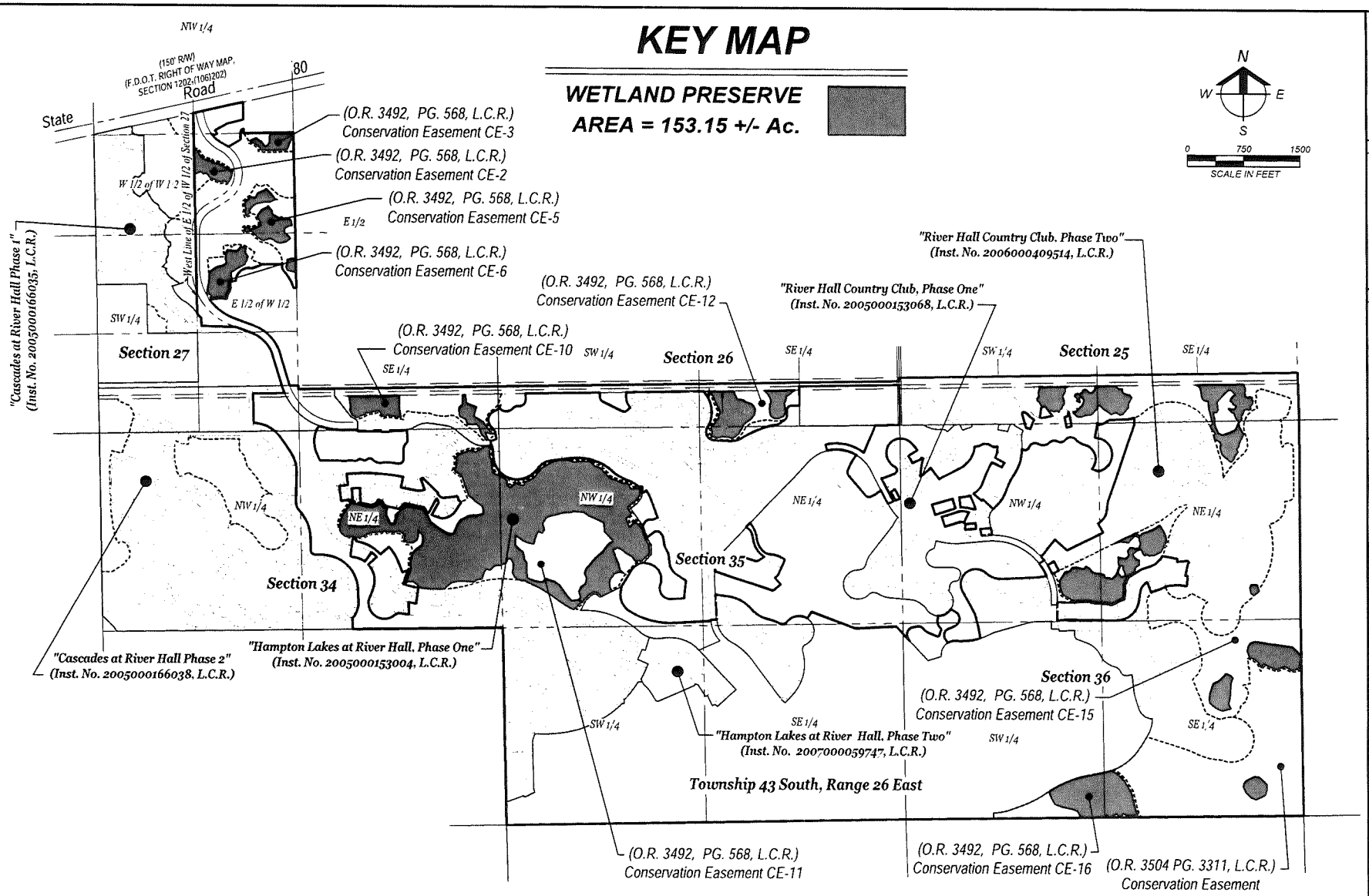
THE FOLLOWING TWENTY (20) DESCRIBED PARCELS:

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP_desc.doc

KEY MAP

WETLAND PRESERVE
AREA = 153.15 +/- Ac.



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
PORT OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3179
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7593 - SURVEYING LB-0543

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

PROJECT DESCRIPTION

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	25PHASE KEY DWG
LAYOUT	KEY MAP
LOCATION	J:\25PHASE\SURVEY\DWG\KEY DWG
PLOT DATE	5/23/2013 1:46 PM
PLOTTED BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	03-19-2013
DRAWN BY	P. OLSEN
CHECKED BY	D.W.
SCALE	1"=1500'
FIELD BOOK	

FILM REVISIONS

STRAP NUMBERS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
3955	1 OF 1
36-43-26	

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 763.79 feet to an intersection with the Southerly right of way line of State Road 80, (F.D.O.T. right of way map, Section 1202-(106)202)(150 feet wide); thence run S77°10'14"W along said Southerly right of way line for 1346.60 feet to an intersection with the West line of the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°49'17"E along said West line for 490.62 feet to the POINT OF BEGINNING.

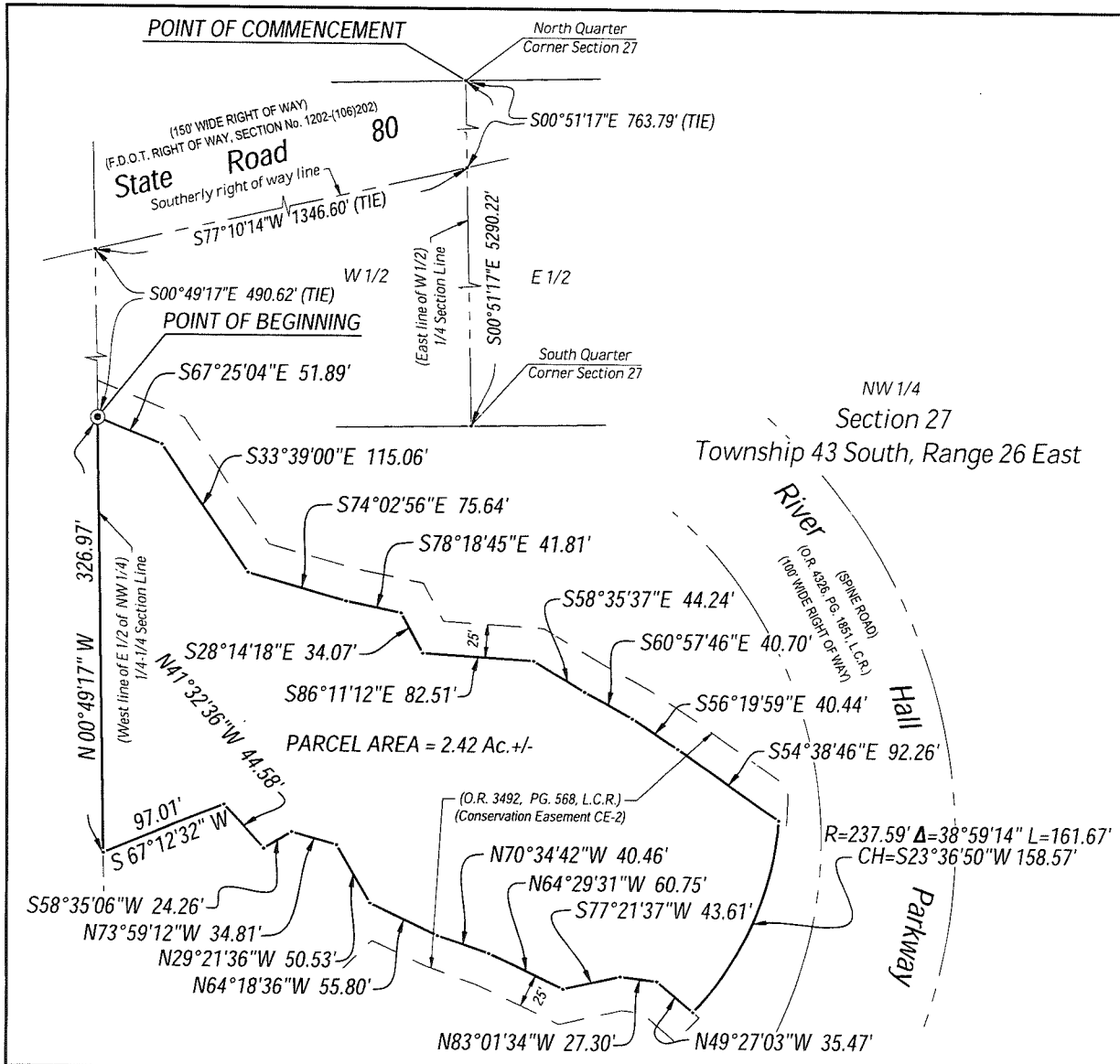
From said Point of Beginning run S67°25'04"E for 51.89 feet; thence run S33°39'00"E for 115.06 feet; thence run S74°02'56"E for 75.64 feet; thence run S78°18'45"E for 41.81 feet; thence run S28°14'18"E for 34.07 feet; thence run S86°11'12"E for 82.51 feet; thence run S58°35'37"E for 44.24 feet; thence run S60°57'46"E for 40.70 feet; thence run S56°19'59"E for 40.44 feet; thence run S54°38'46"E for 92.26 feet to a point on a non-tangent curve and an intersection with the Easterly line of Conservation Easement CE-2, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run Southwesterly along said Easterly line and along an arc of a curve to the right of radius 237.59 feet (delta 38°59'14") (chord bearing S23°36'50"W) (chord 158.57 feet) for 161.67 feet; thence run N49°27'03"W for 35.47 feet; thence run N83°01'34"W for 27.30 feet; thence run S77°21'37"W for 43.61 feet; thence run N64°29'31"W for 60.75 feet; thence run N70°34'42"W for 40.46 feet; thence run N64°18'36"W for 55.80 feet; thence run N29°21'36"W for 50.53 feet; thence run N73°59'12"W for 34.81 feet; thence run S58°35'06"W for 24.26 feet; thence run N41°32'36"W for 44.58 feet; thence run S67°12'32"W for 97.01 feet to an intersection with said West line of the East Half (E 1/2) of the Northwest Quarter (NW 1/4) of Section 27; thence run N00°49'17"W along said West line for 326.97 feet to the POINT OF BEGINNING.

Containing 2.42 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP01desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 7029
FORT MYERS, FLORIDA 33902-2903
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PREPARED BY

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

FILE NAME	22955-1751.DGN
LAYOUT	
LDC ITEM	
PLOT DATE	
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAT REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-2)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO	SHEET NUMBER
22955 27-43-26	2 OF 2

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

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 1338.60 to the POINT OF BEGINNING.

From said Point of Beginning continue S00°51'17"E along said East line for 20.54 feet; thence run S25°44'36"W for 25.31 feet; thence run S25°08'26"W for 98.02 feet; thence run S17°12'07"W for 83.75 feet; thence run S86°30'04"W for 69.62 feet; thence run S87°58'32"W for 122.59 feet; thence run S88°30'21"W for 64.71 feet; thence run N87°52'40"W for 70.37 feet; thence run N80°11'09"W for 34.64 feet; thence run N01°01'22"E for 17.87 feet; thence run N48°12'54"W for 87.35 feet; thence run N67°52'13"W for 72.07 feet; thence run N09°14'30"W for 16.69 feet; thence run N60°49'00"E for 26.38 feet; thence run N70°04'52"E for 67.08 feet; thence run S47°02'49"E for 35.43 feet; thence run S59°04'52"E for 44.29 feet; thence run S34°08'17"E for 84.05 feet; thence run N57°59'46"E for 48.61 feet; thence run N23°53'39"E for 43.56 feet; thence run N02°15'27"W for 69.86 feet; thence run N20°58'05"E for 13.33 feet; thence run N17°07'29"E for 39.25 feet to an intersection with the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run N88°54'52"E along said South line for 291.07 feet; thence run S36°33'41"E for 19.90 feet to the POINT OF BEGINNING.

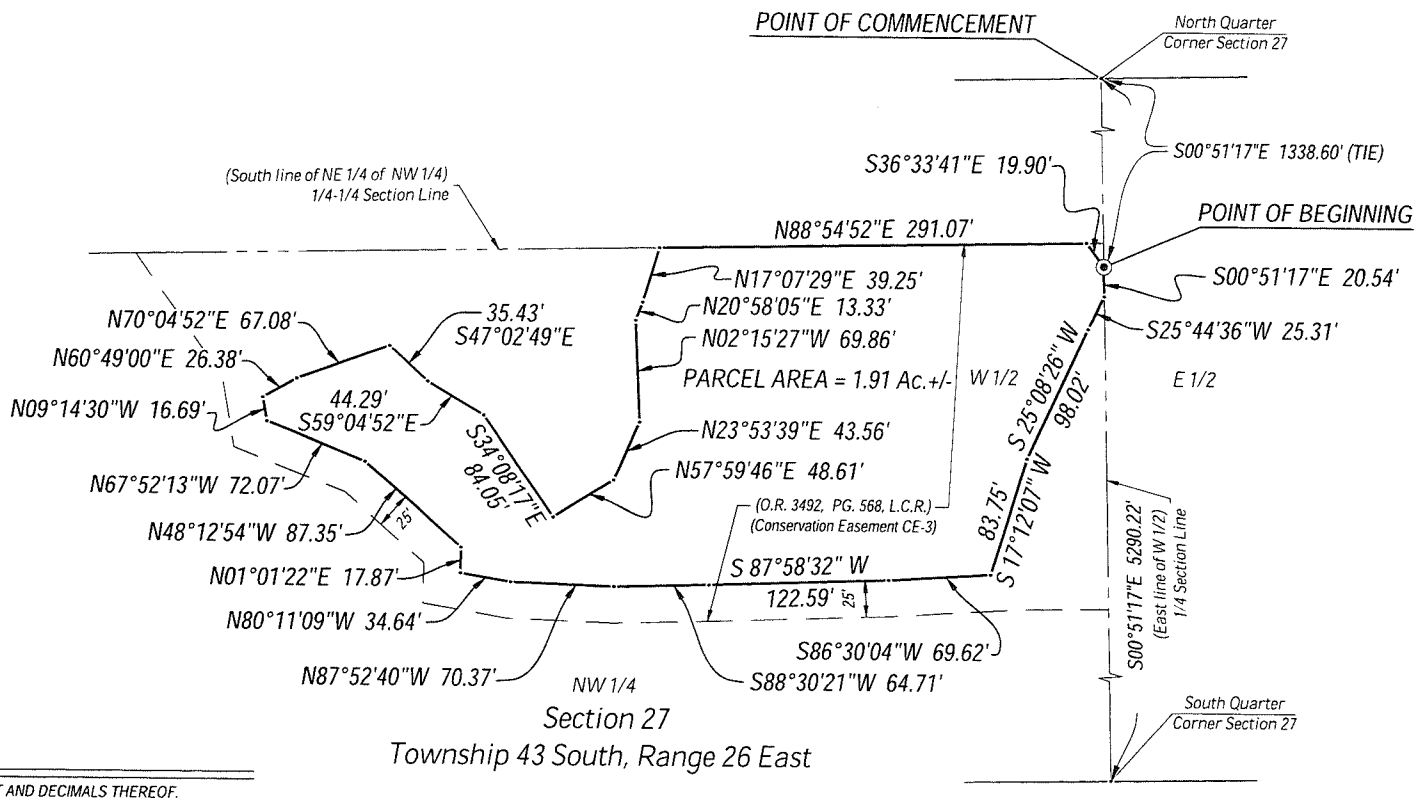
Containing 1.91 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP02desc.doc

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



THIS IS NOT A SURVEY

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2965
FORT MYERS, FLORIDA 33902-2965
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING NO. 5355 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC
7491 RIVER HALL PARK WAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0517

PREPARED BY SECTION

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROJECT NARRATIVE

FILE NAME	[illegible]
LAYOUT	2
LOCATION	[illegible]
PLOT DATE	[illegible]
PLOT BY	[illegible]

DRAWING DATA

SURVEY DATE	03-12-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (E-3)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
22955 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 2211.05 feet; thence run S89°08'43"W for 231.29 feet to the POINT OF BEGINNING.

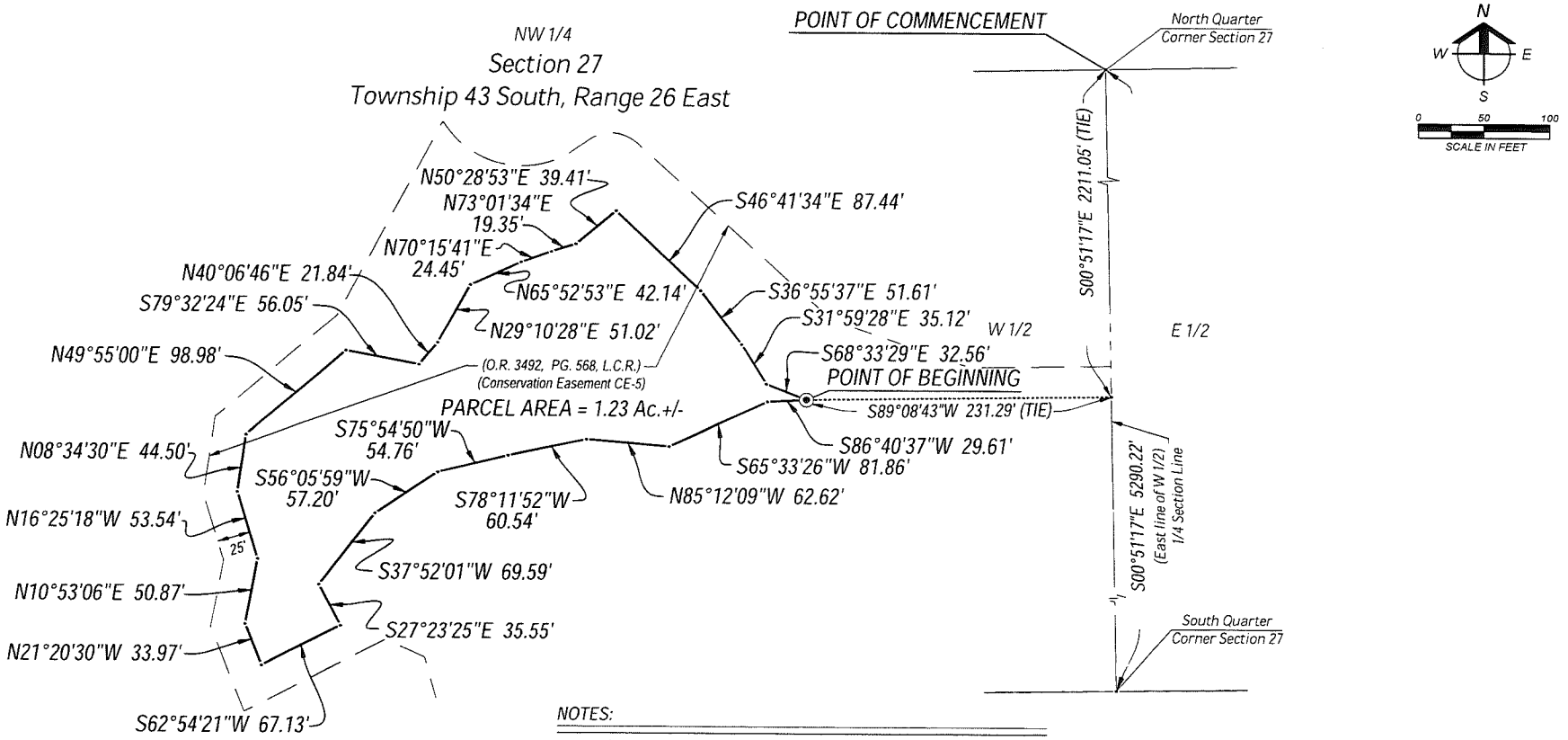
From said Point of Beginning run S86°40'37"W for 29.61 feet; thence run S65°33'26"W for 81.86 feet; thence run N85°12'09"W for 62.62 feet; thence run S78°11'52"W for 60.54 feet; thence run S75°54'50"W for 54.76 feet; thence run S56°05'59"W for 57.20 feet; thence run S37°52'01"W for 69.59 feet; thence run S27°23'25"E for 35.55 feet; thence run S62°54'21"W for 67.13 feet; thence run N21°20'30"W for 33.97 feet; thence run N10°53'06"E for 50.87 feet; thence run N16°25'18"W for 53.54 feet; thence run N08°34'30"E for 44.50 feet; thence run N49°55'00"E for 98.98 feet; thence run S79°32'24"E for 56.05 feet; thence run N40°06'46"E for 21.84 feet; thence run N29°10'28"E for 51.02 feet; thence run N65°52'53"E for 42.14 feet; thence run N70°15'41"E for 24.45 feet; thence run N73°01'34"E for 19.35 feet; thence run N50°28'53"E for 39.41 feet; thence run S46°41'34"E for 87.44 feet; thence run S36°55'37"E for 51.61 feet; thence run S31°59'28"E for 35.12 feet; thence run S68°33'29"E for 32.56 feet to the POINT OF BEGINNING.

Containing 1.23 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP03desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
FORT MYERS, FLORIDA 33901
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION FOR ENGINEERING 27-84 - SURVEYING LB-6940

LandMar GROUP, LLC
2481 REISER HALL PARK WAY
ALVA, FLORIDA 33920
PHONE (239) 274-0067
FAX (239) 274-0571

PROJECT DESCRIPTION

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEY TEAM

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

FILE NAME	22015A-DESCRIPTION
LAYOUT	2
LOCATION	J:\...\SURVEY\DWG\...\22015A-DESCRIPTION
PLOT DATE	3/31/2023 5:32 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-24-2023
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-5) #1

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
22015 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 2550.31 feet; thence run S89°08'43"W for 43.69 feet to the POINT OF BEGINNING.

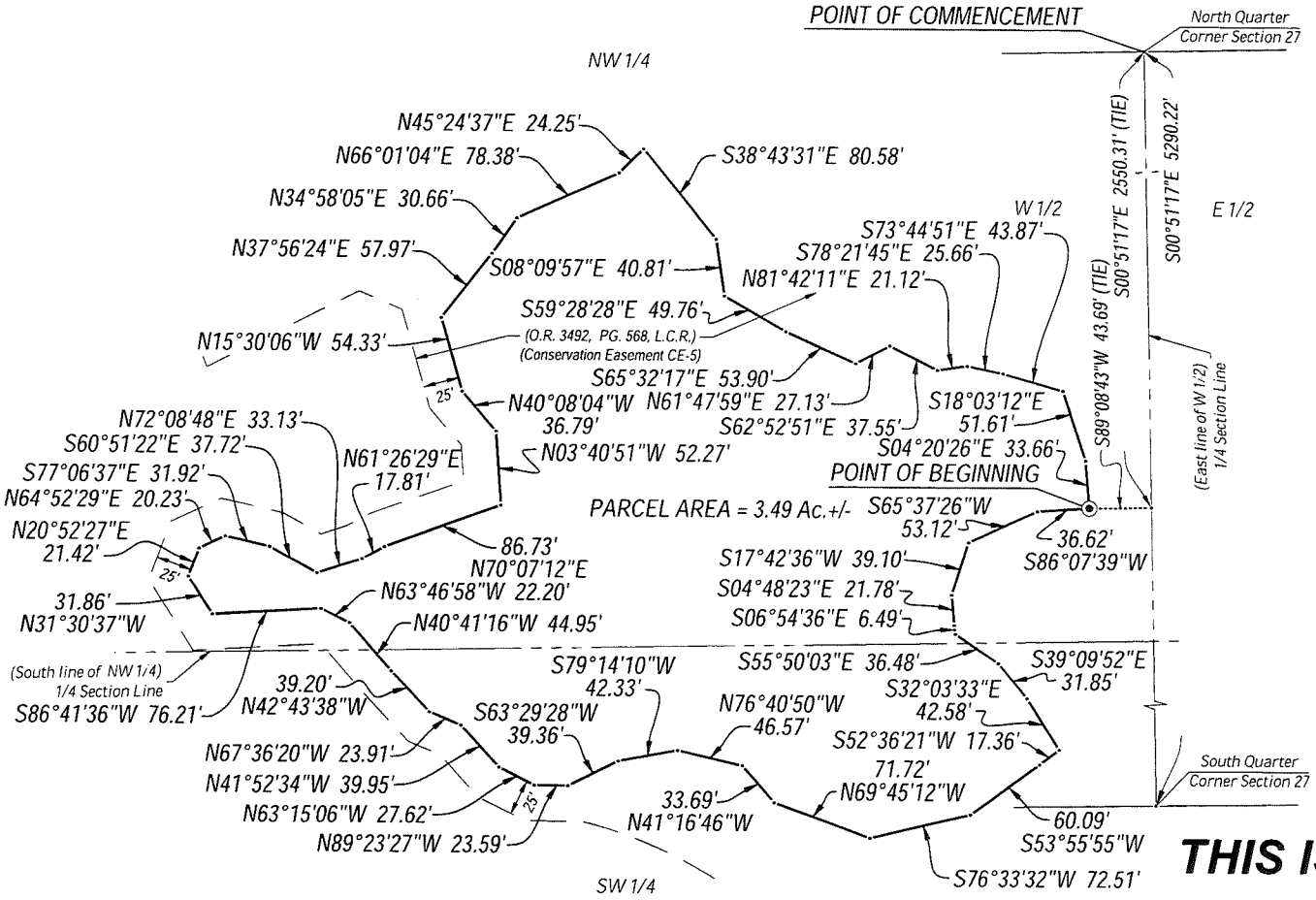
From said Point of Beginning run S86°07'39"W for 36.62 feet; thence run S65°37'26"W for 53.12 feet; thence run S17°42'36"W for 39.10 feet; thence run S04°48'23"E for 21.78 feet; thence run S06°54'36"E for 6.49 feet; thence run S55°50'03"E for 36.48 feet; thence run S39°09'52"E for 31.85 feet; thence run S32°03'33"E for 42.58 feet; thence run S52°36'21"W for 17.36 feet; thence run S53°55'55"W for 60.09 feet; thence run S76°33'32"W for 72.51 feet; thence run N69°45'12"W for 71.72 feet; thence run N41°16'46"W for 33.69 feet; thence run N76°40'50"W for 46.57 feet; thence run S79°14'10"W for 42.33 feet; thence run S63°29'28"W for 39.36 feet; thence run N89°23'27"W for 23.59 feet; thence run N63°15'06"W for 27.62 feet; thence run N41°52'34"W for 39.95 feet; thence run N67°36'20"W for 23.91 feet; thence run N42°43'38"W for 39.20 feet; thence run N40°41'16"W for 44.95 feet; thence run N63°46'58"W for 22.20 feet; thence run S86°41'36"W for 76.21 feet; thence run N31°30'37"W for 31.86 feet; thence run N20°52'27"E for 21.42 feet; thence run N64°52'29"E for 20.23 feet; thence run S77°06'37"E for 31.92 feet; thence run S60°51'22"E for 37.72 feet; thence run N72°08'48"E for 33.13 feet; thence run N61°26'29"E for 17.81 feet; thence run N70°07'12"E for 86.73 feet; thence run N03°40'51"W for 52.27 feet; thence run N40°08'04"W for 36.79 feet; thence run N15°30'06"W for 54.33 feet; thence run N37°56'24"E for 57.97 feet; thence run N34°58'05"E for 30.66 feet; thence run N66°01'04"E for 78.38 feet; thence run N45°24'37"E for 24.25 feet; thence run S38°43'31"E for 80.58 feet; thence run S08°09'57"E for 40.81 feet; thence run S59°28'28"E for 49.76 feet; thence run S65°32'17"E for 53.90 feet; thence run N61°47'59"E for 27.13 feet; thence run S62°52'51"E for 37.55 feet; thence run N81°42'11"E for 21.12 feet; thence run S78°21'45"E for 25.66 feet; thence run S73°44'51"E for 43.87 feet; thence run S18°03'12"E for 51.61 feet; thence run S04°20'26"E for 33.66 feet to the POINT OF BEGINNING.

Containing 3.49 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP04desc.doc



Section 27
Township 43 South, Range 26 East

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 7100
FORT MYERS, FLORIDA 33...-7100
PHONE (239) 4...-3170
FAX (...) 46...-3...
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

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

PROJECT DESCRIPTION:
A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOTTED BY	
DRAWING DATA	
SURVEY DATE	03-20-2013
DRAWN BY	F. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STAKING NUMBERS

WETLAND / CONSERVATION (CE-5) #2

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
2...955 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 2996.64 feet to the POINT OF BEGINNING.

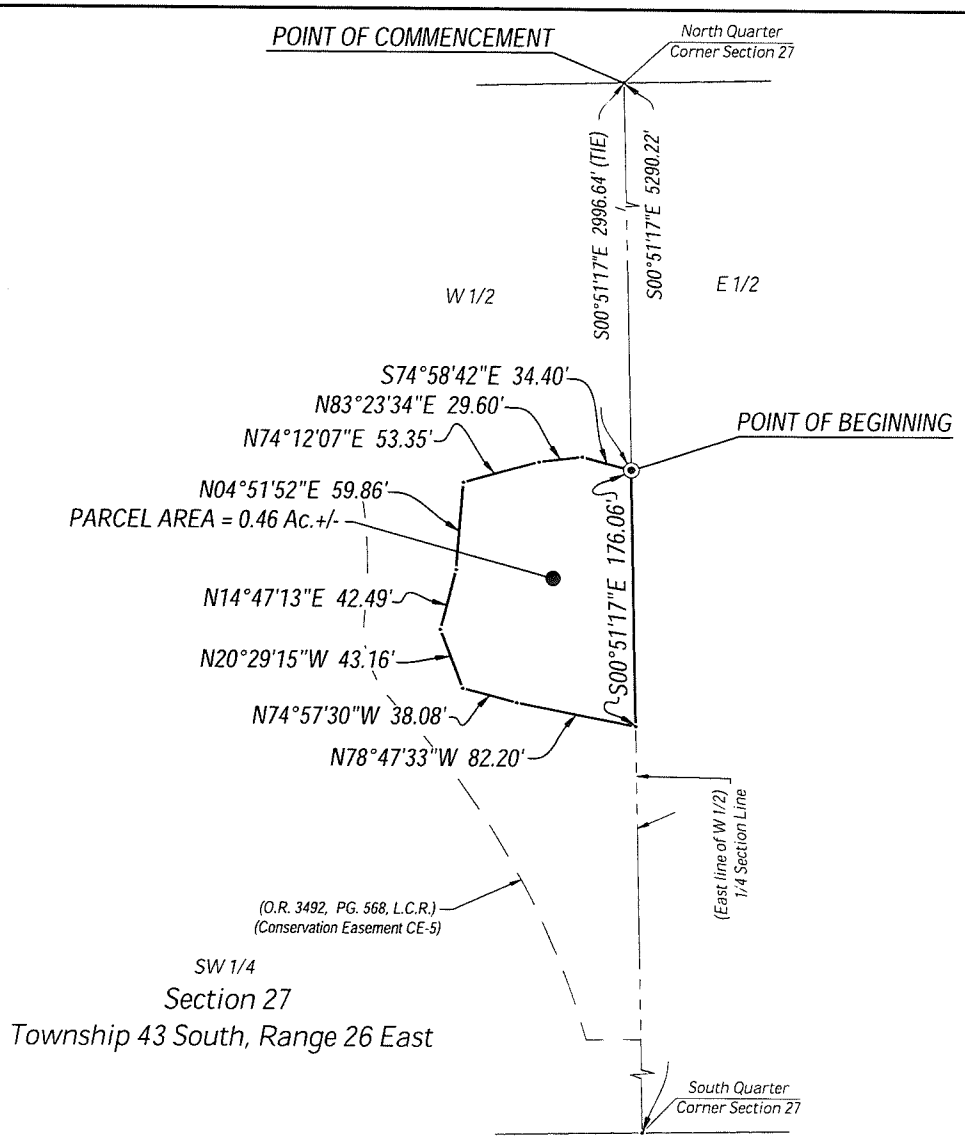
From said Point of Beginning continue S00°51'17"E along said East line for 176.06 feet; thence run N78°47'33"W for 82.20 feet; thence run N74°57'30"W for 38.08 feet; thence run N20°29'15"W for 43.16 feet; thence run N14°47'13"E for 42.49 feet; thence run N04°51'52"E for 59.86 feet; thence run N74°12'07"E for 53.35 feet; thence run N83°23'34"E for 29.60 feet; thence run S74°58'42"E for 34.40 feet to the POINT OF BEGINNING.

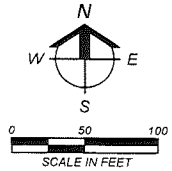
Containing 0.46 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP05desc.doc





NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2[illegible]
FORT MYERS, FLORIDA 33[illegible]
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-0[illegible]

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33[illegible]
PHONE (239) 274-0[illegible]
FAX (239) 274-0517

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY SCOTT A. WHEELER ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

TEXT NAME	[illegible]
LAYOUT	2
LOCATION	J:\[illegible]
PLOT DATE	[illegible]
PLOT BY	[illegible]

DRAWING DATA

SURVEY DATE	02-20-2013
DRAWN BY	F. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-5)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22935 27-43-26	2 OF 2

DESCRIPTION

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

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

Commencing at the North Quarter Corner of said Section 27 run S00°51'17"E along the East line of the West Half (W 1/2) of said Section 27 for 2959.14 feet; thence run S89°08'43"W for 632.64 feet to the POINT OF BEGINNING.

From said Point of Beginning run S16°12'25"W for 52.96 feet; thence run S26°21'33"W for 63.73 feet; thence run S62°02'38"W for 56.37 feet; thence run S61°12'37"W for 53.88 feet; thence run S56°08'31"W for 101.95 feet; thence run S08°22'13"E for 93.15 feet; thence run S71°47'56"W for 43.20 feet; thence run S07°58'00"W for 53.73 feet; thence run S03°55'13"E for 52.52 feet; thence run S23°32'56"W for 39.67 feet; thence run S33°25'14"W for 38.53 feet; thence run S12°58'58"W for 45.24 feet; thence run N86°33'52"W for 71.08 feet; thence run S82°52'46"W for 51.39 feet; thence run S84°07'47"W for 39.78 feet; thence run N44°22'17"W for 72.20 feet; thence run N22°03'38"W for 29.19 feet; thence run N56°46'33"W for 20.04 feet to a point on a non-tangent curve and an intersection with the Westerly line of Conservation Easement CE-6, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run the following two (2) courses along said Westerly line: Northerly along an arc of a curve to the left of radius 645.00 feet (delta 21°47'32") (chord bearing N06°01'27"E) (chord 243.85 feet) for 245.32 feet to a point of tangency and N04°52'19"W for 6.34 feet; thence run N57°01'49"E for 68.01 feet; thence run N58°46'31"E for 66.22 feet; thence run N77°22'56"E for 23.42 feet; thence run N75°57'05"E for 48.96 feet; thence run N58°34'44"E for 57.60 feet; thence run N06°34'30"W for 23.84 feet; thence run N19°48'48"W for 37.23 feet; thence run N09°23'27"E for 49.27 feet; thence run N00°40'13"W for 39.12 feet; thence run N34°37'25"E for 43.37 feet; thence run S84°40'35"E for 121.47 feet; thence run N51°21'20"E for 36.42 feet; thence run N35°27'01"E for 41.38 feet; thence run S71°09'37"E for 38.61 feet; thence run S71°11'27"E for 40.00 feet; thence run S21°19'07"W for 49.11 feet; thence run S29°59'52"E for 76.02 feet to the POINT OF BEGINNING.

Containing 4.01 acres, more or less.

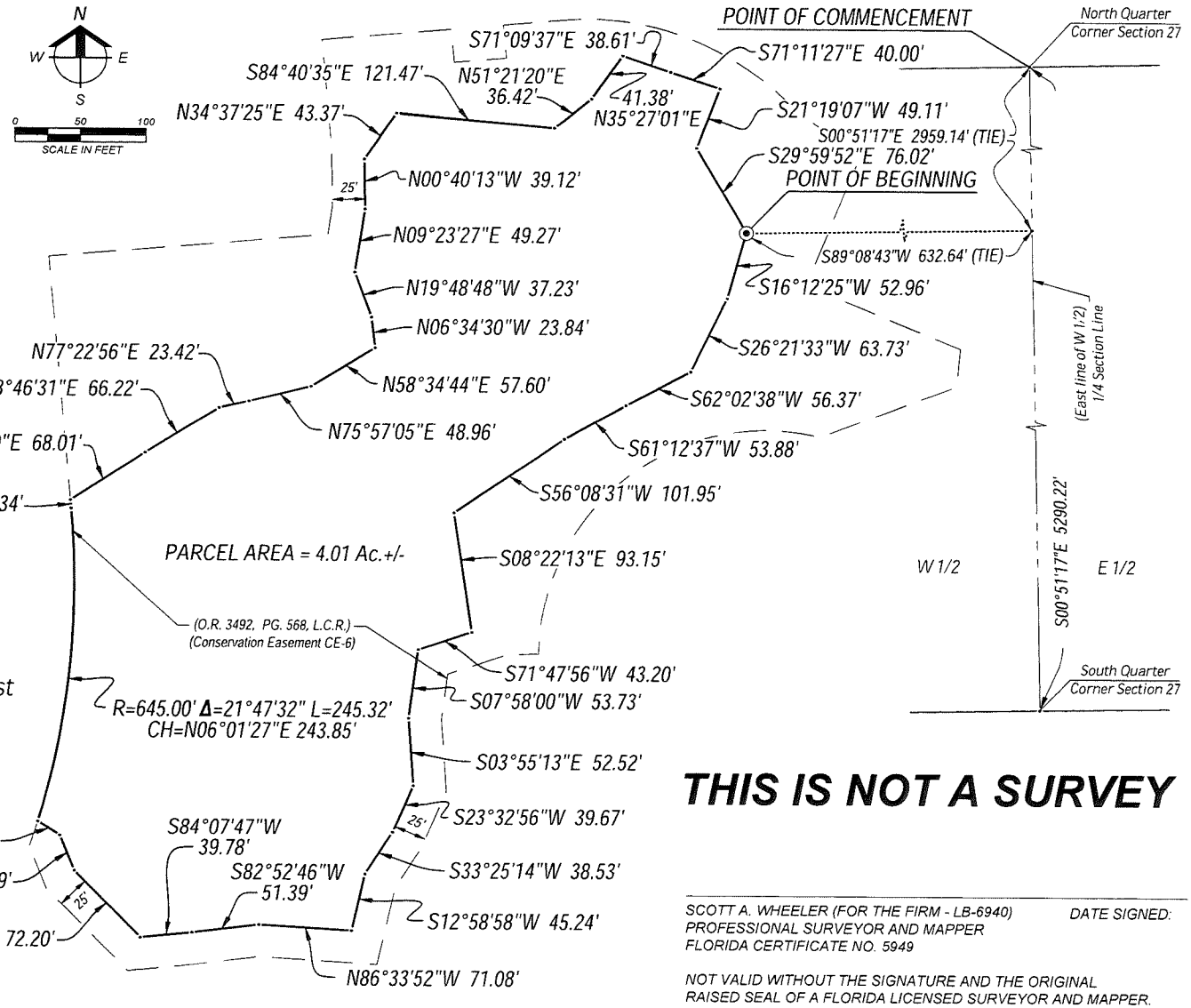
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the East line of the West Half (W 1/2) of said Section 27 to bear S00°51'17"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP06desc.doc

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE WEST HALF OF SECTION 27 TO BEAR S00°51'17"E.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3173
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB- 3940

THIS PARCEL OF LAND IS NOT IN SUBDIVISION

LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33913
PHONE (239) 274-0311
FAX (239) 274-0317

PROJECT IN ASSOCIATION

A Parcel of Land in Section 27 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

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

FILE NAME	
LAYOUT	
LOCATION	
PLOTTED	
PLOT BY	

DRAWING DATA

SURVEY DATE	08-13-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-6)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO	SHEET NUMBER
23955	2 OF 2

DESCRIPTION

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

A tract or parcel of land lying in Tract "E-1" of "River Hall Country Club, Phase One", as recorded in Instrument No. 2005000153068, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 27 run S89°10'13"W along the South line of the Southeast Quarter (SE 1/4) of said Section 27 for 1516.97 feet; thence run N00°49'47"W for 175.54 feet to the POINT OF BEGINNING.

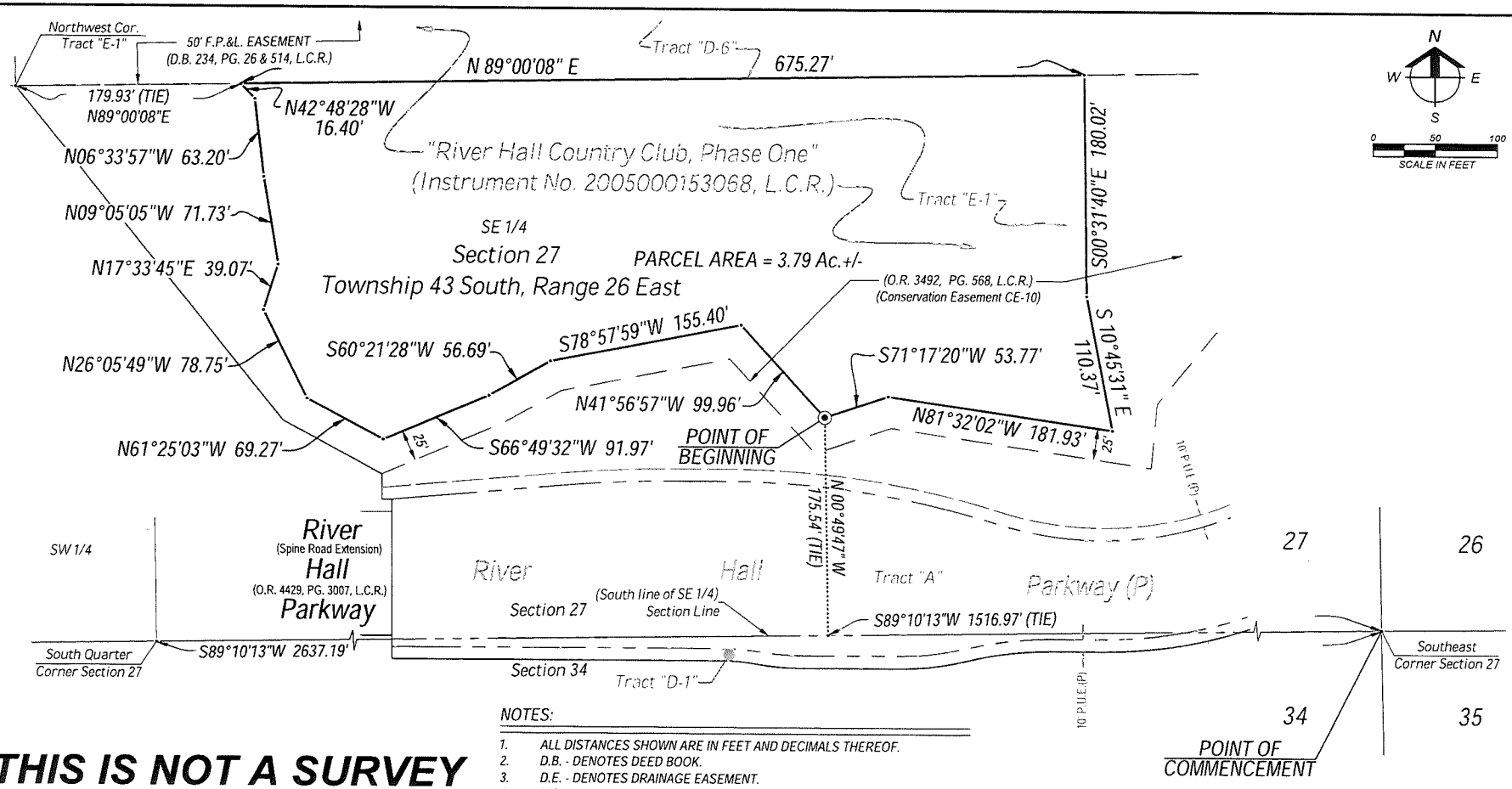
From said Point of Beginning run N41°56'57"W for 99.96 feet; thence run S78°57'59"W for 155.40 feet; thence run S60°21'28"W for 56.69 feet; thence run S66°49'32"W for 91.97 feet; thence run N61°25'03"W for 69.27 feet; thence run N26°05'49"W for 78.75 feet; thence run N17°33'45"E for 39.07 feet; thence run N09°05'05"W for 71.73 feet; thence run N06°33'57"W for 63.20 feet; thence run N42°48'28"W for 16.40 feet to an intersection with the Northerly line of said Tract "E-1"; thence run N89°00'08"E along said Northerly line for 675.27 feet; thence run S00°31'40"E for 180.02 feet; thence run S10°45'31"E for 110.37 feet; thence run N81°32'02"W for 181.93 feet; thence run S71°17'20"W for 53.77 feet to the POINT OF BEGINNING.

Containing 3.79 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 27 to bear S89°10'13"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP07desc.doc



THIS IS NOT A SURVEY

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

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

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2100
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

LandMar GROUP, LLC

2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE ONE

INSTRUMENT #2005000153068
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 26, 27, 34, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROFESSIONAL SURVEYOR

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

LEE MAP	
LAYOUT	
LOCATION	
PLOT DATE	
PLOT BY	

DRAWING DATA

SURVEY DATE	01-23-2013
DRAWN BY	F. OLDEL
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (P-E-1a) #1

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
22955 27-43-26	2 OF 2

DESCRIPTION

Parcel in
Sections 27 & 34
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase One", as recorded in Instrument No. 2005000153068, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 27 run S89°10'13"W along the South line of the Southeast Quarter (SE 1/4) of said Section 27 for 511.66 feet; thence run N00°49'47"W for 165.27 feet to the POINT OF BEGINNING.

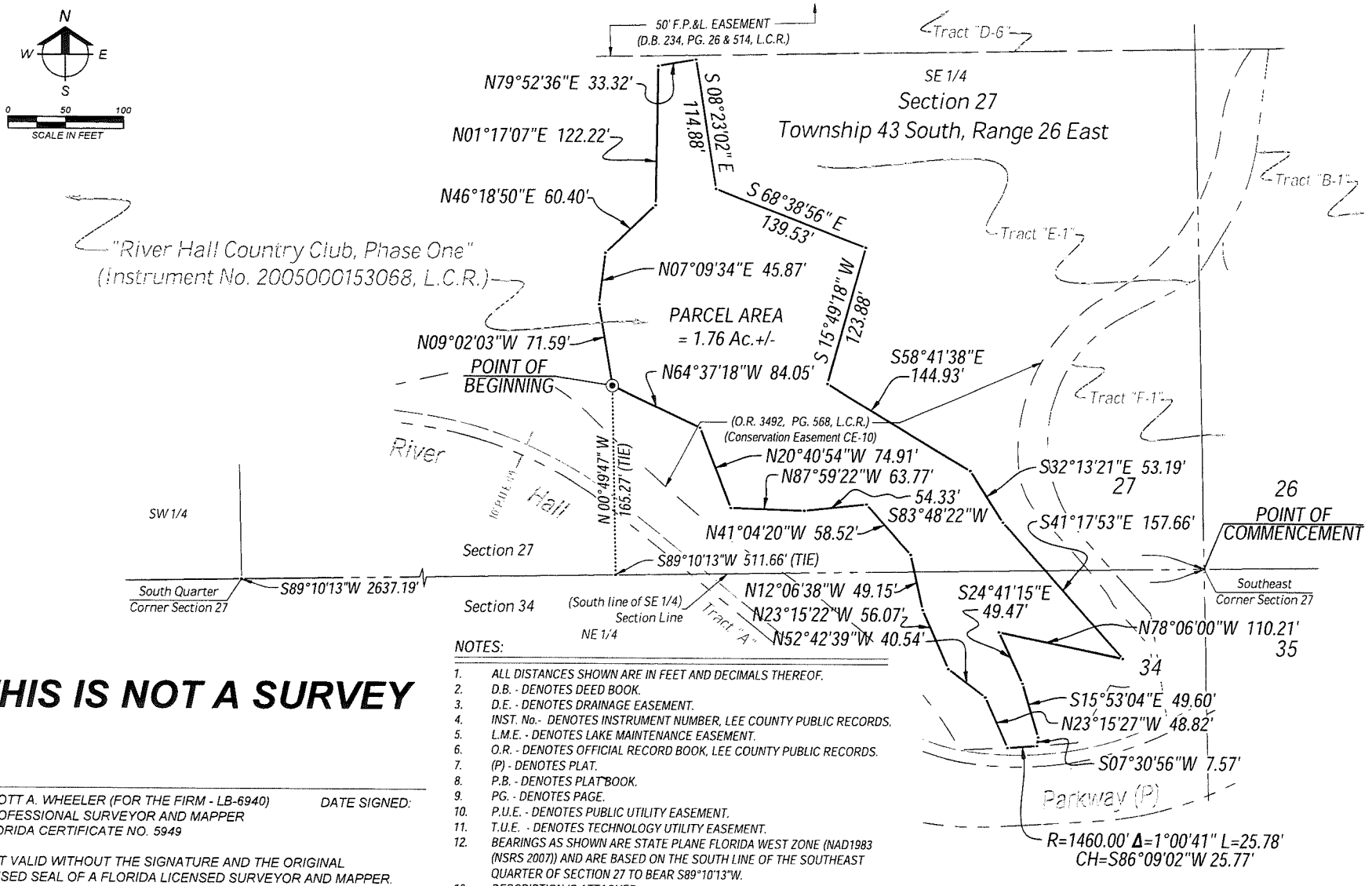
From said Point of Beginning run N09°02'03"W for 71.59 feet; thence run N07°09'34"E for 45.87 feet; thence run N46°18'50"E for 60.40 feet; thence run N01°17'07"E for 122.22 feet; thence run N79°52'36"E for 33.32 feet; thence run S08°23'02"E for 114.88 feet; thence run S68°38'56"E for 139.53 feet; thence run S15°49'18"W for 123.88 feet; thence run S58°41'38"E for 144.93 feet; thence run S32°13'21"E for 53.19 feet; thence run S41°17'53"E for 157.66 feet; thence run N78°06'00"W for 110.21 feet; thence run S24°41'15"E for 49.47 feet; thence run S15°53'04"E for 49.60 feet; thence run S07°30'56"W for 7.57 feet to a point on a non-tangent curve and an intersection with the Southerly line of Conservation Easement CE-10, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run Westerly along said Southerly line and along an arc of a curve to the right of radius 1,460.00 feet (delta 01°00'41") (chord bearing S86°09'02"W) (chord 25.77 feet) for 25.78 feet; thence run N23°15'27"W for 48.82 feet; thence run N52°42'39"W for 40.54 feet; thence run N23°15'22"W for 56.07 feet; thence run N12°06'38"W for 49.15 feet; thence run N41°04'20"W for 58.52 feet; thence run S83°48'22"W for 54.33 feet; thence run N87°59'22"W for 63.77 feet; thence run N20°40'54"W for 74.91 feet; thence run N64°37'18"W for 84.05 feet to the POINT OF BEGINNING.

Containing 1.76 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 27 to bear S89°10'13"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP08desc.doc



THIS IS NOT A SURVEY

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

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

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 27 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
POST OFFICE DRAWER 0-00
FORT MYERS, FLORIDA 33902-0900
PHONE (239) 461-3170
FAX (239) 461-3171
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

LandMar GROUP, LLC
24411 RIVER HALL PARKWAY
BONITA SPRINGS, FLORIDA 34135
PHONE (239) 274-0321
FAX (239) 274-0517

RIVER HALL COUNTRY CLUB, PHASE ONE

INSTRUMENT #2005000153068
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 26, 27, 34, 35 IN TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

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

FIELD NAME	TOPOGRAPHY
TAX OUT	?
LOCATION	[illegible]
PLOT DATE	WED 12/5/2012 4:21 PM
PLOT BY	PETER NEWMAN

DRAWING DATA

SURVEY DATE	09-21-2012
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN PLOTTED

STRAP NUMBERS

WETLAND PRESERVE (CE-10) BOUNDARY

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
12055 12-43-26	2 OF 2

DESCRIPTION

Parcel in
Sections 34 & 35
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "M" of "Hampton Lakes at River Hall, Phase One", as recorded in Instrument No. 2005000153004, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 34 run S89°10'13"W along the North line of the Northeast Quarter (NE 1/4) of said Section 34 for 201.75 feet; thence run S00°49'47"E for 236.23 feet to an intersection with the Northerly line of Conservation Easement CE-11, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records and the POINT OF BEGINNING.

From said Point of Beginning run Easterly along said Northerly line and along an arc of a curve to the left of radius 1,540.00 feet (delta 02°39'35") (chord bearing N86°30'04"E) (chord 71.48 feet) for 71.49 feet; thence run S38°34'30"E for 26.17 feet; thence run S09°33'46"W for 69.65 feet; thence run S06°31'09"E for 55.96 feet; thence run S29°42'31"E for 44.53 feet; thence run S02°17'33"E for 86.17 feet; thence run S11°21'53"E for 83.30 feet; thence run S64°36'53"E for 144.97 feet; thence run S55°20'07"E for 63.03 feet; thence run S01°00'48"W for 61.63 feet; thence run S43°32'55"E for 51.06 feet; thence run N53°53'33"E for 106.01 feet; thence run S63°15'22"E for 53.92 feet; thence run S79°57'06"E for 50.60 feet; thence run N24°27'32"E for 62.50 feet; thence run N74°46'00"E for 52.40 feet; thence run N52°58'28"E for 100.50 feet; thence run N26°19'39"E for 50.01 feet; thence run N48°11'52"E for 100.23 feet; thence run N61°08'39"E for 57.02 feet; thence run N56°11'45"E for 90.62 feet; thence run N80°45'12"E for 35.04 feet; thence run N73°28'00"E for 56.87 feet to a point on a non-tangent curve and an intersection with said Northerly line of Conservation Easement CE-11; thence run the following two (2) courses along said Northerly line: Easterly along an arc of a curve to the right of radius 650.95 feet (delta 08°40'54") (chord bearing S88°03'17"E) (chord 98.54 feet) for 98.63 feet and N89°28'53"E for 44.45 feet; thence run S39°44'31"E for 32.27 feet; thence run N89°28'53"E for 112.09 feet; thence run N85°58'56"E for 72.48 feet; thence run S87°14'01"E for 66.84 feet; thence run S45°39'24"E for 82.81 feet; thence run S72°13'42"E for 79.25 feet; thence run S45°09'49"E for 73.75 feet; thence run S39°42'41"E for 98.34 feet; thence run S69°13'46"E for 77.18 feet; thence run S69°02'43"E for 129.75 feet; thence run S85°53'07"E for 66.99 feet; thence run S14°40'37"E for 67.78 feet; thence run N89°41'00"E for 130.67 feet; thence run S01°26'15"E for 52.58 feet; thence run S14°17'50"W for 62.00 feet; thence run S38°28'24"W for 102.92 feet; thence run S56°01'13"W for 65.66 feet;

DESCRIPTION (Cont.)

thence run S43°31'21"W for 47.22 feet; thence run S33°28'05"E for 84.66 feet; thence run S42°31'58"W for 96.25 feet; thence run S20°46'22"E for 116.19 feet; thence run N45°52'44"E for 106.12 feet; thence run S43°43'52"E for 80.69 feet; thence run S41°48'34"E for 42.65 feet; thence run S19°19'23"E for 144.67 feet; thence run S29°53'23"E for 101.12 feet; thence run S01°46'45"E for 112.31 feet; thence run S42°51'02"W for 55.37 feet; thence run S50°07'59"W for 86.19 feet; thence run S88°04'29"W for 88.69 feet; thence run N34°08'00"W for 65.92 feet; thence run N58°07'43"W for 84.40 feet; thence run N53°21'41"W for 92.56 feet; thence run N69°31'58"W for 55.14 feet; thence run S60°54'25"W for 59.72 feet; thence run S19°41'26"E for 123.99 feet; thence run S21°40'14"E for 80.55 feet; thence run S15°34'11"E for 83.63 feet; thence run S52°23'06"E for 58.97 feet; thence run N71°43'53"W for 61.80 feet; thence run S68°30'35"W for 70.60 feet; thence run S35°39'11"W for 81.03 feet; thence run S19°35'25"W for 35.12 feet; thence run S00°46'58"E for 87.33 feet; thence run S23°52'12"E for 54.84 feet to an intersection with the Southerly line of said Tract "M"; thence run S63°13'10"W along said Southerly line for 151.26 feet; thence run N45°49'22"W for 70.18 feet; thence run N81°28'11"W for 63.24 feet; thence run S56°09'54"W for 54.07 feet; thence run S44°31'05"W for 104.74 feet; thence run S27°42'22"W for 39.99 feet; thence run N60°35'50"W for 69.50 feet; thence run N42°17'16"E for 47.73 feet; thence run N17°06'19"W for 79.85 feet; thence run N25°21'33"E for 70.28 feet; thence run N53°28'48"E for 71.92 feet; thence run N11°56'52"E for 71.75 feet; thence run N19°52'44"W for 73.44 feet; thence run N14°38'58"E for 54.23 feet; thence run N39°55'34"E for 141.90 feet; thence run N41°19'59"E for 95.15 feet; thence run N51°06'26"E for 93.34 feet; thence run N35°52'04"E for 115.93 feet; thence run N56°23'11"E for 78.11 feet; thence run N40°23'31"W for 169.80 feet; thence run N03°26'12"W for 105.53 feet; thence run N43°37'31"E for 3.42 feet; thence run N64°12'23"W for 86.55 feet; thence run N66°09'35"W for 131.30 feet; thence run N55°49'29"W for 87.26 feet; thence run N85°22'30"W for 115.03 feet; thence run S77°57'33"W for 67.68 feet; thence run S87°34'54"W for 85.70 feet; thence run S75°24'52"W for 108.42 feet; thence run S77°58'20"W for 41.54 feet; thence run S71°40'44"W for 80.50 feet; thence run S31°15'52"W for 96.72 feet; thence run S13°58'50"E for 83.61 feet; thence run S35°49'23"W for 48.66 feet; thence run N69°46'03"W for 54.01 feet; thence run S30°13'50"W for 47.54 feet; thence run S17°30'17"W for 132.82 feet; thence run N78°06'11"W for 80.29 feet; thence run N65°32'21"W for 80.72 feet; thence run N53°06'05"W for 104.78 feet; thence run S01°36'27"W for 127.09 feet; thence run S41°29'16"E for 75.84 feet; thence run S57°09'10"E for 54.52 feet; thence run S16°20'41"E for 52.97 feet; thence run S00°21'56"E for 45.85 feet;

DESCRIPTION (Cont.)

thence run S34°43'17"E for 63.20 feet; thence run S00°41'29"E for 135.23 feet; thence run S07°09'57"E for 55.65 feet; thence run S57°53'50"E for 46.12 feet; thence run S68°49'28"E for 62.20 feet; thence run S78°57'23"E for 96.80 feet; thence run N47°11'10"E for 71.68 feet; thence run S68°31'16"E for 69.59 feet; thence run S76°33'01"E for 39.88 feet; thence run S56°04'49"E for 78.88 feet; thence run S38°04'52"E for 87.95 feet; thence run S35°09'16"E for 101.80 feet; thence run S41°22'40"E for 84.85 feet; thence run N82°57'41"E for 87.66 feet; thence run S60°35'50"E for 69.50 feet; thence run S62°02'54"W for 71.03 feet; thence run S28°12'39"W for 38.10 feet; thence run S52°49'22"W for 50.40 feet to a point on a non-tangent curve and an intersection with the Southerly line of said Tract "M"; thence run the following three (3) courses along said Southerly line: Northwesterly along an arc of a curve to the right of radius 980.00 feet (delta 15°28'21") (chord bearing N58°25'15"W) (chord 263.84 feet) for 264.65 feet to a point of reverse curvature; Northwesterly along an arc of a curve to the left of radius 1,345.00 feet (delta 12°24'26") (chord bearing N56°53'18"W) (chord 290.69 feet) for 291.26 feet to a point of compound curvature and Northwesterly along an arc of a curve to the left of radius 1,045.00 feet (delta 05°09'09") (chord bearing N65°40'05"W) (chord 93.94 feet) for 93.97 feet; thence run N59°57'14"W for 47.99 feet; thence run N60°52'32"W for 47.49 feet; thence run N81°42'18"W for 89.29 feet; thence run N55°16'50"W for 67.40 feet; thence run N25°34'00"W for 67.97 feet; thence run N13°01'14"E for 59.43 feet; thence run N00°21'09"W for 54.39 feet; thence run N20°10'54"W for 63.73 feet; thence run N68°30'47"W for 38.70 feet; thence run S27°05'03"W for 73.99 feet; thence run S70°17'22"W for 86.97 feet; thence run S89°02'36"W for 62.82 feet; thence run S47°56'16"W for 47.30 feet; thence run S41°02'27"W for 43.78 feet; thence run N76°05'18"W for 58.73 feet; thence run S29°53'56"W for 54.80 feet; thence run S19°09'24"W for 88.11 feet; thence run S80°26'32"W for 55.51 feet; thence run S60°06'51"W for 60.26 feet; thence run N86°44'12"W for 131.29 feet; thence run S89°53'41"W for 67.31 feet; thence run S78°55'08"W for 89.97 feet; thence run S50°49'15"W for 84.97 feet; thence run S44°59'35"W for 45.99 feet to a point on a non-tangent curve and an intersection with the Southerly line of said Tract "M"; thence run Westerly along said Southerly line and along an arc of a curve to the right of radius 1,605.00 feet (delta 12°18'33") (chord bearing N87°30'02"W) (chord 344.15 feet) for 344.81 feet; thence run N13°23'03"W for 25.82 feet; thence run N49°34'12"W for 92.28 feet; thence run S82°55'24"W for 75.03 feet; thence run S41°09'04"W for 48.96 feet to a point on a non-tangent curve and an intersection with the Southerly line of said Tract "M"; thence run Westerly along said Southerly line and along an arc of a curve to the right of radius 1,605.00 feet (delta 00°39'03") (chord bearing N74°20'31"W) (chord 18.23 feet) for 18.23 feet;

DESCRIPTION (Cont.)

thence run N40°15'41"E for 56.09 feet; thence run N16°45'04"E for 59.33 feet; thence run N21°14'22"E for 102.75 feet; thence run N01°02'58"W for 94.08 feet; thence run N08°09'45"E for 85.07 feet; thence run N23°28'04"E for 71.93 feet; thence run N45°02'56"E for 54.05 feet; thence run N54°57'04"E for 94.04 feet; thence run N10°31'08"E for 61.74 feet; thence run N05°18'19"W for 66.99 feet; thence run N38°14'48"W for 65.61 feet; thence run S09°51'02"W for 84.51 feet; thence run S24°18'45"W for 47.34 feet; thence run S59°13'40"W for 56.54 feet; thence run S88°19'04"W for 75.96 feet; thence run N51°50'39"W for 59.61 feet; thence run N17°36'42"E for 44.84 feet; thence run N16°58'23"W for 34.40 feet; thence run N54°54'20"W for 67.60 feet; thence run S84°42'33"W for 98.72 feet; thence run N83°32'36"W for 62.01 feet; thence run N83°29'40"W for 47.07 feet; thence run S79°52'24"W for 95.58 feet; thence run N88°57'47"W for 79.07 feet; thence run S61°33'55"W for 48.32 feet; thence run S63°45'42"W for 79.78 feet; thence run S81°20'28"W for 79.41 feet; thence run N82°10'43"W for 74.38 feet to a point on a non-tangent curve; thence run Westerly along an arc of a curve to the left of radius 219.59 feet (delta 07°00'45") (chord bearing N67°19'57"W) (chord 26.86 feet) for 26.88 feet; thence run S80°57'38"W for 44.52 feet to a point on a non-tangent curve and an intersection with the Southerly line of said Tract "M"; thence run Northwesterly along said Southerly line and along an arc of a curve to the right of radius 213.20 feet (delta 28°46'12") (chord bearing N44°24'59"W) (chord 105.93 feet) for 107.05 feet; thence run N09°47'51"W for 32.34 feet; thence run N02°43'37"E for 88.01 feet; thence run N19°31'01"E for 95.45 feet; thence run N34°52'03"E for 140.95 feet; thence run N27°46'54"E for 59.19 feet; thence run S72°20'12"E for 78.89 feet; thence run S81°21'35"E for 47.25 feet; thence run S72°41'39"E for 75.96 feet; thence run S78°47'42"E for 88.01 feet; thence run N63°59'52"E for 83.67 feet; thence run N31°10'35"E for 40.63 feet; thence run S72°32'41"E for 26.77 feet; thence run S27°41'18"E for 74.27 feet; thence run S78°25'35"E for 53.33 feet; thence run S15°45'58"W for 45.86 feet; thence run S04°07'45"E for 49.78 feet; thence run S24°53'14"E for 110.36 feet; thence run S83°09'57"E for 46.16 feet; thence run N15°18'24"E for 68.93 feet; thence run N01°18'50"W for 51.36 feet; thence run N48°23'39"E for 79.21 feet; thence run N45°25'54"E for 98.78 feet; thence run S79°36'16"E for 145.77 feet; thence run S78°42'40"E for 95.57 feet; thence run S30°10'43"E for 51.79 feet; thence run S50°41'57"E for 52.92 feet; thence run S21°27'28"E for 101.40 feet; thence run S54°45'11"E for 87.92 feet; thence run S57°35'03"E for 89.98 feet; thence run S63°29'14"E for 87.66 feet; thence run S78°38'22"E for 64.55 feet; thence run N27°00'06"E for 82.51 feet; thence run N24°52'34"E for 43.19 feet; thence run N31°11'45"E for 86.42 feet; thence run N68°29'00"E for 72.37 feet; thence run N48°17'07"E for 36.45 feet; thence run N81°54'56"E for 77.93 feet;

DESCRIPTION (Cont.)

thence run N89°00'46"E for 65.18 feet; thence run N72°14'43"E for 70.79 feet; thence run N04°24'51"W for 54.50 feet; thence run N18°38'23"W for 42.27 feet; thence run N55°41'43"W for 65.18 feet; thence run N53°43'17"W for 41.94 feet; thence run N42°48'41"W for 63.12 feet; thence run N56°43'49"W for 51.21 feet; thence run N17°35'21"W for 55.45 feet; thence run N25°42'13"W for 73.99 feet; thence run N17°43'02"W for 39.35 feet; thence run N11°52'06"W for 47.40 feet; thence run N19°49'27"W for 49.92 feet; thence run N15°08'41"W for 32.68 feet; thence run N63°31'37"W for 47.02 feet; thence run N57°24'55"W for 46.89 feet; thence run N36°17'16"W for 22.76 feet; thence run N25°36'06"E for 56.52 feet; thence run N00°38'30"W for 50.11 feet; thence run N02°35'27"E for 28.13 feet; thence run N02°20'38"W for 42.42 feet; thence run N46°33'51"E for 49.10 feet; thence run N59°50'31"E for 43.69 feet; thence run N72°00'15"E for 68.98 feet; thence run N61°56'47"E for 23.22 feet; thence run N87°31'50"E for 64.87 feet; thence run S61°34'39"E for 37.35 feet; thence run N62°41'24"E for 39.96 feet; thence run N60°58'25"E for 82.35 feet; thence run N12°52'11"E for 14.31 feet to the POINT OF BEGINNING.
Containing 80.76 acres, more or less.

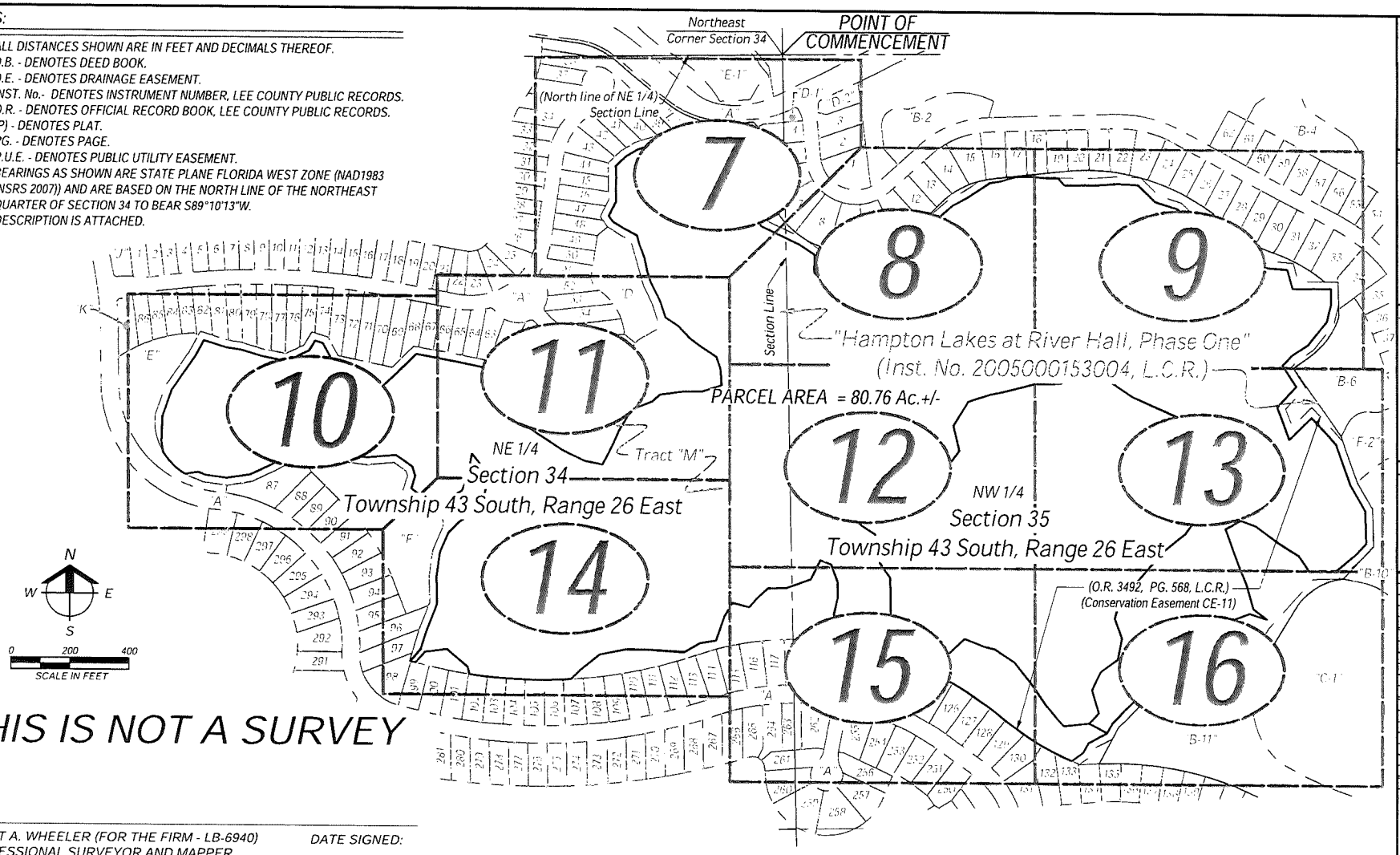
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the North Line of the Northeast Quarter (NE 1/4) of said Section 34 to bear S89°10'13"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP09desc.doc

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net

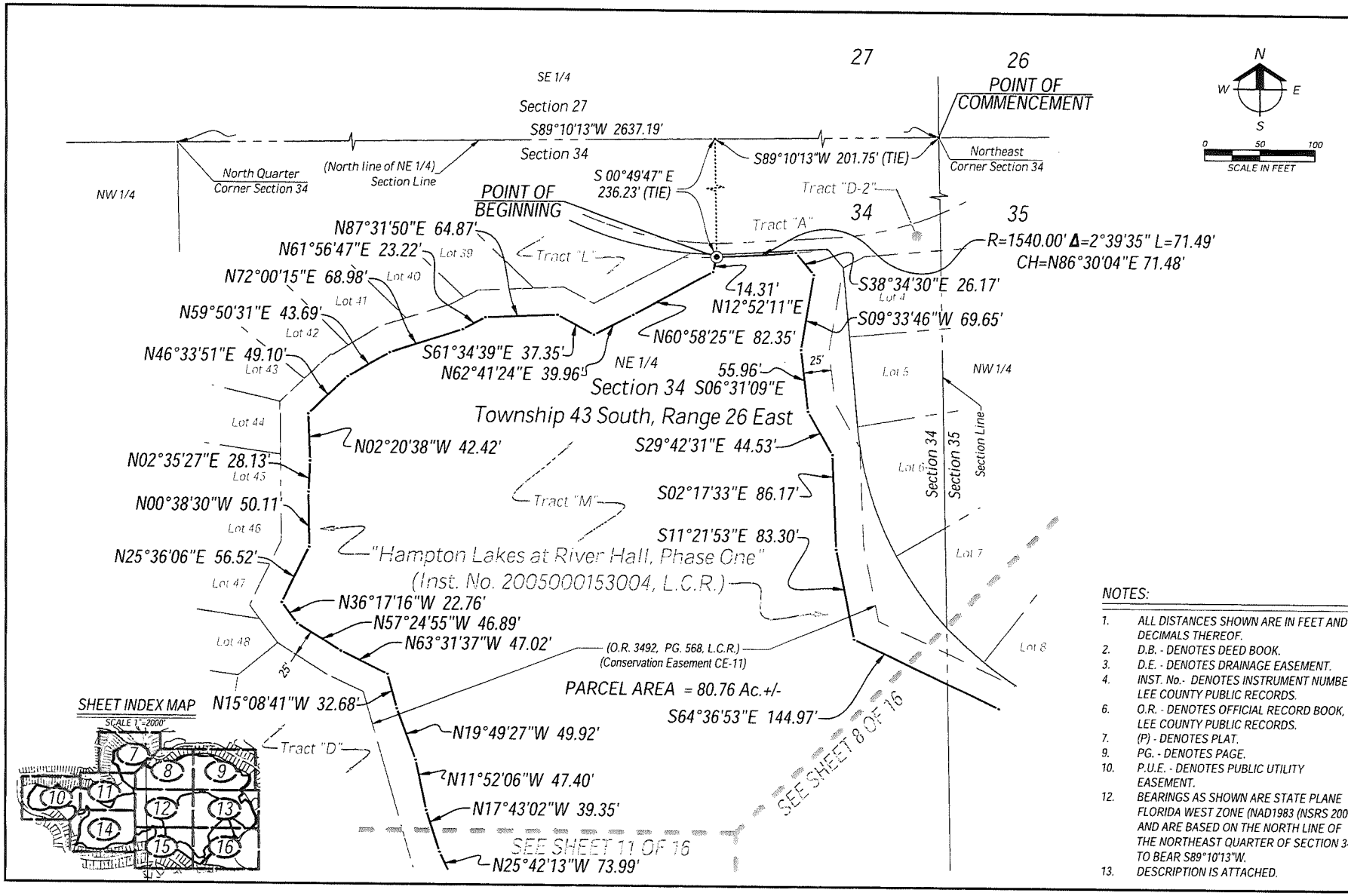
LandMar GROUP, LLC

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

SUBDIVISION LOCATED IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net

LandMar GROUP, LLC

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 & 35, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

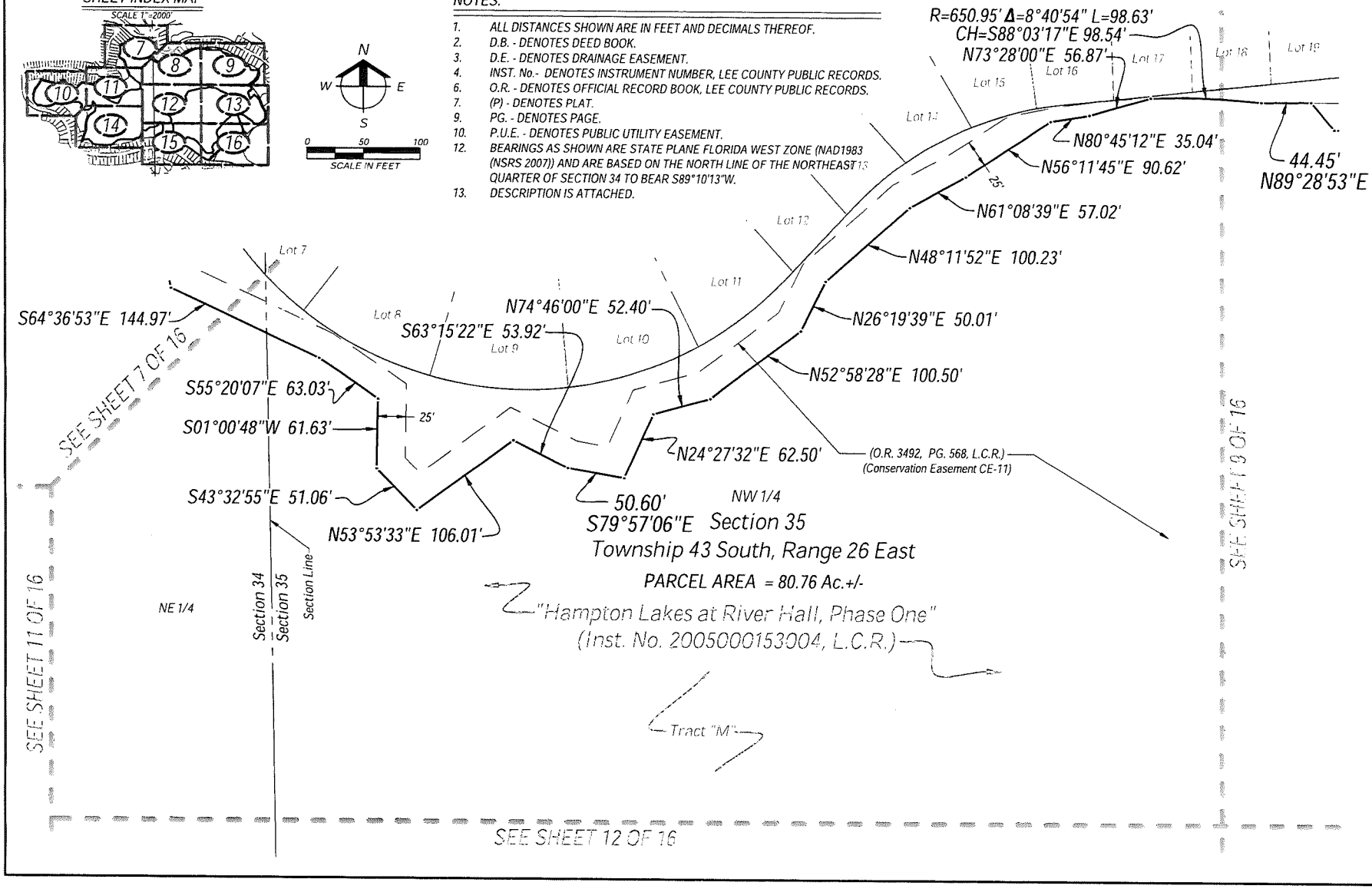
SKETCH TO ACCOMPANY DESCRIPTION

SHEET INDEX MAP

SCALE 1"=2000'

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
FORT MYERS, FLORIDA 33901
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATE OF AUTHORIZATION
ENGINEERING 2991 - SURVEYING LB6989

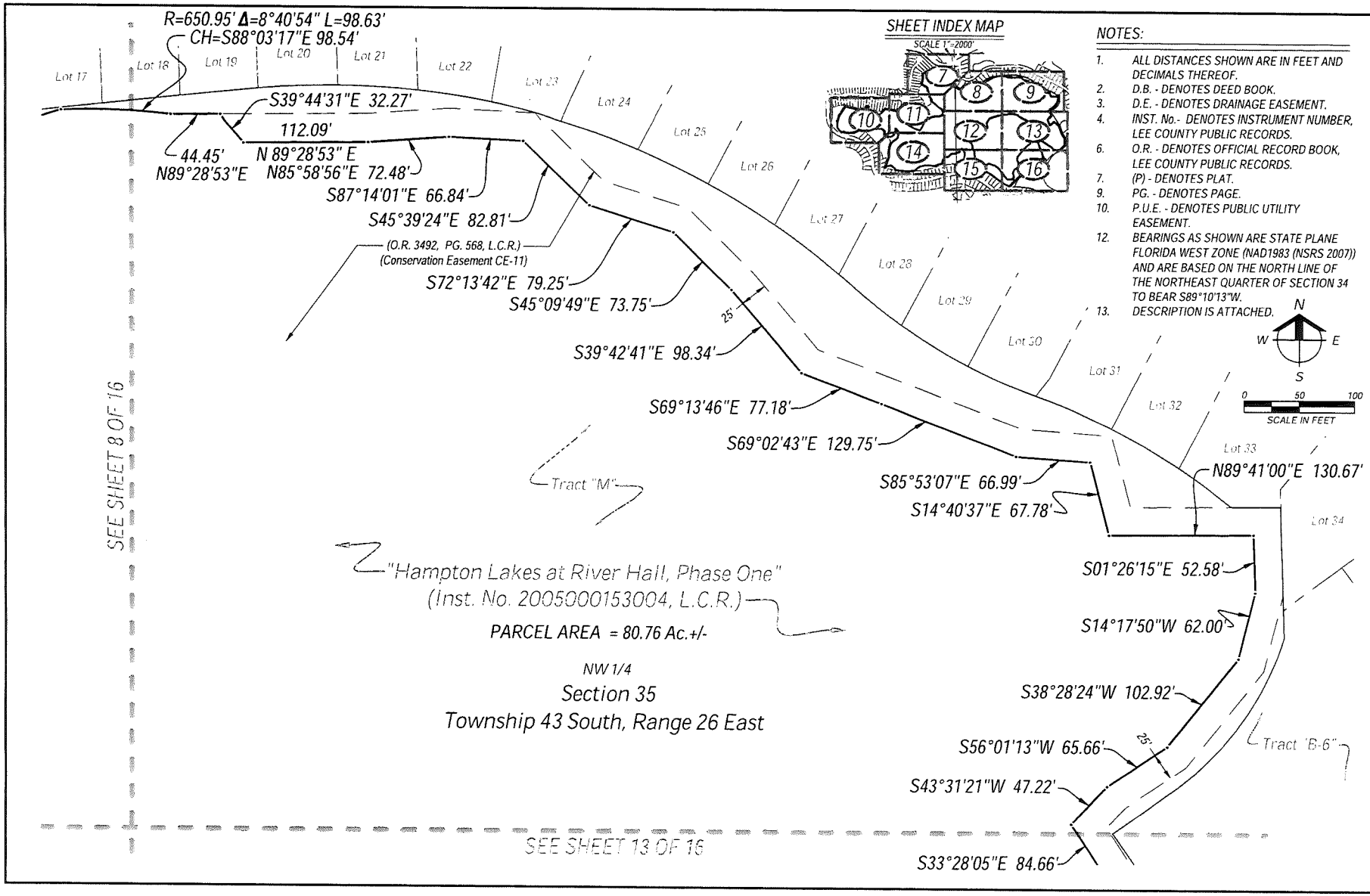
LandMar GROUP, LLC
2481 PRIEST HALL PARK WAY
ALVA, FLORIDA 33920
PHONE (239) 274-0932
FAX (239) 274-0933

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net

LandMar GROUP, LLC

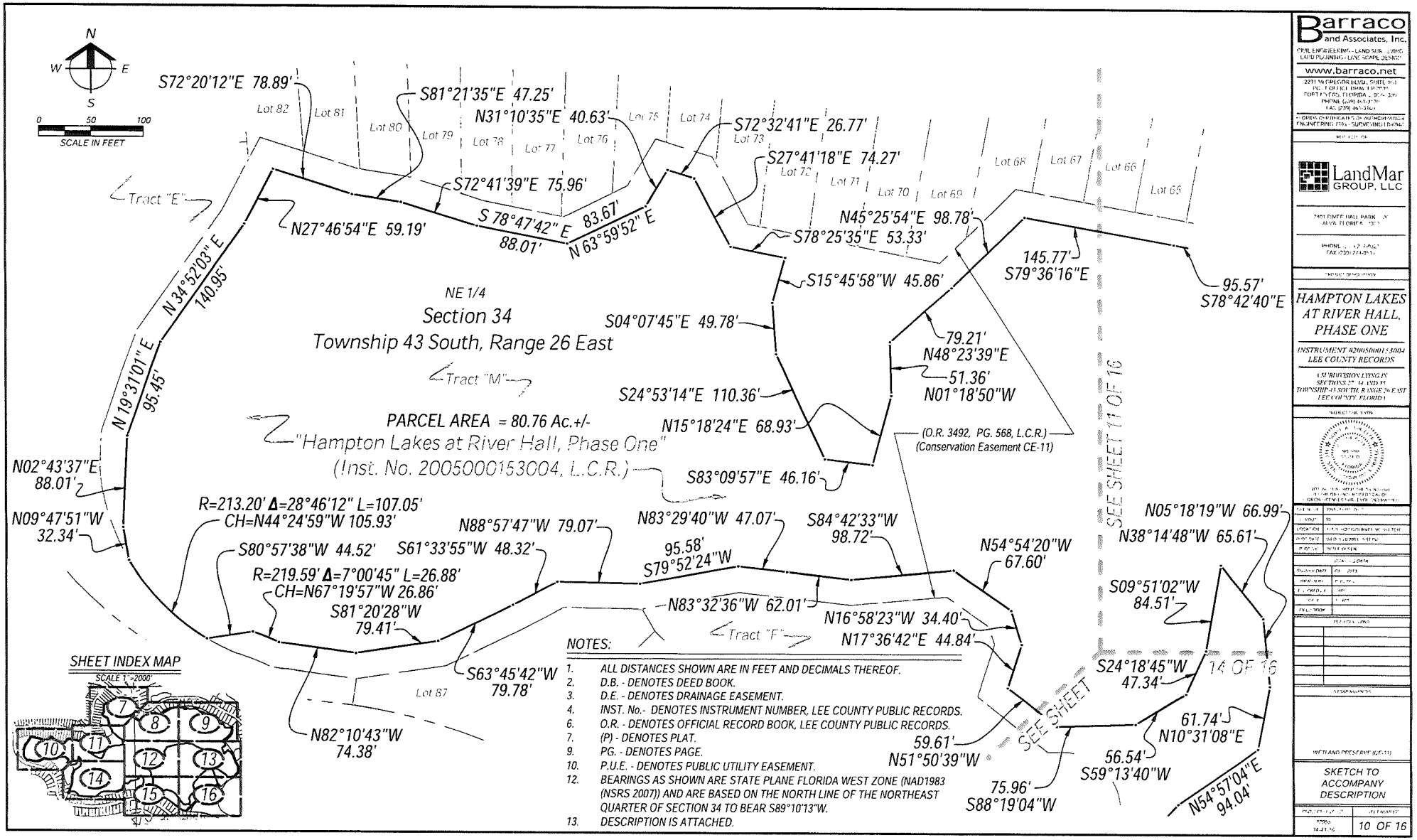
HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTION 35, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

9 OF 16



SHEET INDEX MAP

SCALE 1" = 2000'

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LOT SCAPE DESIGN
www.barraco.net

LandMar GROUP, LLC

HAMPTON LAKES AT RIVER HALL, PHASE ONE

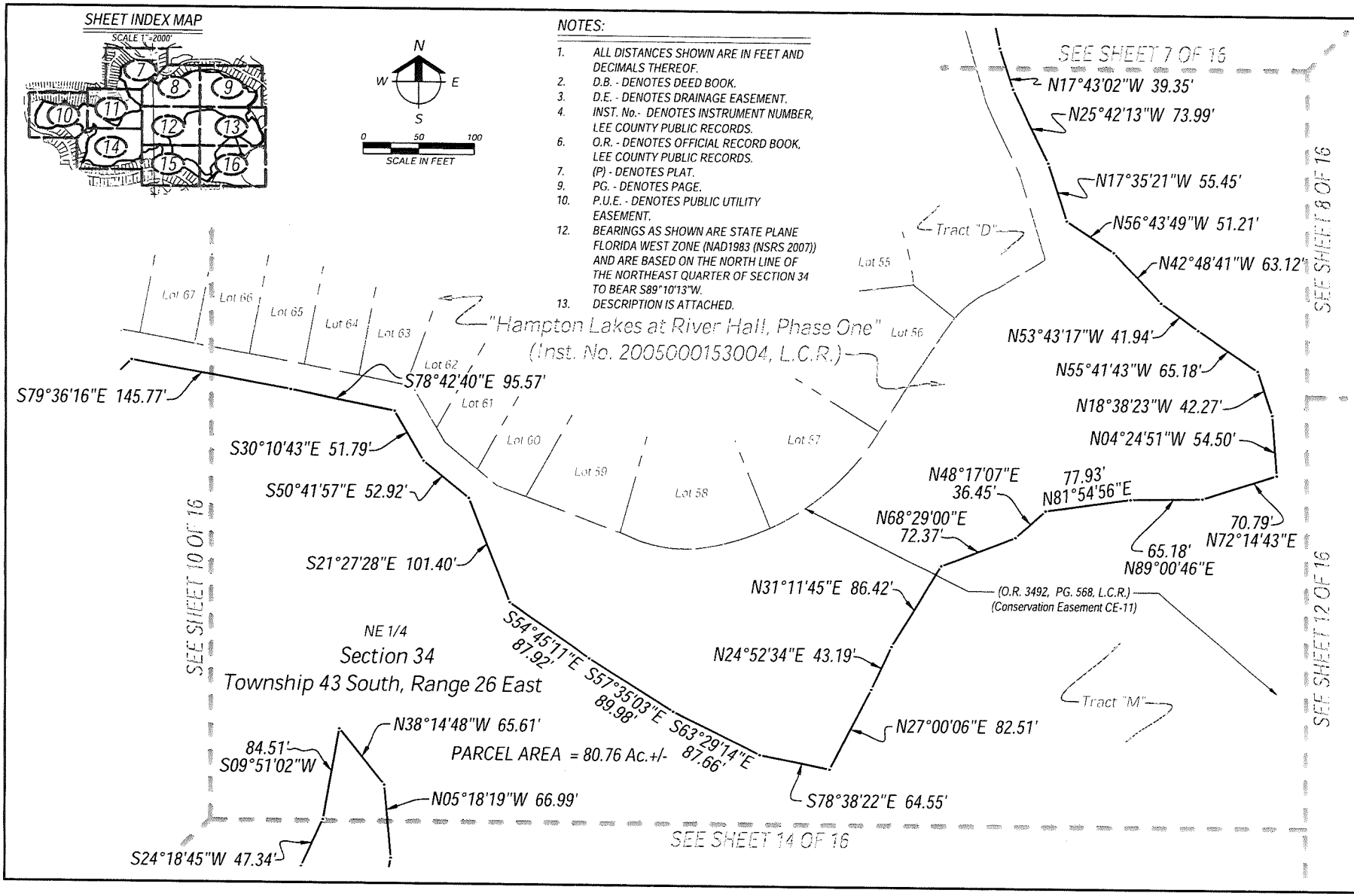
INSTRUMENT #2005000153004 LEE COUNTY RECORDS

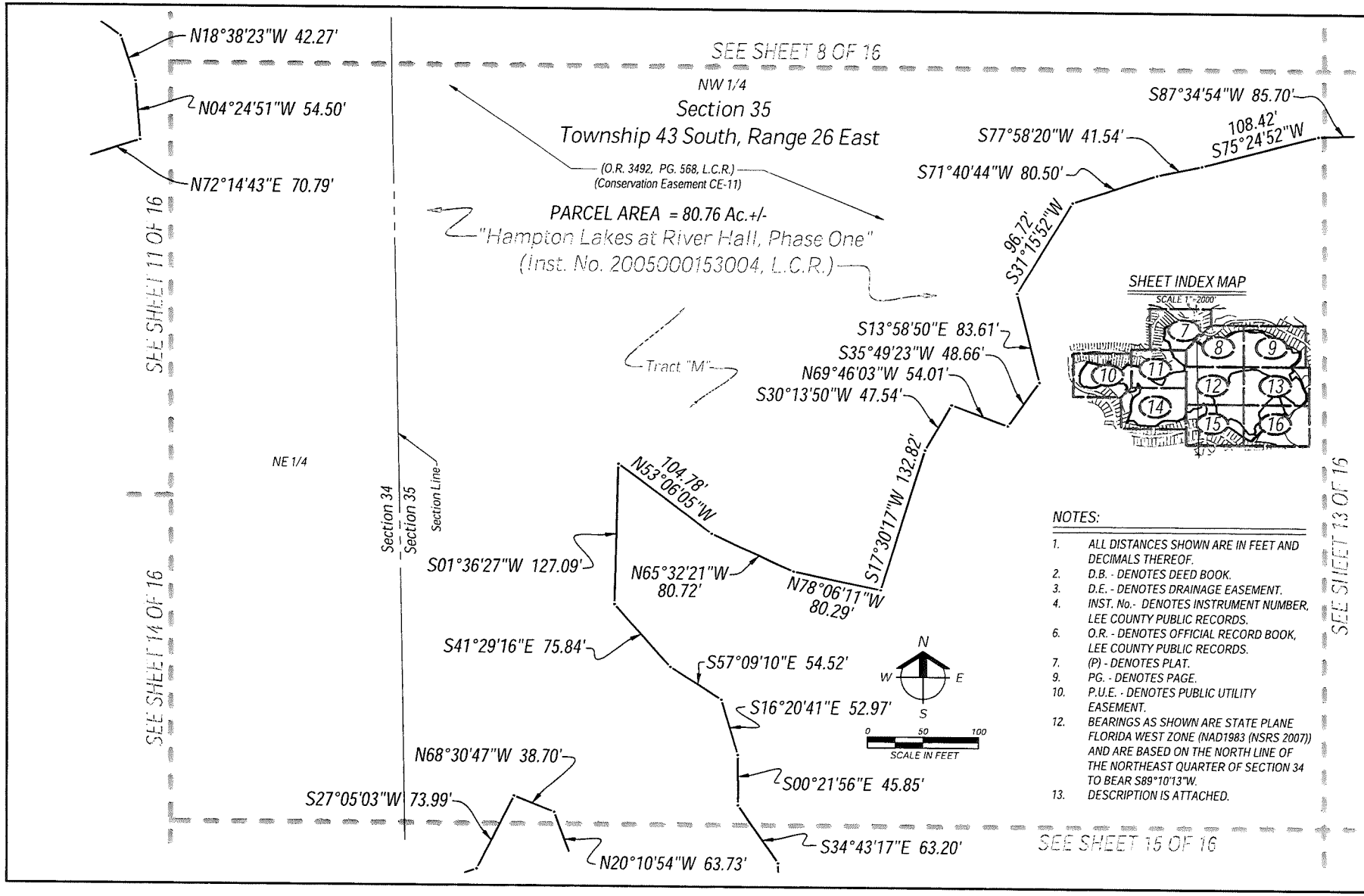
A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

WETLAND PRESERVE (CE-11)

SKETCH TO ACCOMPANY DESCRIPTION

10 OF 16


SHEET INDEX MAP
SCALE 1"=2000'
7
8
9
10
11
12
13
14
15
16
N
W
E
S
0
50
100
SCALE IN FEET
NOTES:
1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.
SEE SHEET 7 OF 16
N17°43'02"W 39.35'
N25°42'13"W 73.99'
N17°35'21"W 55.45'
N56°43'49"W 51.21'
N42°48'41"W 63.12'
SEE SHEET 8 OF 16
Tract "D"
Lot 55
Lot 56
"Hampton Lakes at River Hall, Phase One"
(Inst. No. 2005000153004, L.C.R.)
Lot 67
Lot 66
Lot 65
Lot 64
Lot 63
Lot 62
Lot 61
Lot 60
Lot 59
Lot 58
Lot 57
N53°43'17"W 41.94'
N55°41'43"W 65.18'
N18°38'23"W 42.27'
N04°24'51"W 54.50'
S79°36'16"E 145.77'
S78°42'40"E 95.57'
S30°10'43"E 51.79'
S50°41'57"E 52.92'
S21°27'28"E 101.40'
N48°17'07"E 36.45'
77.93'
N81°54'56"E
N68°29'00"E 72.37'
70.79'
N72°14'43"E
65.18'
N89°00'46"E
N31°11'45"E 86.42'
(O.R. 3492, PG. 568, L.C.R.)
(Conservation Easement CE-11)
SEE SHEET 10 OF 16
SEE SHEET 12 OF 16
NE 1/4
Section 34
Township 43 South, Range 26 East
S54°45'11"E 87.92'
S57°35'03"E 89.98'
S63°29'14"E 87.66'
N24°52'34"E 43.19'
Tract "M"
N27°00'06"E 82.51'
N38°14'48"W 65.61'
84.51'
S09°51'02"W
PARCEL AREA = 80.76 Ac.+/-
N05°18'19"W 66.99'
S78°38'22"E 64.55'
S24°18'45"W 47.34'
SEE SHEET 14 OF 16
Barraco and Associates, Inc.
www.barraco.net
LandMar GROUP, LLC
HAMPTON LAKES AT RIVER HALL, PHASE ONE
INSTRUMENT #2005000153004 LEE COUNTY RECORDS
SKETCH TO ACCOMPANY DESCRIPTION
11 OF 16



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net

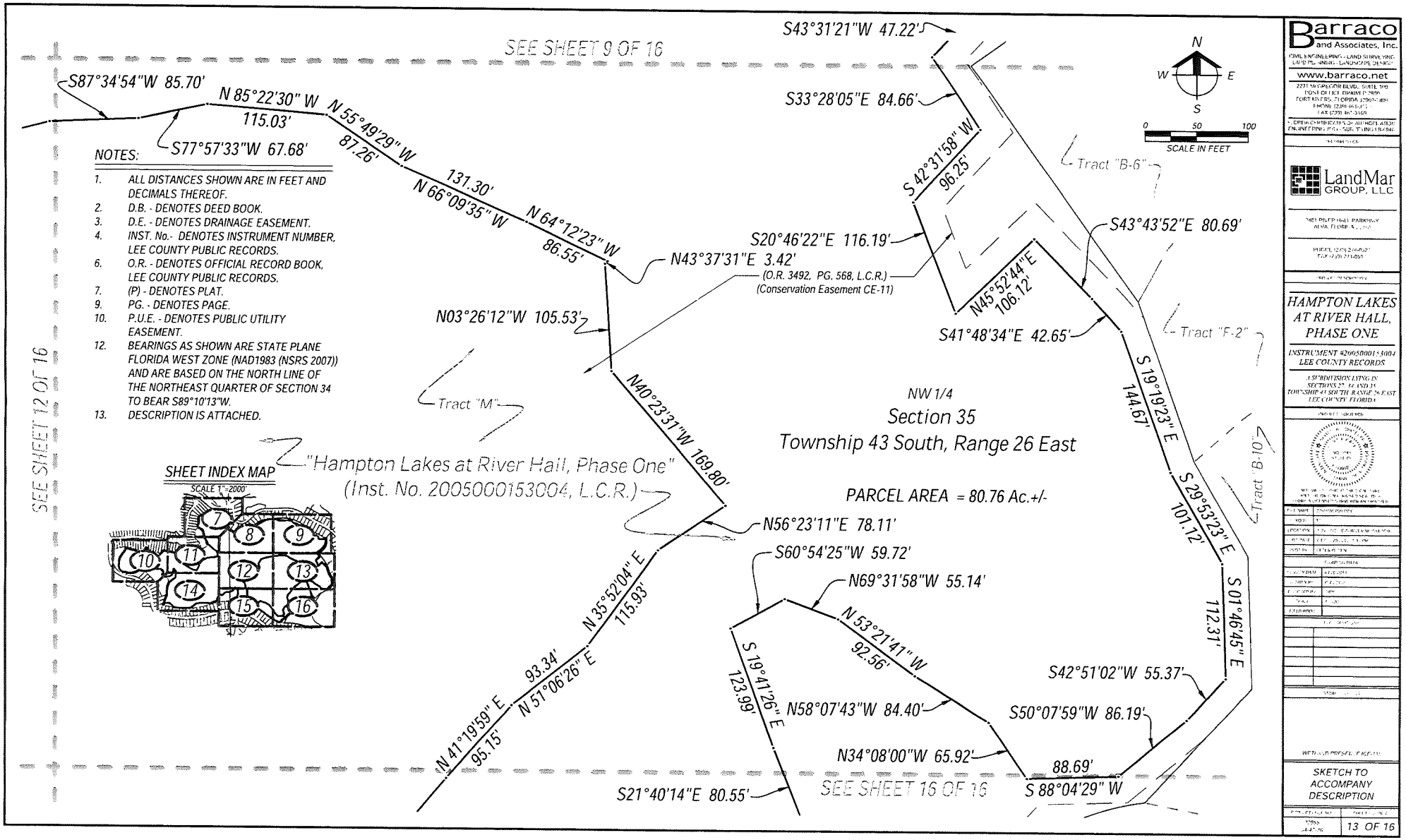
LandMar GROUP, LLC

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

SHEET INDEX MAP
SCALE 1"=2000'

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
FORT MYERS, FLORIDA 33901-4811
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATE OF AUTHORIZATION ENGINEERING #EB-0000278 SURVEYING LB-0006

LandMar GROUP, LLC
7401 PRESTIGE PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 246-6622
FAX (239) 274-6551

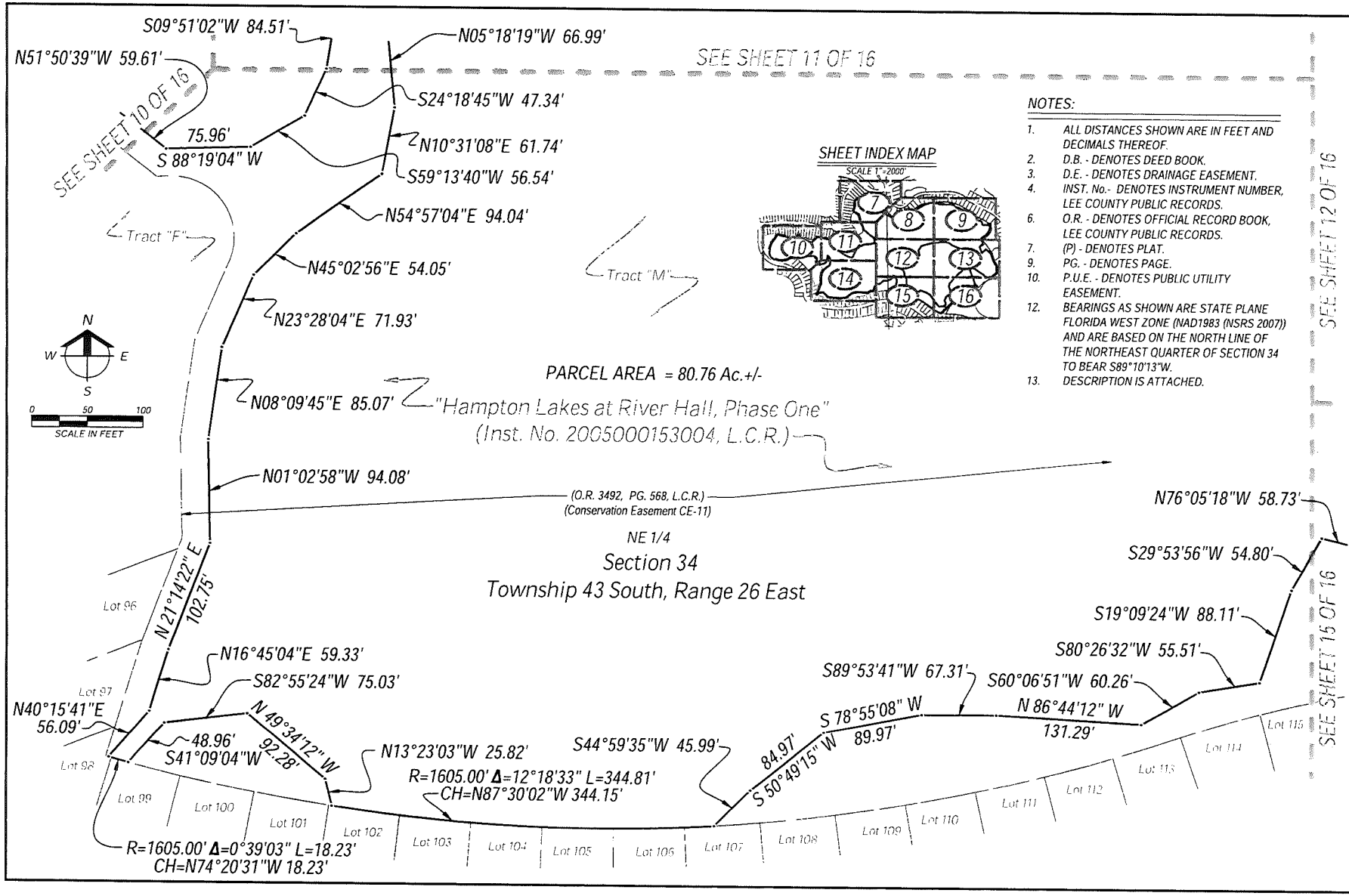
HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

13 OF 16



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
FORT MYERS, FLORIDA 33901-3981
PHONE (239) 461-3170
FAX (239) 461-3169
LandMar GROUP, LLC
3451 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 267-7022
FAX (239) 267-8251

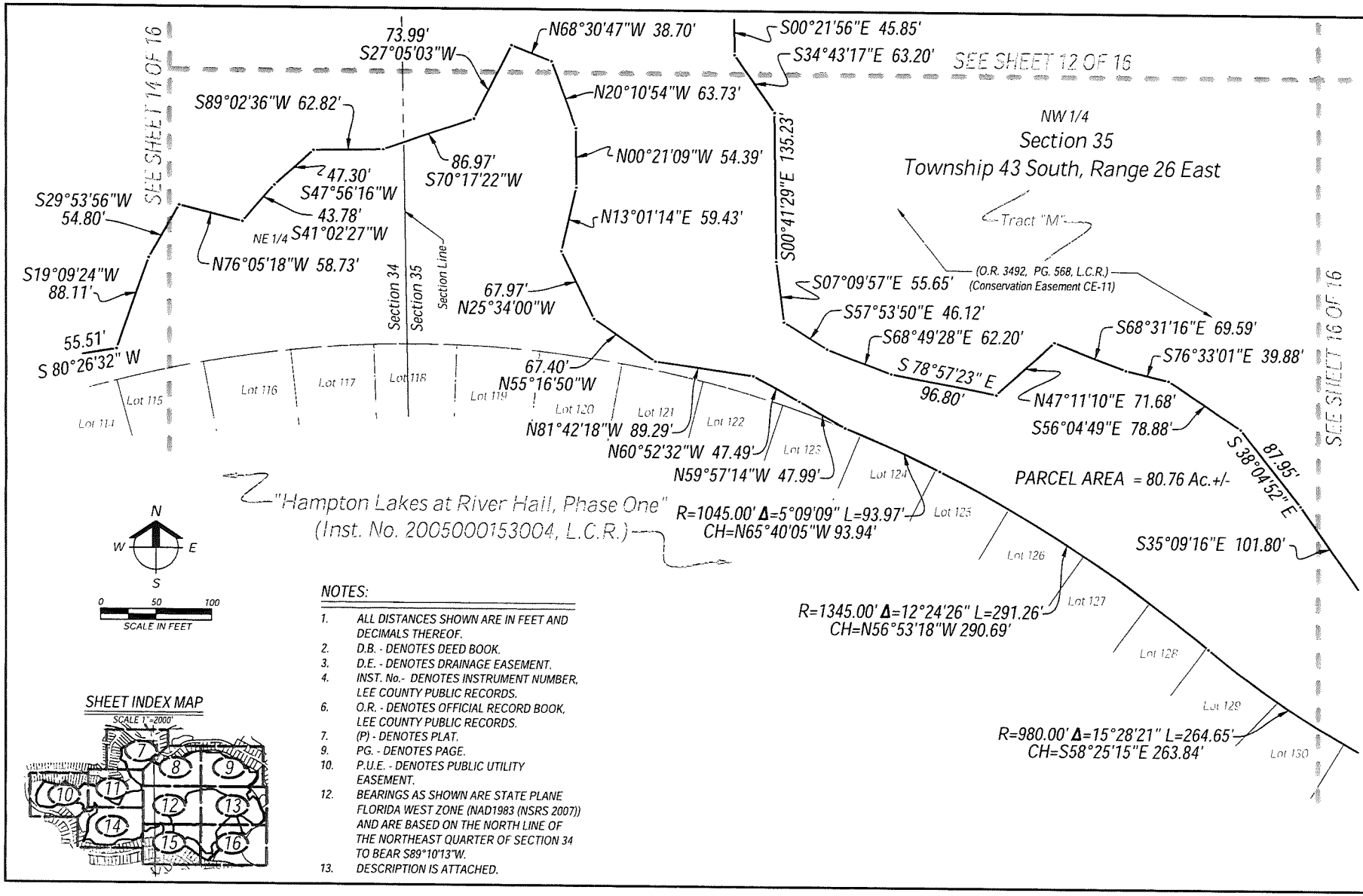
HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTION 35, M.B.C.D.35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

14 OF 16



SHEET INDEX MAP

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net

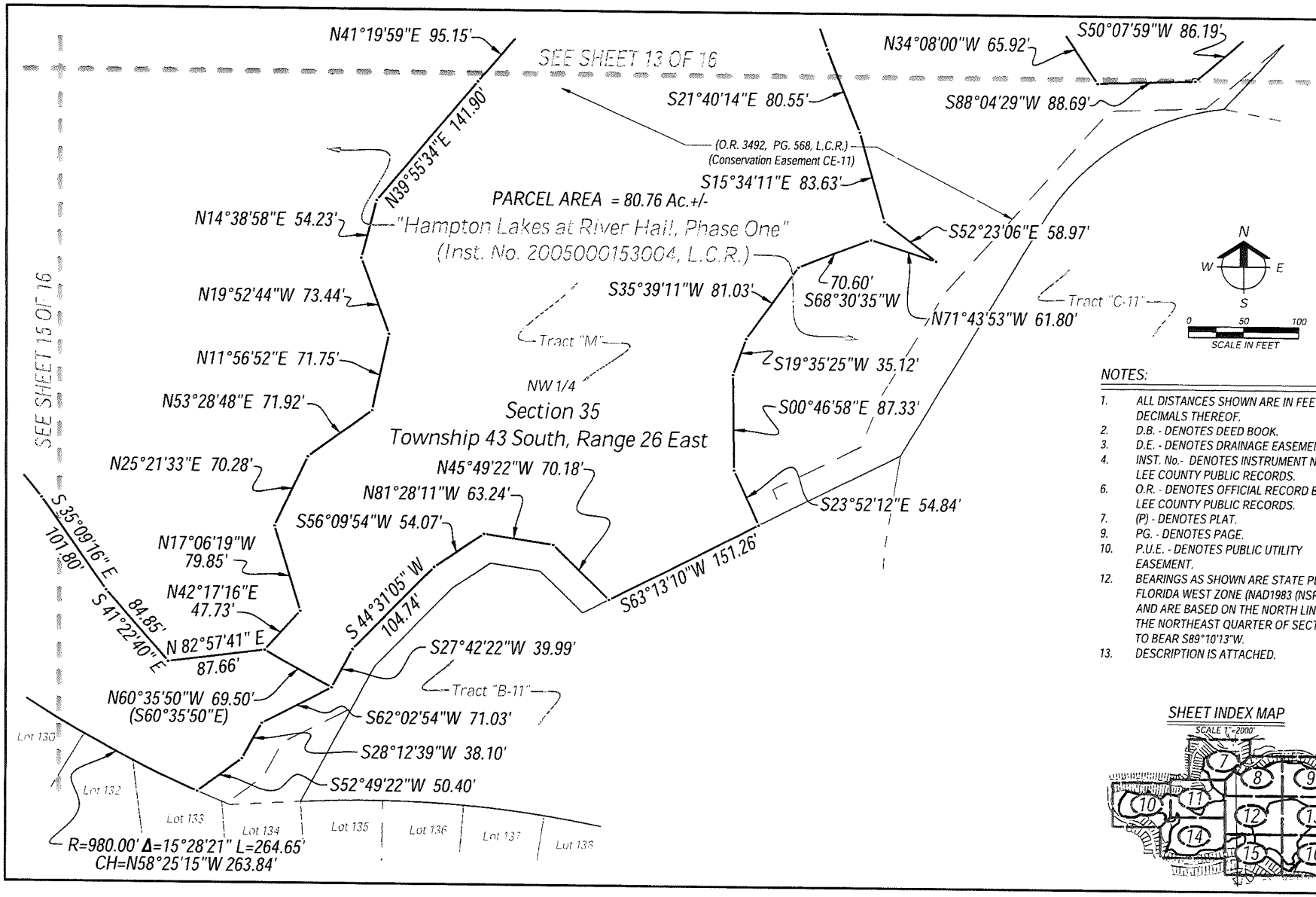
LandMar GROUP, LLC

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 27, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

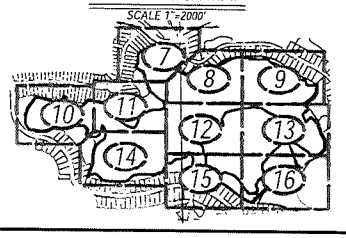


NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34 TO BEAR S89°10'13"W.
13. DESCRIPTION IS ATTACHED.

SHEET INDEX MAP

SCALE 1"=2000'



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net

LandMar GROUP, LLC

HAMPTON LAKES AT RIVER HALL, PHASE ONE

INSTRUMENT #2005000153004 LEE COUNTY RECORDS

SUBDIVISION TYPE BY SECTION 2, 34 AND 35 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

16 OF 16

DESCRIPTION

Parcel in
Sections 26 & 35
Township 43 South, Range 26 East
Lee County, Florida

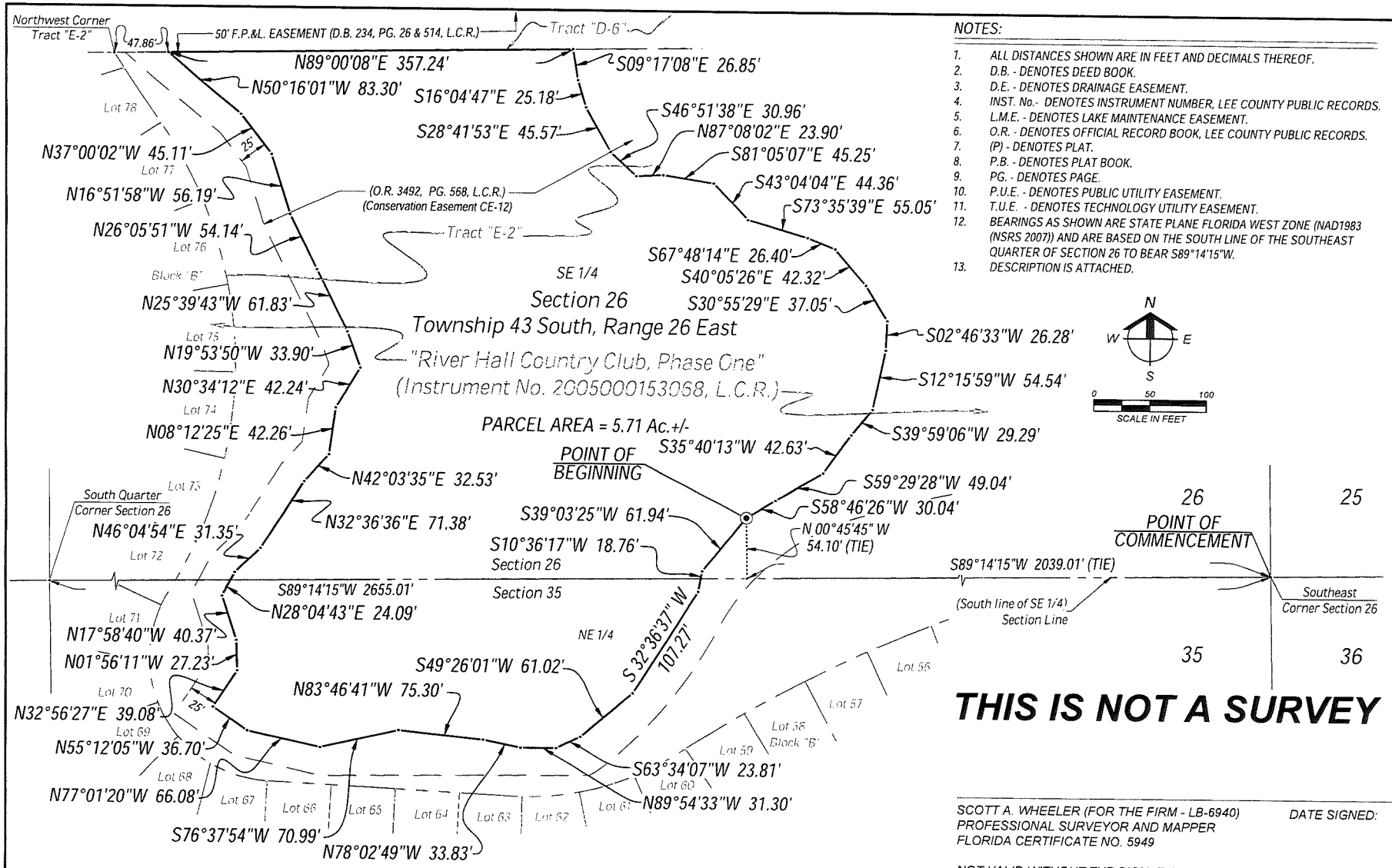
A tract or parcel of land lying in Tract "E-2"of "River Hall Country Club, Phase One", as recorded in Instrument No. 2005000153068, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 26 run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 2,039.01 feet; thence run N00°45'45"W for 54.10 feet to the POINT OF BEGINNING.
From said Point of Beginning run S39°03'25"W for 61.94 feet; thence run S10°36'17"W for 18.76 feet; thence run S32°36'37"W for 107.27 feet; thence run S49°26'01"W for 61.02 feet; thence run S63°34'07"W for 23.81 feet; thence run N89°54'33"W for 31.30 feet; thence run N78°02'49"W for 33.83 feet; thence run N83°46'41"W for 75.30 feet; thence run S76°37'54"W for 70.99 feet; thence run N77°01'20"W for 66.08 feet; thence run N55°12'05"W for 36.70 feet; thence run N32°56'27"E for 39.08 feet; thence run N01°56'11"W for 27.23 feet; thence run N17°58'40"W for 40.37 feet; thence run N28°04'43"E for 24.09 feet; thence run N46°04'54"E for 31.35 feet; thence run N32°36'36"E for 71.38 feet; thence run N42°03'35"E for 32.53 feet; thence run N08°12'25"E for 42.26 feet; thence run N30°34'12"E for 42.24 feet; thence run N19°53'50"W for 33.90 feet; thence run N25°39'43"W for 61.83 feet; thence run N26°05'51"W for 54.14 feet; thence run N16°51'58"W for 56.19 feet; thence run N37°00'02"W for 45.11 feet; thence run N50°16'01"W for 83.30 feet to an intersection with the Northerly line of said Tract "E-2"; thence run N89°00'08"E along said Northerly line for 357.24 feet; thence run S09°17'08"E for 26.85 feet; thence run S16°04'47"E for 25.18 feet; thence run S28°41'53"E for 45.57 feet; thence run S46°51'38"E for 30.96 feet; thence run N87°08'02"E for 23.90 feet; thence run S81°05'07"E for 45.25 feet; thence run S43°04'04"E for 44.36 feet; thence run S73°35'39"E for 55.05 feet; thence run S67°48'14"E for 26.40 feet; thence run S40°05'26"E for 42.32 feet; thence run S30°55'29"E for 37.05 feet; thence run S02°46'33"W for 26.28 feet; thence run S12°15'59"W for 54.54 feet; thence run S39°59'06"W for 29.29 feet; thence run S35°40'13"W for 42.63 feet; thence run S59°29'28"W for 49.04 feet; thence run S58°46'26"W for 30.04 feet to the POINT OF BEGINNING.
Containing 5.71 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 26 to bear S89°14'15"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP1odesc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 26 TO BEAR S89°14'15"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 LAFAYETTE BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7505 - SURVEYING LB-7340

LandMar GROUP, LLC
3481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0021
FAX (239) 274-8517

RIVER HALL COUNTRY CLUB, PHASE ONE

INSTRUMENT #2005000153068 LEE COUNTY RECORDS

LOCATION OF SUBDIVISION LYING IN SECTIONS 26, 27, 34, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

DRAWING DATA

SURVEY DATE	12-20-23
DRAWN BY	F. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
2235 2643-26	2 OF 2

DESCRIPTION

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

A tract or parcel of land lying in Tract "E-2"of "River Hall Country Club, Phase One", as recorded in Instrument No. 2005000153068, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 26 run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,603.32 feet; thence run N00°45'45"W for 101.46 feet to the POINT OF BEGINNING.

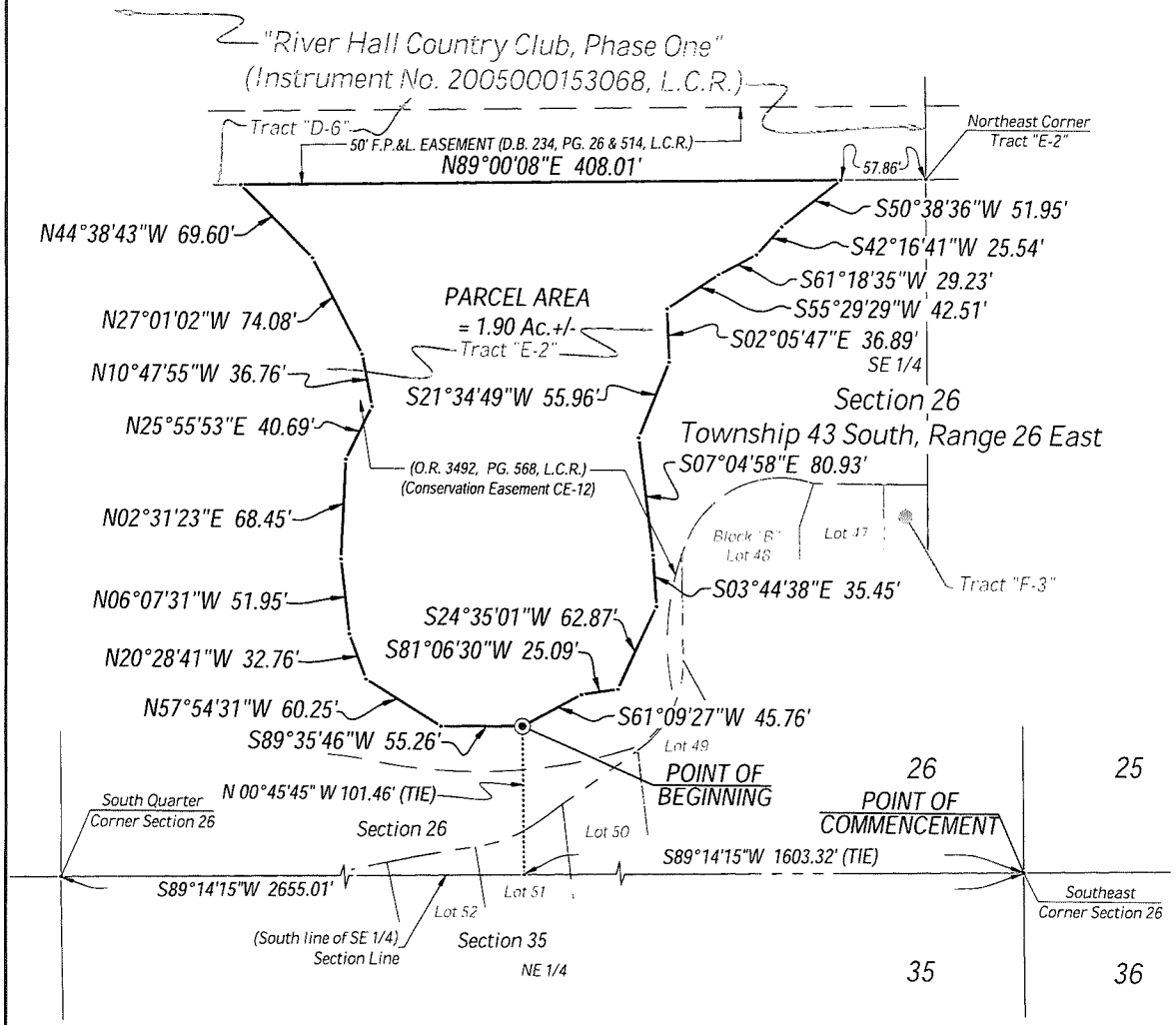
From said Point of Beginning run S89°35'46"W for 55.26 feet; thence run N57°54'31"W for 60.25 feet; thence run N20°28'41"W for 32.76 feet; thence run N06°07'31"W for 51.95 feet; thence run N02°31'23"E for 68.45 feet; thence run N25°55'53"E for 40.69 feet; thence run N10°47'55"W for 36.76 feet; thence run N27°01'02"W for 74.08 feet; thence run N44°38'43"W for 69.60 feet to an intersection with the Northerly line of said Tract "E-2"; thence run N89°00'08"E along said Northerly line for 408.01 feet; thence run S50°38'36"W for 51.95 feet; thence run S42°16'41"W for 25.54 feet; thence run S61°18'35"W for 29.23 feet; thence run S55°29'29"W for 42.51 feet; thence run S02°05'47"E for 36.89 feet; thence run S21°34'49"W for 55.96 feet; thence run S07°04'58"E for 80.93 feet; thence run S03°44'38"E for 35.45 feet; thence run S24°35'01"W for 62.87 feet; thence run S81°06'30"W for 25.09 feet; thence run S61°09'27"W for 45.76 feet to the POINT OF BEGINNING.

Containing 1.90 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on the South line of the Southeast Quarter (SE 1/4) of said Section 26 to bear S89°14'15"W.

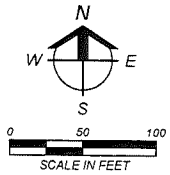
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP11desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 26 TO BEAR S89°14'15"W.
13. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
POST OFFICE DRAWER 2906
FORT MYERS, FLORIDA 33902-2906
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

LandMar GROUP, LLC

7401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-4321
FAX (239) 274-0517

RIVER HALL COUNTRY CLUB, PHASE ONE

INSTRUMENT #2005000153068
LEE COUNTY RECORDS

SUBDIVISION LYING IN SECTIONS 26,27, 34, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

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

SURVEY DATE	8/14/2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
22955 26-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-2"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northwest Corner of said Section 36 run S00°44'00"E along the West line of the Northwest Quarter (NW 1/4) of said Section 36 for 2,087.70 feet; thence run N89°16'00"E for 2,087.48 feet to the POINT OF BEGINNING.

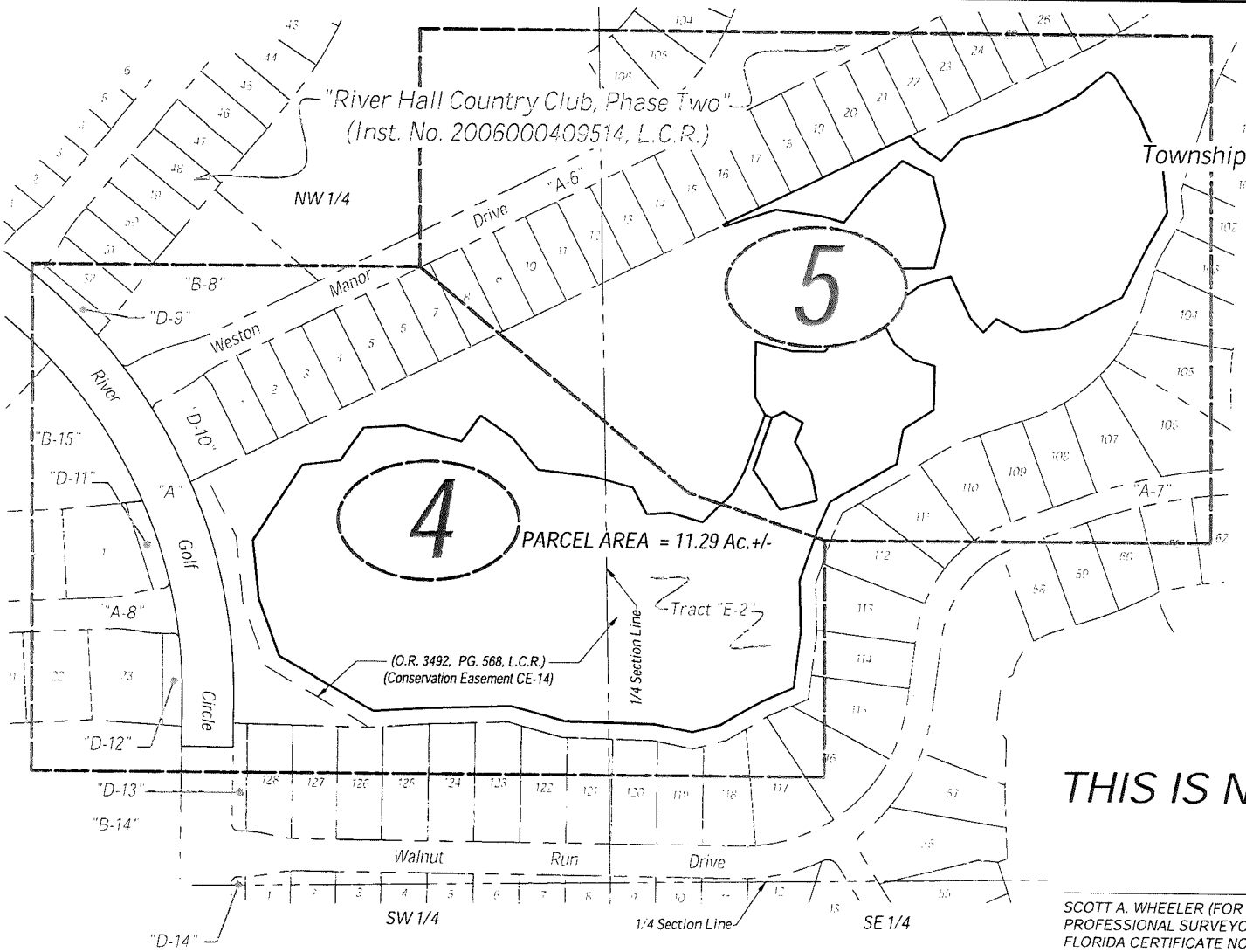
From said Point of Beginning run N32°42'00"E for 142.85 feet; thence run N82°58'04"E for 59.07 feet; thence run N35°57'50"E for 62.54 feet; thence run N86°36'30"E for 63.36 feet; thence run S74°38'45"E for 91.88 feet; thence run N36°21'51"E for 50.48 feet; thence run S55°10'41"E for 60.29 feet; thence run S39°09'20"E for 63.41 feet; thence run S83°26'12"E for 87.78 feet; thence run S74°22'22"E for 62.23 feet; thence run S27°31'46"E for 47.62 feet; thence run N85°35'09"E for 36.92 feet; thence run S74°16'31"E for 51.97 feet; thence run N45°29'34"E for 65.94 feet; thence run N27°24'35"E for 38.58 feet; thence run N19°54'38"E for 93.88 feet; thence run S66°29'20"E for 11.81 feet; thence run S19°31'51"W for 86.20 feet; thence run S33°48'37"E for 75.05 feet; thence run N75°09'07"E for 59.37 feet; thence run N11°10'58"W for 45.44 feet; thence run N28°49'05"W for 52.95 feet; thence run N22°14'22"E for 32.16 feet; thence run N60°07'24"W for 33.77 feet; thence run S64°05'10"W for 20.99 feet; thence run N66°29'20"W for 11.81 feet; thence run N28°56'27"W for 31.88 feet; thence run N00°30'20"E for 87.73 feet; thence run S75°18'21"E for 57.55 feet; thence run S89°19'58"E for 52.50 feet; thence run N37°39'50"E for 51.63 feet; thence run N11°45'14"W for 61.41 feet; thence run N38°33'26"E for 50.73 feet; thence run N78°19'36"E for 22.18 feet; thence run S73°18'48"E for 46.96 feet; thence run N88°59'06"E for 52.83 feet; thence run N13°57'37"E for 67.78 feet; thence run N13°01'45"W for 80.80 feet; thence run N63°07'21"W for 53.68 feet; thence run S47°01'52"W for 70.84 feet; thence run S37°43'39"W for 63.84 feet; thence run N73°56'07"W for 36.49 feet; thence run N82°19'06"W for 71.56 feet; thence run S71°32'34"W for 84.47 feet; thence run N39°44'45"W for 3.01 feet to an intersection with the Northerly line of said Tract "E-2"; thence run N63°43'09"E along said Northerly line for 324.80 feet; thence run S40°59'51"E for 23.80 feet; thence run S56°29'48"E for 39.27 feet; thence run N42°02'24"E for 47.36 feet; thence run N72°49'52"E for 40.97 feet; thence run N73°04'04"E for 82.43 feet; thence run N74°40'04"E for 6.45 feet; thence run N62°14'36"E for 62.96 feet;

DESCRIPTION (Cont.)

thence run N51°16'29"E for 61.69 feet; thence run S60°10'00"E for 11.09 feet; thence run S32°25'37"E for 76.65 feet; thence run S24°11'37"E for 86.72 feet; thence run S05°37'45"E for 71.72 feet; thence run S29°56'44"W for 62.17 feet; thence run S26°23'23"W for 88.22 feet; thence run S63°07'08"W for 108.42 feet; thence run S83°45'14"W for 60.85 feet; thence run N62°08'49"W for 44.54 feet; thence run S43°15'22"W for 30.12 feet; thence run N40°53'26"W for 30.88 feet; thence run N25°21'01"W for 70.81 feet; thence run S73°36'40"W for 48.79 feet; thence run S52°41'49"W for 54.92 feet; thence run S39°00'56"W for 27.47 feet; thence run S27°09'34"E for 42.70 feet; thence run S50°18'11"E for 39.08 feet; thence run S72°45'53"E for 34.62 feet; thence run S01°20'19"W for 69.48 feet; thence run S57°22'34"W for 56.00 feet; thence run S10°55'02"W for 54.68 feet; thence run S59°50'47"W for 120.21 feet; thence run S23°27'18"W for 47.21 feet; thence run S19°06'25"W for 86.77 feet; thence run S01°33'44"E for 81.79 feet; thence run S07°12'25"W for 88.26 feet; thence run S66°39'44"W for 53.51 feet; thence run S59°58'21"W for 74.05 feet; thence run S75°27'17"W for 45.76 feet; thence run N79°09'06"W for 60.64 feet; thence run N88°32'44"W for 139.38 feet; thence run N74°32'17"W for 86.87 feet; thence run S88°14'30"W for 126.32 feet; thence run S86°33'20"W for 88.03 feet; thence run N59°42'18"W for 169.46 feet; thence run N19°17'19"W for 95.93 feet; thence run N06°02'05"W for 91.95 feet to the POINT OF BEGINNING.
Containing 11.29 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and are based on West line of the Northwest Quarter (NW 1/4) of said Section 36 to bear S00°44'00"E.

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



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 36 TO BEAR S00°44'00"E
10. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
FORT MYERS, FLORIDA 33901
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATE OF AUTHORIZATION ENGINEERING LB-1842 SURVEYING LB-6940

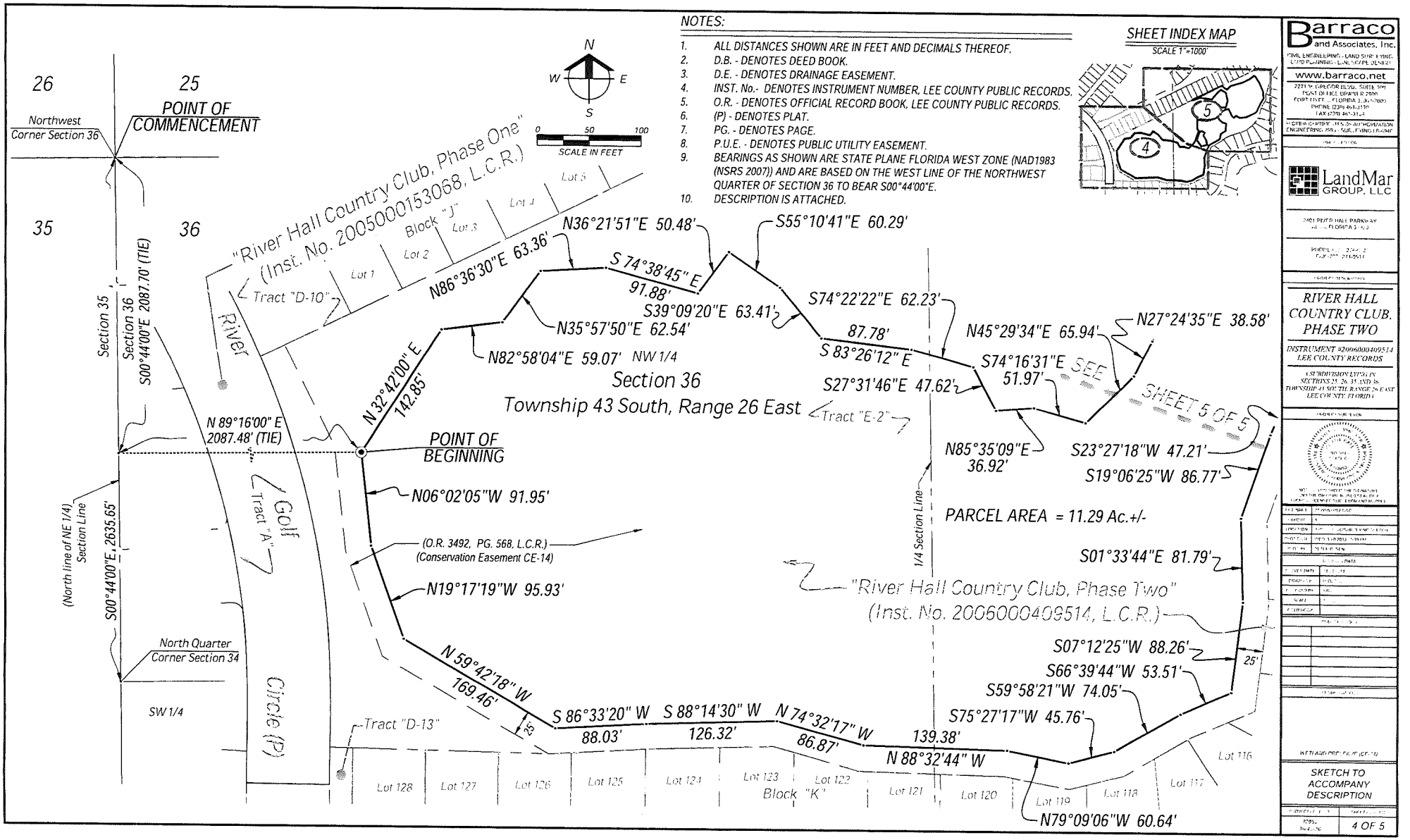
LandMar GROUP, LLC

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #200600040914
LEE COUNTY RECORDS

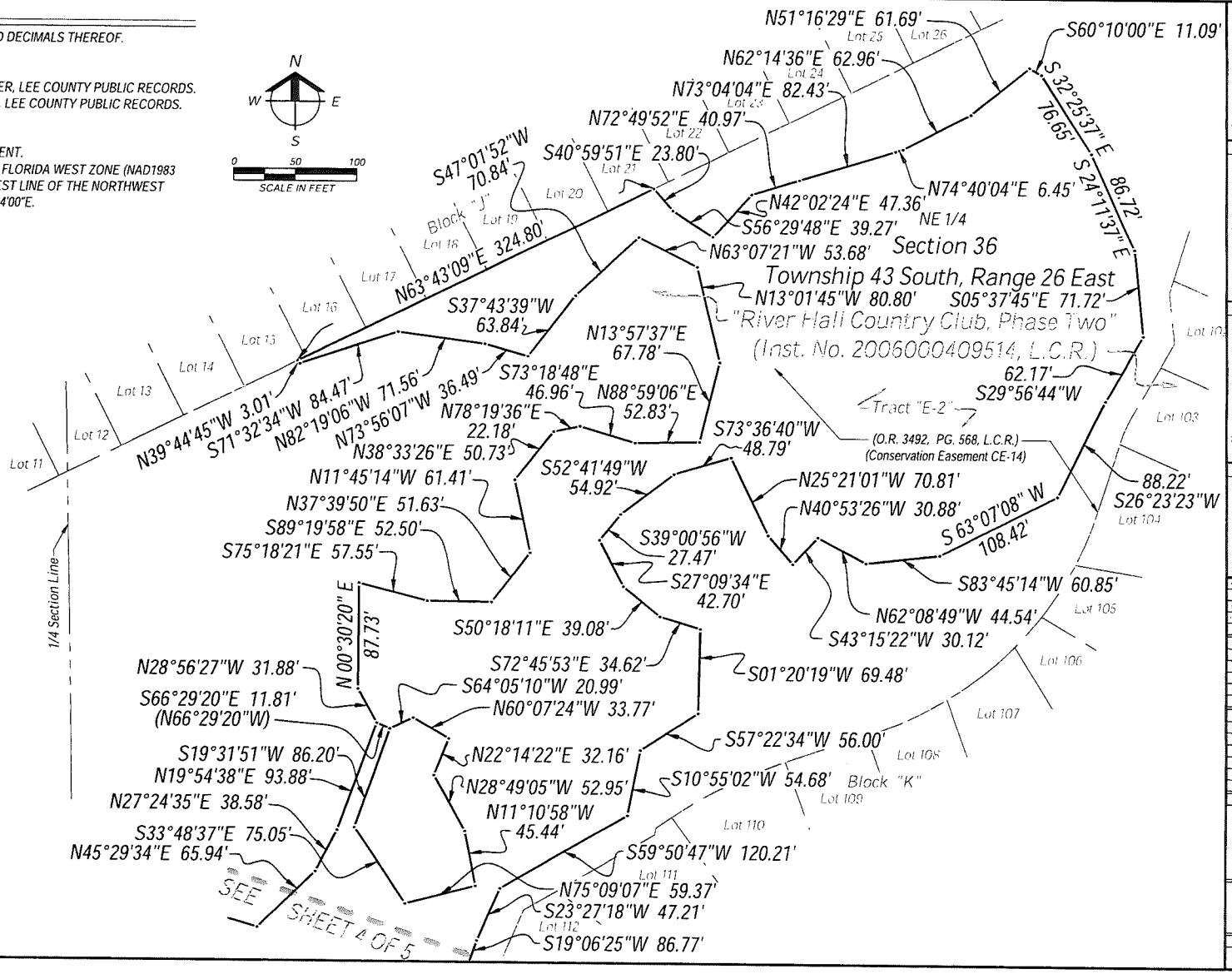
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION


NOTES:
1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 36 TO BEAR S00°44'00"E.
10. DESCRIPTION IS ATTACHED.
SHEET INDEX MAP
SCALE 1"=1000'
N
W
E
S
0 50 100
SCALE IN FEET
26
25
35
36
Northwest Corner Section 36
POINT OF COMMENCEMENT
Section 35
Section 36
S00°44'00"E 2087.70' (TIE)
N 89°16'00" E 2087.48' (TIE)
(North line of NE 1/4 Section Line
S00°44'00"E, 2635.65'
North Quarter Corner Section 34
SW 1/4
"River Hall Country Club, Phase One" (Inst. No. 2005000153068, L.C.R.)
Block "J"
Lot 1
Lot 2
Lot 3
Lot 4
Lot 5
Tract "D-10"
River
Golf
Tract "A"
Circle (P)
N86°36'30"E 63.36'
N36°21'51"E 50.48'
S 74°38'45" E 91.88'
S55°10'41"E 60.29'
S39°09'20"E 63.41'
S74°22'22"E 62.23'
N35°57'50"E 62.54'
87.78'
S 83°26'12" E
N45°29'34"E 65.94'
N27°24'35"E 38.58'
N82°58'04"E 59.07'
NW 1/4
Section 36
Township 43 South, Range 26 East
N 32°42'00" E 142.85'
S74°16'31"E 51.97'
SEE SHEET 5 OF 5
S27°31'46"E 47.62'
Tract "E-2"
POINT OF BEGINNING
N85°35'09"E 36.92'
S23°27'18"W 47.21'
S19°06'25"W 86.77'
N06°02'05"W 91.95'
PARCEL AREA = 11.29 Ac.+/-
(O.R. 3492, PG. 568, L.C.R.)
(Conservation Easement CE-14)
S01°33'44"E 81.79'
1/4 Section Line
N19°17'19"W 95.93'
"River Hall Country Club, Phase Two" (Inst. No. 2006000409514, L.C.R.)
S07°12'25"W 88.26'
25'
S66°39'44"W 53.51'
S59°58'21"W 74.05'
N 59°42'18" W 169.46'
S 86°33'20" W 88.03'
S 88°14'30" W 126.32'
N 74°32'17" W 86.87'
S75°27'17"W 45.76'
139.38'
N 88°32'44" W
Tract "D-13"
25'
Lot 128
Lot 127
Lot 126
Lot 125
Lot 124
Lot 123
Lot 122
Lot 121
Lot 120
Lot 119
Lot 118
Lot 117
Lot 116
Block "K"
N79°09'06"W 60.64'
Barraco and Associates, Inc.
www.barraco.net
LandMar GROUP, LLC
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514 LEE COUNTY RECORDS
SKETCH TO ACCOMPANY DESCRIPTION
4 OF 5

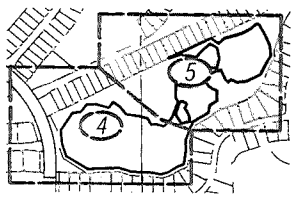
NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 36 TO BEAR S00°44'00"E.
10. DESCRIPTION IS ATTACHED.



SHEET INDEX MAP

SCALE 1"=1000'



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 MCGREGOR BLVD., SUITE 100
FORT MYERS, FLORIDA 33901-3081
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION ENGINEERING #00002233 LB #3591

LandMar GROUP, LLC
1501 MEDICAL PARK DRIVE
NAPLES, FLORIDA 34105
PHONE (239) 774-4332
FAX (239) 774-5937

RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

5 OF 5

DESCRIPTION

Parcel in
Section 25
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southwest Corner of said Section 25 run N89°12'44"E along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,111.82 feet; thence run N00°47'16"W for 148.92 feet to the POINT OF BEGINNING.

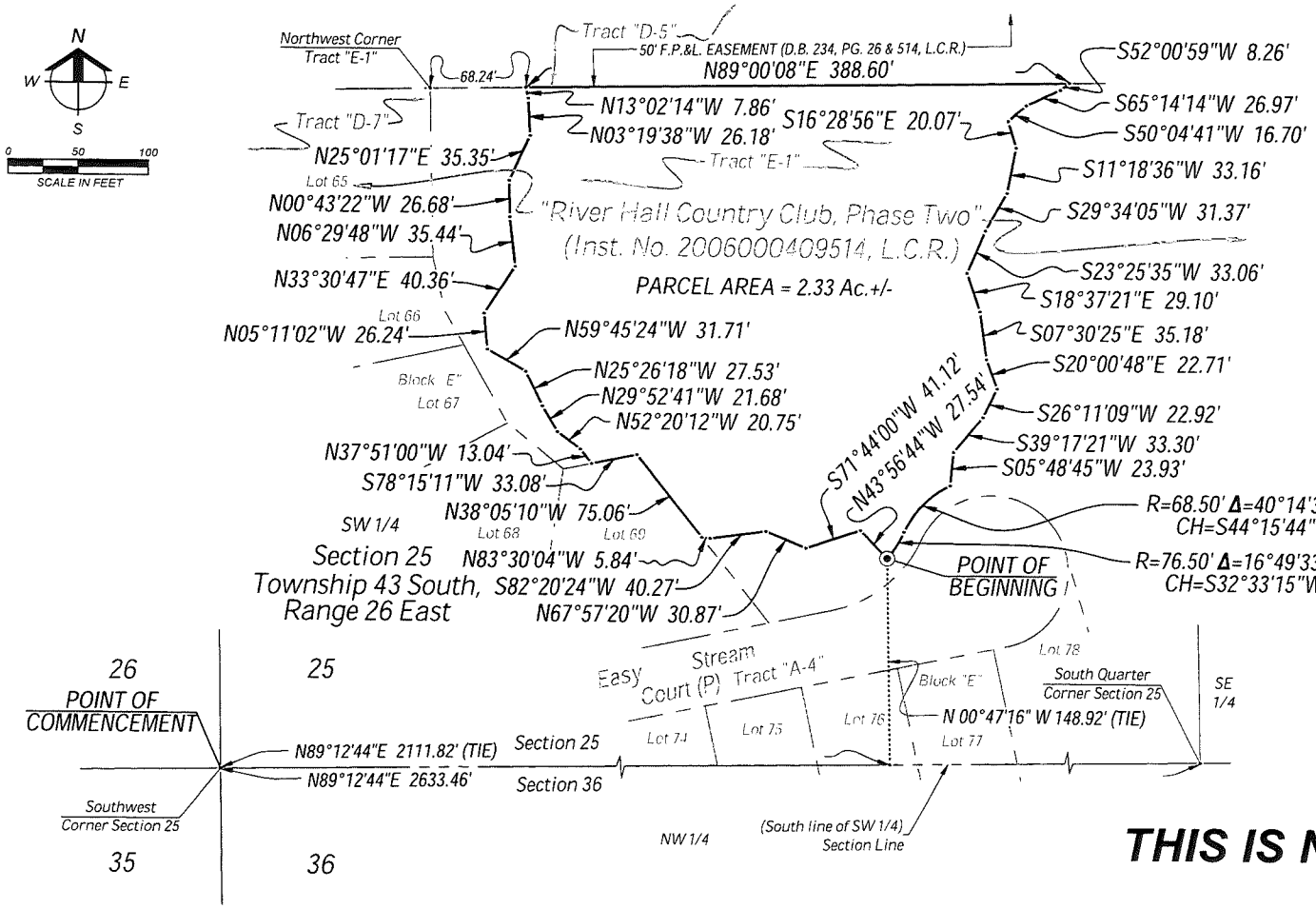
From said Point of Beginning run N43°56'44"W for 27.54 feet; thence run S71°44'00"W for 41.12 feet; thence run N67°57'20"W for 30.87 feet; thence run S82°20'24"W for 40.27 feet; thence run N83°30'04"W for 5.84 feet to an intersection with the Westerly line of said Tract "E-1"; thence run the following two (2) courses along said Westerly line: N38°05'10"W for 75.06 feet and S78°15'11"W for 33.08 feet; thence run N37°51'00"W for 13.04 feet; thence run N52°20'12"W for 20.75 feet; thence run N29°52'41"W for 21.68 feet; thence run N25°26'18"W for 27.53 feet; thence run N59°45'24"W for 31.71 feet; thence run N05°11'02"W for 26.24 feet; thence run N33°30'47"E for 40.36 feet; thence run N06°29'48"W for 35.44 feet; thence run N00°43'22"W for 26.68 feet; thence run N25°01'17"E for 35.35 feet; thence run N03°19'38"W for 26.18 feet; thence run N13°02'14"W for 7.86 feet to an intersection with the Northerly line of said Tract "E-1"; thence run N89°00'08"E along said Northerly line for 388.60 feet; thence run S52°00'59"W for 8.26 feet; thence run S65°14'14"W for 26.97 feet; thence run S50°04'41"W for 16.70 feet; thence run S16°28'56"E for 20.07 feet; thence run S11°18'36"W for 33.16 feet; thence run S29°34'05"W for 31.37 feet; thence run S23°25'35"W for 33.06 feet; thence run S18°37'21"E for 29.10 feet; thence run S07°30'25"E for 35.18 feet; thence run S20°00'48"E for 22.71 feet; thence run S26°11'09"W for 22.92 feet; thence run S39°17'21"W for 33.30 feet; thence run S05°48'45"W for 23.93 feet; thence run Southwesterly along an arc of a curve to the left of radius 68.50 feet (delta 40°14'30") (chord bearing S44°15'44"W) (chord 47.13 feet) for 48.11 feet to a point of reverse curvature; thence run Southwesterly along an arc of a curve to the right of radius 76.50 feet (delta 16°49'33") (chord bearing S32°33'15"W) (chord 22.38 feet) for 22.47 feet to the POINT OF BEGINNING.

Containing 2.33 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the South line of the Southwest Quarter (SW 1/4) of said Section 25 to bear N89°12'44"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP13desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 25 TO BEAR N89°12'44"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7945 - SURVEYING LB-6940

LandMar GROUP, LLC

2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT 2006000409514
LEE COUNTY RECORDS

LYING IN SECTIONS 25, 26, 35 AND 36
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

PROFESSIONAL ENGINEER

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

FILE NAME	RHCC-PH2 SKETCH
LAYOUT	2
LOCATION	C:\RIVER HALL\RHCC-2 PH\SKETCH
PLOTTED	WED, 3 OCT 2012 - 9:01 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	02-20-2012
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

PLAT REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (DESIGN PARCEL)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
22955 25-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 25
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southwest Corner of said Section 25 run N89°12'44"E along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,407.27 feet; thence run N00°47'16"W for 83.11 feet to an intersection with the Southerly line of said Tract "E-1" and the POINT OF BEGINNING.

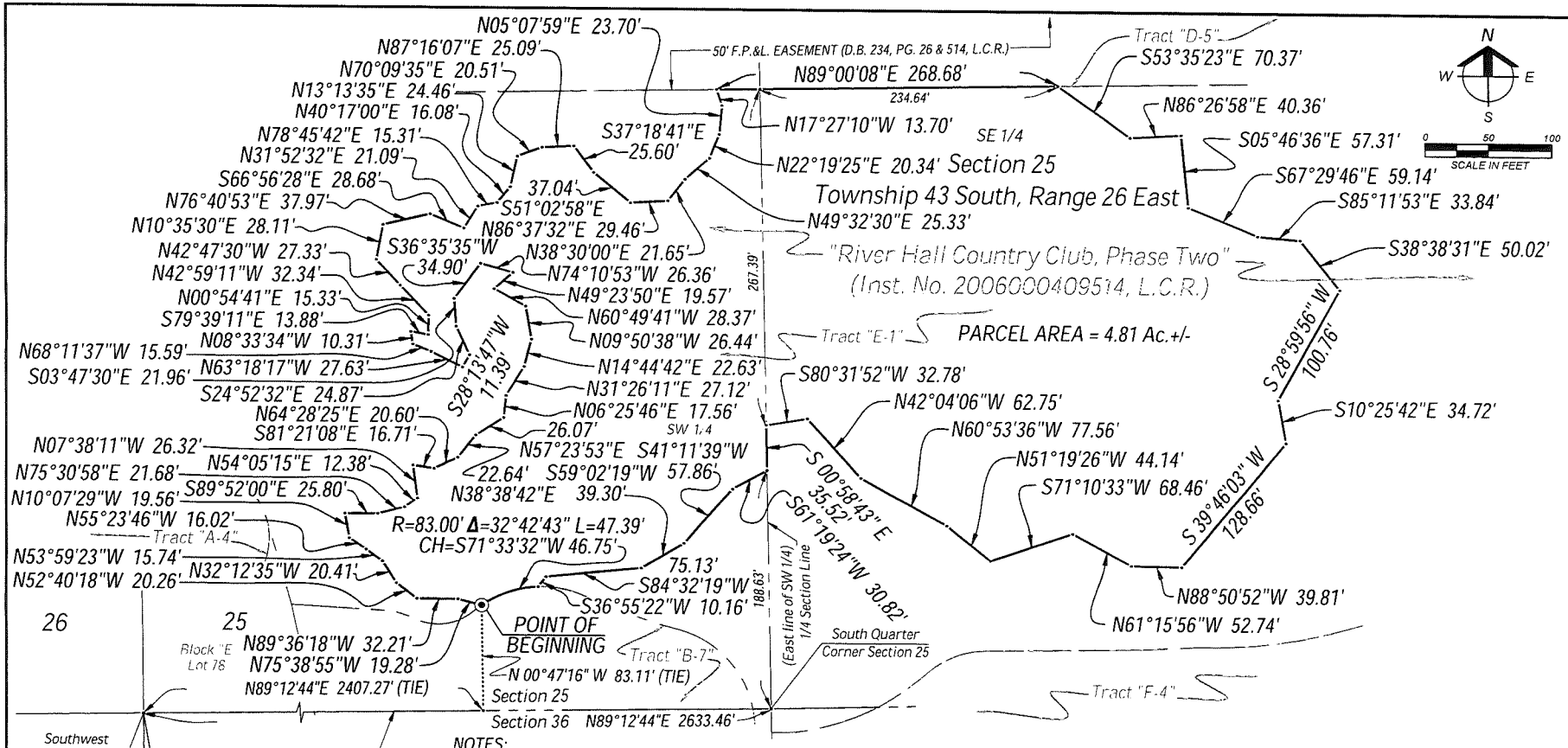
From said Point of Beginning run N75°38'55"W for 19.28 feet; thence run N89°36'18"W for 32.21 feet; thence run N52°40'18"W for 20.26 feet; thence run N32°12'35"W for 20.41 feet; thence run N53°59'23"W for 15.74 feet; thence run N55°23'46"W for 16.02 feet; thence run N10°07'29"W for 19.56 feet; thence run S89°52'00"E for 25.80 feet; thence run N75°30'58"E for 21.68 feet; thence run N54°05'15"E for 12.38 feet; thence run N07°38'11"W for 26.32 feet; thence run S81°21'08"E for 16.71 feet; thence run N64°28'25"E for 20.60 feet; thence run N38°38'42"E for 22.64 feet; thence run N57°23'53"E for 26.07 feet; thence run N06°25'46"E for 17.56 feet; thence run N31°26'11"E for 27.12 feet; thence run N14°44'42"E for 22.63 feet; thence run N09°50'38"W for 26.44 feet; thence run N60°49'41"W for 28.37 feet; thence run N49°23'50"E for 19.57 feet; thence run N74°10'53"W for 26.36 feet; thence run S36°35'35"W for 34.90 feet; thence run S03°47'30"E for 21.96 feet; thence run S24°52'32"E for 24.87 feet; thence run S28°13'47"W for 11.39 feet; thence run N63°18'17"W for 27.63 feet; thence run N68°11'37"W for 15.59 feet; thence run N08°33'34"W for 10.31 feet; thence run S79°39'11"E for 13.88 feet; thence run N00°54'41"E for 15.33 feet; thence run N42°59'11"W for 32.34 feet; thence run N42°47'30"W for 27.33 feet; thence run N10°35'30"E for 28.11 feet; thence run N76°40'53"E for 37.97 feet; thence run S66°56'28"E for 28.68 feet; thence run N31°52'32"E for 21.09 feet; thence run N78°45'42"E for 15.31 feet; thence run N40°17'00"E for 16.08 feet; thence run N13°13'35"E for 24.46 feet; thence run N70°09'35"E for 20.51 feet; thence run N87°16'07"E for 25.09 feet; thence run S37°18'41"E for 25.60 feet; thence run S51°02'58"E for 37.04 feet; thence run N86°37'32"E for 29.46 feet; thence run N38°30'00"E for 21.65 feet; thence run N49°32'30"E for 25.33 feet; thence run N22°19'25"E for 20.34 feet; thence run N05°07'59"E for 23.70 feet; thence run N17°27'10"W for 13.70 feet to an intersection with the Northerly line of said Tract "E-1"; thence run N89°00'08"E along said Northerly line for 268.68 feet; thence run S53°35'23"E for 70.37 feet; thence run N86°26'58"E for 40.36 feet; thence run S05°46'36"E for 57.31 feet; thence run S67°29'46"E for 59.14 feet;

DESCRIPTION (Cont.)

thence run S85°11'53"E for 33.84 feet; thence run S38°38'31"E for 50.02 feet; thence run S28°59'56"W for 100.76 feet; thence run S10°25'42"E for 34.72 feet; thence run S39°46'03"W for 128.66 feet; thence run N88°50'52"W for 39.81 feet; thence run N61°15'56"W for 52.74 feet; thence run S71°10'33"W for 68.46 feet; thence run N51°19'26"W for 44.14 feet; thence run N60°53'36"W for 77.56 feet; thence run N42°04'06"W for 62.75 feet; thence run S80°31'52"W for 32.78 feet to an intersection with the East line of the Southwest Quarter (SW 1/4) of Section 25; thence run S00°58'43"E along said East line for 35.52 feet; thence run S61°19'24"W for 30.82 feet; thence run S41°11'39"W for 57.86 feet; thence run S59°02'19"W for 39.30 feet; thence run S84°32'19"W for 75.13 feet; thence run S36°55'22"W for 10.16 feet to an intersection with said Southerly line of Tract "E-1"; thence run Westerly along said Southerly line and along an arc of a curve to the left of radius 83.00 feet (delta 32°42'43") (chord bearing S71°33'32"W) (chord 46.75 feet) for 47.39 feet to the POINT OF BEGINNING.
Containing 4.81 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the South line of the Southwest Quarter (SW 1/4) of said Section 25 to bear N89°12'44"E.

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



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 25 TO BEAR N89°12'44"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD, SUITE 100
POST OFFICE DRAWER 2090
FORT MYERS FLORIDA 33902-2090
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

LandMar GROUP, LLC
2401 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 274-0417

PROJECT DESCRIPTION
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT NUMBER FOR

T&T NAME	JOHANNA PHILLIPS
LAYOUT	1
LOCATION	J:\PROJECTS\RIVER HALL PHASE TWO
PLOT DATE	WED 3/6/2013 - 3:07 PM
PLOTTED BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	03-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBER(S)

WETLAND PRESERVE 1 (CE-15) #1

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT PACE - ID	SHEET NUMBER
23950 25-43-26	3 OF 3

DESCRIPTION

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

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S88°44'46"W along the North line of the Northeast Quarter (NE 1/4) of said Section 36 for 639.59 feet; thence run N01°15'14"W for 143.78 feet to the POINT OF BEGINNING.

From said Point of Beginning run S74°40'29"W for 28.54 feet; thence run N56°52'05"W for 27.93 feet; thence run S69°10'51"W for 39.57 feet; thence run S17°26'41"W for 53.95 feet; thence run S37°39'33"W for 35.74 feet; thence run S09°23'15"E for 35.72 feet; thence run S36°25'30"W for 40.26 feet; thence run S85°48'05"W for 17.31 feet; thence run N45°49'45"W for 50.80 feet; thence run N20°27'17"W for 74.16 feet; thence run N65°25'06"W for 40.16 feet; thence run N41°13'36"W for 59.72 feet; thence run S81°06'55"E for 82.84 feet; thence run N26°24'57"E for 52.75 feet; thence run N64°22'35"W for 45.90 feet; thence run N25°16'38"W for 32.68 feet; thence run N65°06'01"W for 28.70 feet; thence run N19°57'13"E for 41.06 feet; thence run N37°16'17"E for 46.81 feet; thence run N78°39'09"E for 27.80 feet; thence run N36°35'44"W for 42.17 feet; thence run N41°45'33"W for 47.44 feet; thence run S76°50'36"W for 46.55 feet; thence run S43°32'46"W for 113.97 feet; thence run S43°27'05"W for 60.45 feet; thence run S32°16'03"W for 41.26 feet; thence run S08°54'25"E for 20.41 feet; thence run S09°17'13"E for 71.09 feet; thence run S25°47'11"W for 37.48 feet; thence run S81°22'06"W for 50.86 feet; thence run S14°10'59"E for 78.05 feet; thence run S01°45'42"E for 86.79 feet; thence run S24°37'08"E for 116.81 feet; thence run S70°44'55"E for 58.51 feet; thence run N72°22'33"E for 64.72 feet; thence run N67°35'41"E for 113.51 feet; thence run N28°12'38"E for 51.54 feet; thence run N18°57'20"E for 74.33 feet; thence run N85°48'05"E for 17.31 feet; thence run S30°44'13"W for 33.28 feet; thence run S08°05'12"E for 41.74 feet; thence run S29°46'00"E for 63.20 feet; thence run S31°48'09"E for 42.50 feet; thence run S00°33'17"W for 29.19 feet; thence run S27°32'29"W for 77.22 feet; thence run S23°07'24"W for 42.52 feet; thence run S10°46'18"W for 42.51 feet; thence run S35°38'00"W for 47.79 feet; thence run S33°52'40"E for 32.79 feet; thence run S31°43'02"W for 45.44 feet; thence run S38°20'33"W for 26.49 feet; thence run S16°27'20"W for 33.26 feet; thence run S35°19'24"W for 43.59 feet; thence run S69°15'30"W for 26.87 feet; thence run N47°14'21"W for 68.47 feet; thence run N56°17'26"W for 31.82 feet;

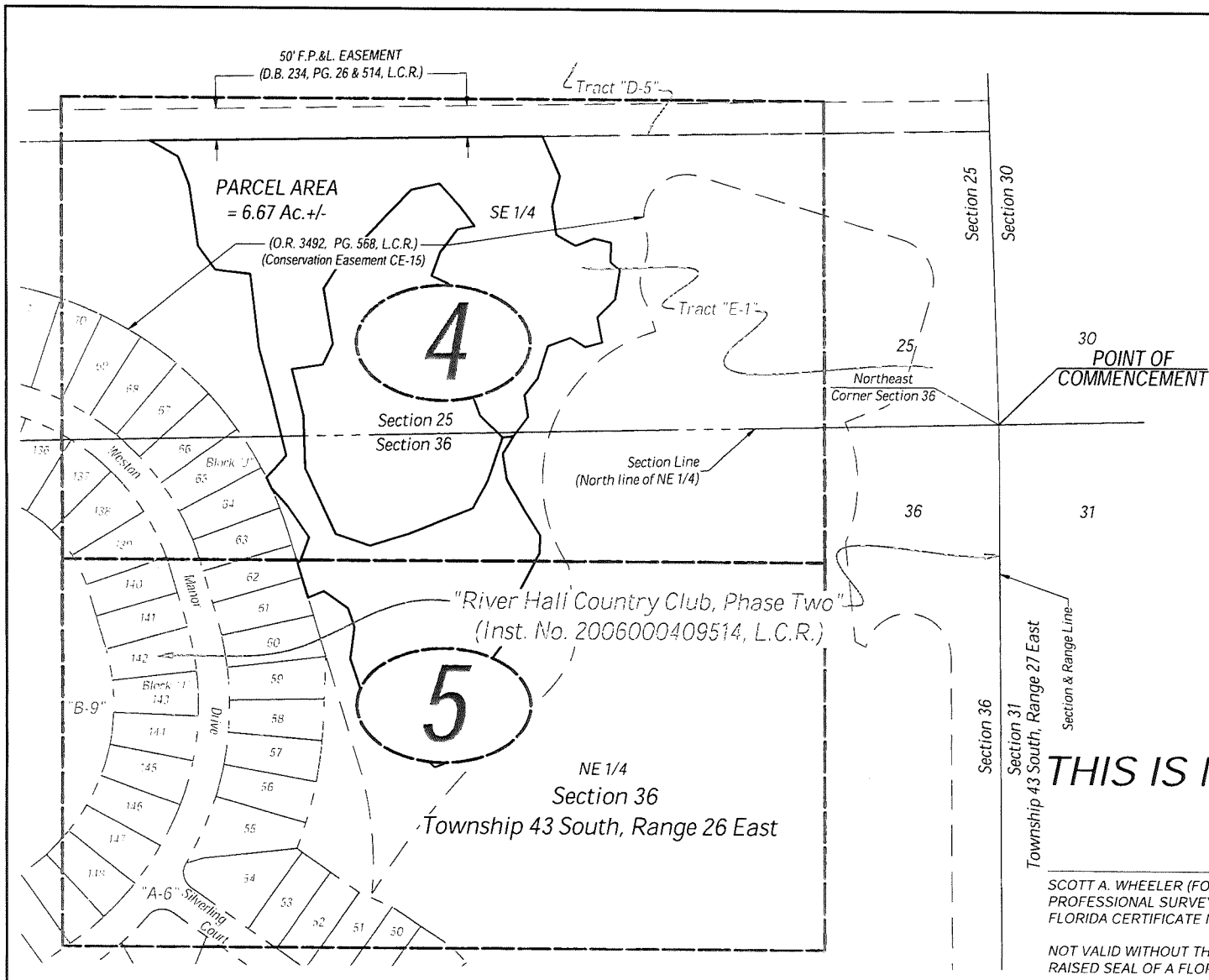
DESCRIPTION (Cont.)

thence run N44°42'08"W for 48.73 feet; thence run N18°16'58"W for 82.47 feet; thence run N08°07'22"E for 52.08 feet; thence run N19°16'06"W for 32.04 feet; thence run N54°13'52"W for 48.21 feet; thence run S66°43'54"W for 27.89 feet to an intersection with the Westerly line of said Tract "E-1"; thence run N16°42'49"W along said Westerly line for 58.99 feet; thence run N50°18'01"E for 5.50 feet; thence run N19°59'12"E for 41.94 feet; thence run N33°52'48"W for 60.29 feet; thence run N41°29'03"W for 40.89 feet to a point on a non-tangent curve and an intersection with said Westerly line of Tract "E-1"; thence run Northwesterly along said Westerly line and along an arc of a curve to the left of radius 570.00 feet (delta 01°51'42") (chord bearing N25°05'16"W) (chord 18.52 feet) for 18.52 feet; thence run N42°03'32"E for 48.29 feet; thence run N13°26'53"W for 101.16 feet; thence run N15°00'58"W for 78.93 feet; thence run N06°29'15"W for 122.07 feet; thence run N83°11'16"W for 56.45 feet; thence run N36°02'16"W for 47.73 feet; thence run N07°58'53"W for 99.51 feet; thence run N21°29'09"W for 50.33 feet; thence run N59°57'20"W for 52.48 feet o an intersection with the Northerly line of said Tract "E-1"; thence run N89°00'08"E along said Northerly line for 634.97 feet; thence run S22°56'00"E for 72.54 feet; thence run S14°23'07"W for 50.69 feet; thence run S08°05'00"E for 46.55 feet; thence run S61°26'13"E for 35.56 feet; thence run N68°45'44"E for 31.73 feet; thence run S78°05'01"E for 28.26 feet; thence run S00°43'22"W for 32.87 feet; thence run S48°52'24"E for 19.54 feet; thence run S09°22'52"W for 48.19 feet; thence run S44°58'21"W for 40.95 feet; thence run S10°23'11"E for 42.17 feet to the POINT OF BEGINNING.
Containing 6.67 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the North line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S88°44'46"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP15desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

DATE SIGNED:

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
FORT MYERS, FLORIDA 33901
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATE OF AUTHORIZATION
ENGINEERING - LB-6940 SURVEYING LB-6940

PREPARED FOR:
LandMar GROUP, LLC
7491 RIVER HALL PARKWAY
NAPLES, FLORIDA 34120
PHONE (239) 276-8121
FAX (239) 514-0517

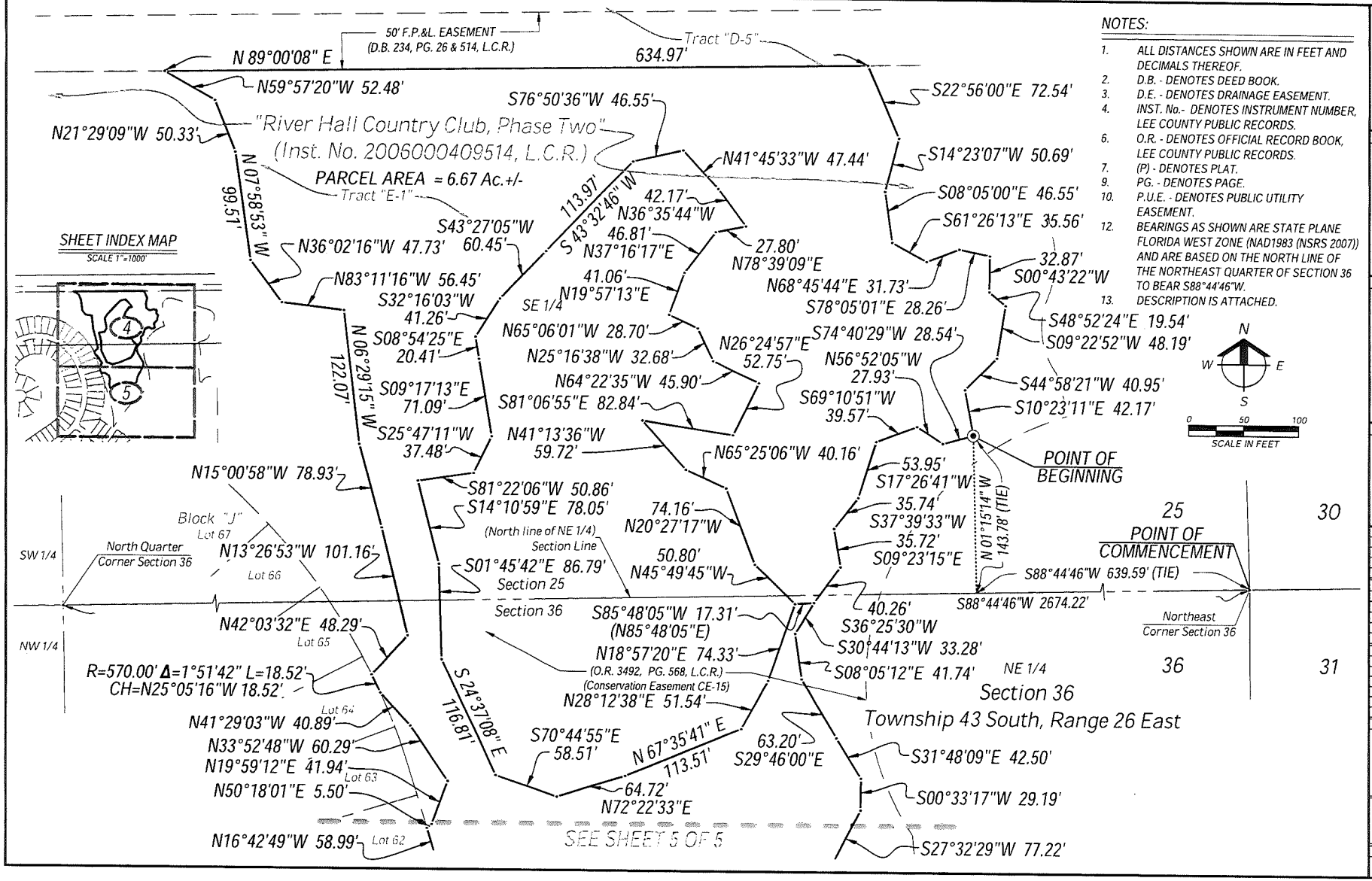
PROJECT NAME OR DESCRIPTION:
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SHEET NO. / TOTAL

WETLAND PRESERVE (CE-15)

SKETCH TO ACCOMPANY DESCRIPTION



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net

LandMar GROUP, LLC

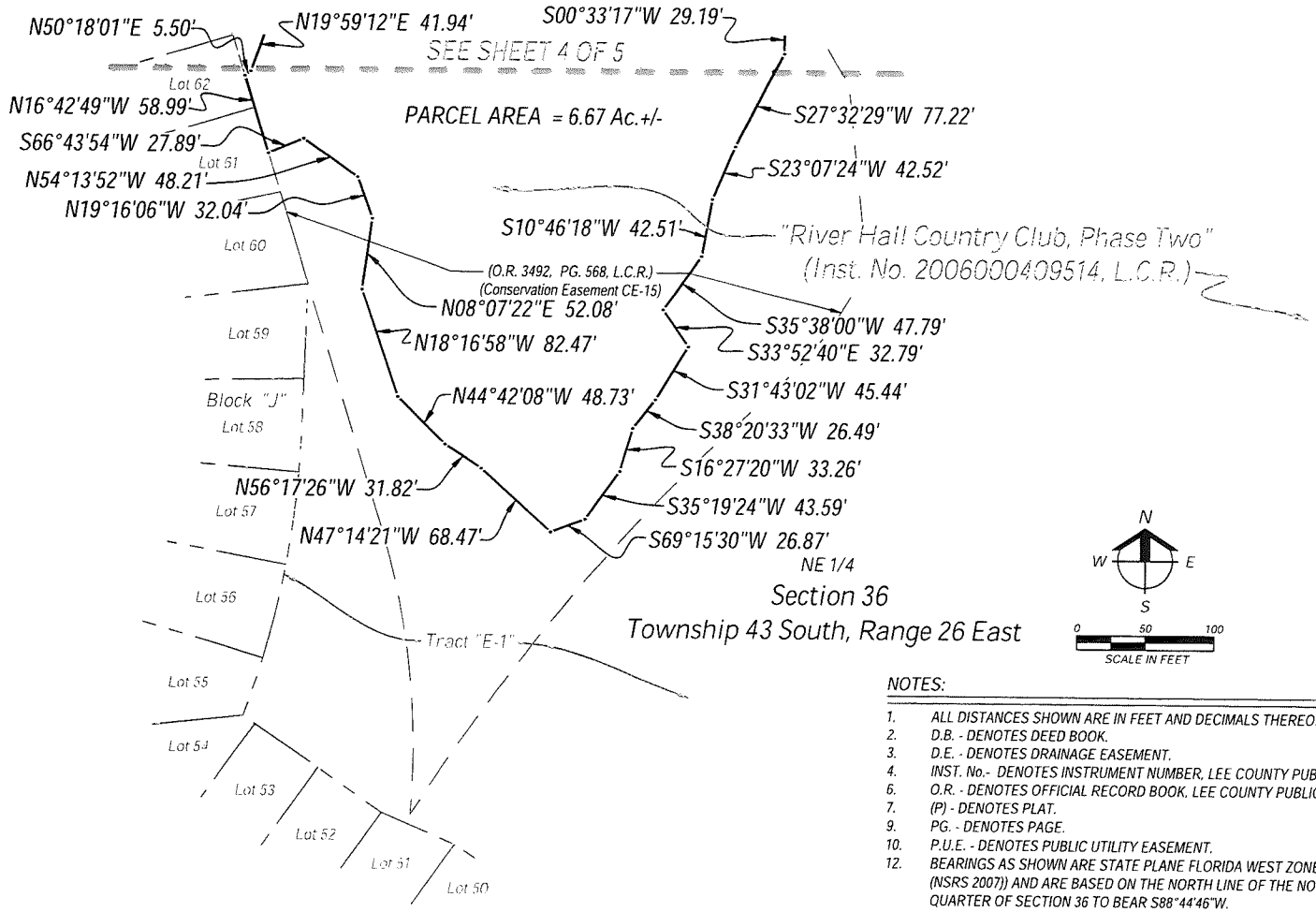
RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTION 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

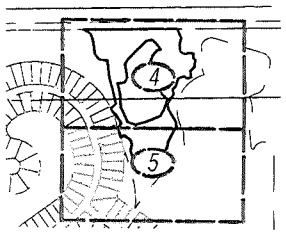
SKETCH TO ACCOMPANY DESCRIPTION

4 OF 5



SHEET INDEX MAP

SCALE 1"=1000'



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S88°44'46"W.
13. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2758
FORT MYERS, FLORIDA 33902-2758
PHONE (239) 461-3170
FAX (239) 461-3169
CERTIFICATE OF AUTHORIZATION
ENGINEERING 5993 - SURVEYING LB#4949

LandMar GROUP, LLC

3451 BEE RIDGE ROAD, SUITE 202
SARASOTA, FLORIDA 34239
PHONE (941) 312-0400
FAX (239) 275-3237

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

5 OF 5

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run N00°45'42"W along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,095.99 feet to the POINT OF BEGINNING.

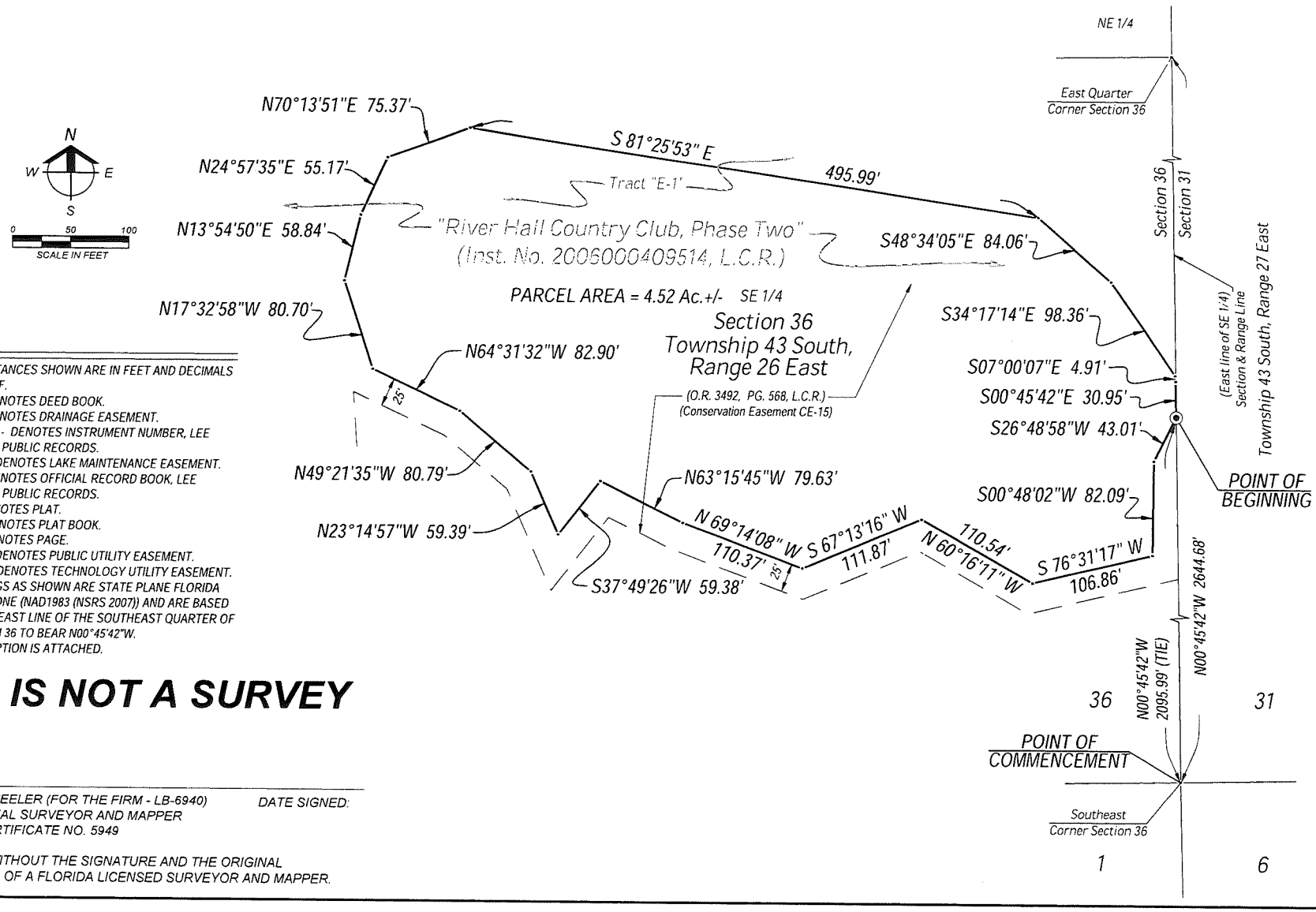
From said Point of Beginning run S26°48'58"W for 43.01 feet; thence run S00°48'02"W for 82.09 feet; thence run S76°31'17"W for 106.86 feet; thence run N60°16'11"W for 110.54 feet; thence run S67°13'16"W for 111.87 feet; thence run N69°14'08"W for 110.37 feet; thence run N63°15'45"W for 79.63 feet; thence run S37°49'26"W for 59.38 feet; thence run N23°14'57"W for 59.39 feet; thence run N49°21'35"W for 80.79 feet; thence run N64°31'32"W for 82.90 feet; thence run N17°32'58"W for 80.70 feet; thence run N13°54'50"E for 58.84 feet; thence run N24°57'35"E for 55.17 feet; thence run N70°13'51"E for 75.37 feet; thence run S81°25'53"E for 495.99 feet; thence run S48°34'05"E for 84.06 feet; thence run S34°17'14"E for 98.36 feet; thence run S07°00'07"E for 4.91 feet to an intersection with the East line of said Southeast Quarter (SE ¼); thence run S00°45'42"E along said East line for 30.95 feet to the POINT OF BEGINNING.

Containing 4.52 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the East line of the Southeast Quarter (SE 1/4) of said Section 36 to bear N00°45'42"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP16desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR N00°45'42"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERRIG - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 105
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7914 - SURVEYING LB-6940
LandMar GROUP, LLC
2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-0321
FAX (239) 277-0517

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

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

FILE NAME	
LAYOUT	
LOCATION	
PLOT DATE	
PLOT BY	

DRAWING DATA

SURVEY DATE	05-24-2012
DRAWN BY	P. OLSEN
CHECKED BY	
SCALE	1" = 100'
FIELD BOOK	

PLAN REVISIONS

WETLAND FREEZER (CE-15) #3

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
2006-36-43-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run N00°45'42"W along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 1,442.70 feet; thence run S89°14'18"W for 948.05 feet to the POINT OF BEGINNING.

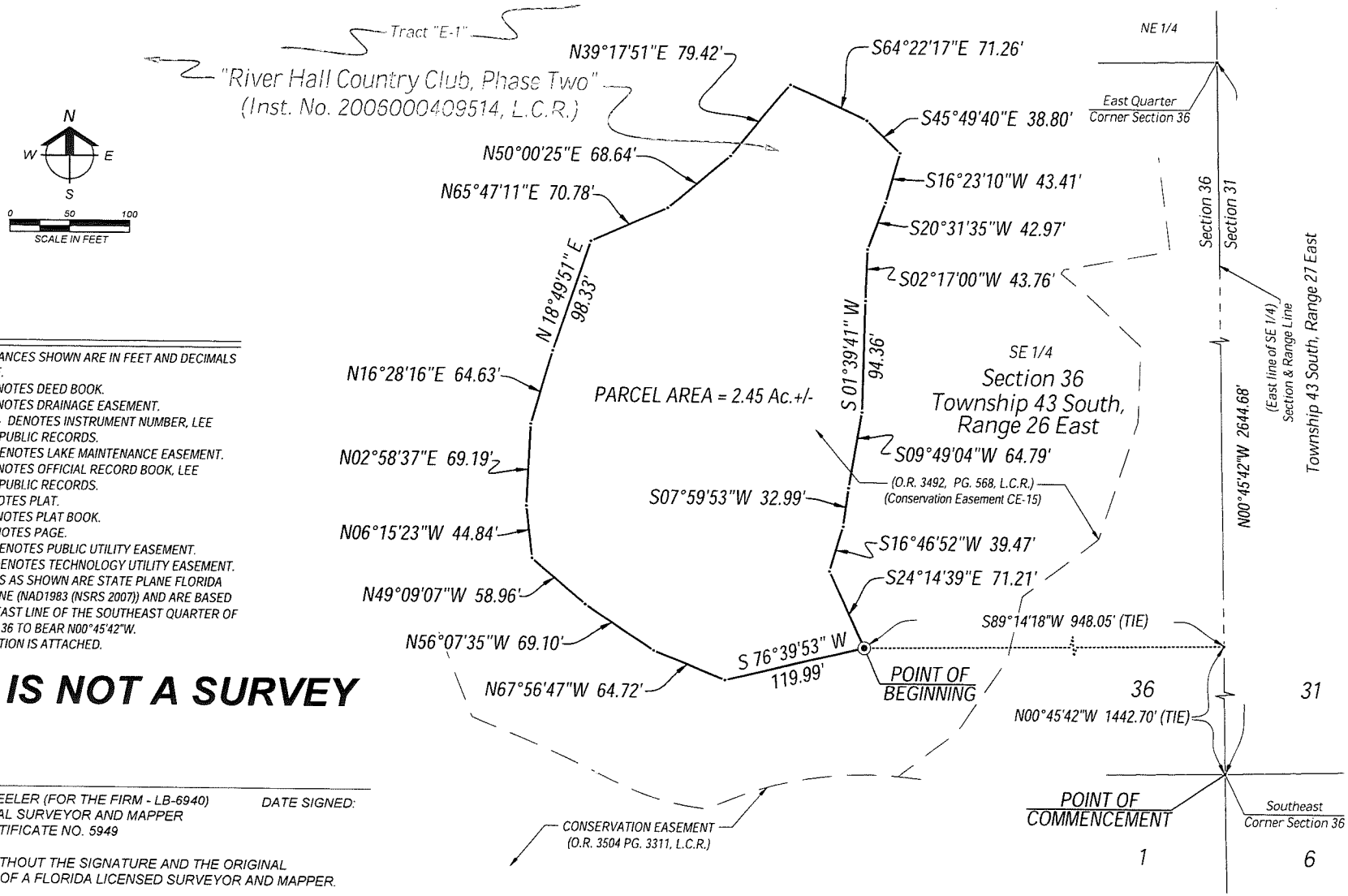
From said Point of Beginning run S76°39'53"W for 119.99 feet; thence run N67°56'47"W for 64.72 feet; thence run N56°07'35"W for 69.10 feet; thence run N49°09'07"W for 58.96 feet; thence run N06°15'23"W for 44.84 feet; thence run N02°58'37"E for 69.19 feet; thence run N16°28'16"E for 64.63 feet; thence run N18°49'51"E for 98.33 feet; thence run N65°47'11"E for 70.78 feet; thence run N50°00'25"E for 68.64 feet; thence run N39°17'51"E for 79.42 feet; thence run S64°22'17"E for 71.26 feet; thence run S45°49'40"E for 38.80 feet; thence run S16°23'10"W for 43.41 feet; thence run S20°31'35"W for 42.97 feet; thence run S02°17'00"W for 43.76 feet; thence run S01°39'41"W for 94.36 feet; thence run S09°49'04"W for 64.79 feet; thence run S07°59'53"W for 32.99 feet; thence run S16°46'52"W for 39.47 feet; thence run S24°14'39"E for 71.21 feet to the POINT OF BEGINNING.

Containing 2.45 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the East line of the Southeast Quarter (SE 1/4) of said Section 36 to bear N00°45'42"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP17desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR N00°45'42"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
FORT MYERS, FLORIDA 33901-3068
PHONE (239) 461-3170
FAX (239) 461-3169
FL. BRCA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7355 - SURVEYING LB-6940
PREPARED FOR:
LandMar GROUP, LLC
3451 RIVER HALL PARKWAY
ALVA, FLORIDA 33920
PHONE (239) 274-8321
FAX (239) 274-0517

PROJECT DESCRIPTION
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

PROJECT NUMBER

FILE NAME	2006-EP02.DWG
LAYOUT	2
LOCATION	J:\...\2006EP02\DWG\EP02.DWG
PLOTTED	3/31/2026 - 4:57PM
PLOTTED BY	[illegible]

DRAWING DATA

SURVEY DATE	03-30-2026
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-15) #4

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE #	SHEET NUMBER
22925 26-03-26	2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

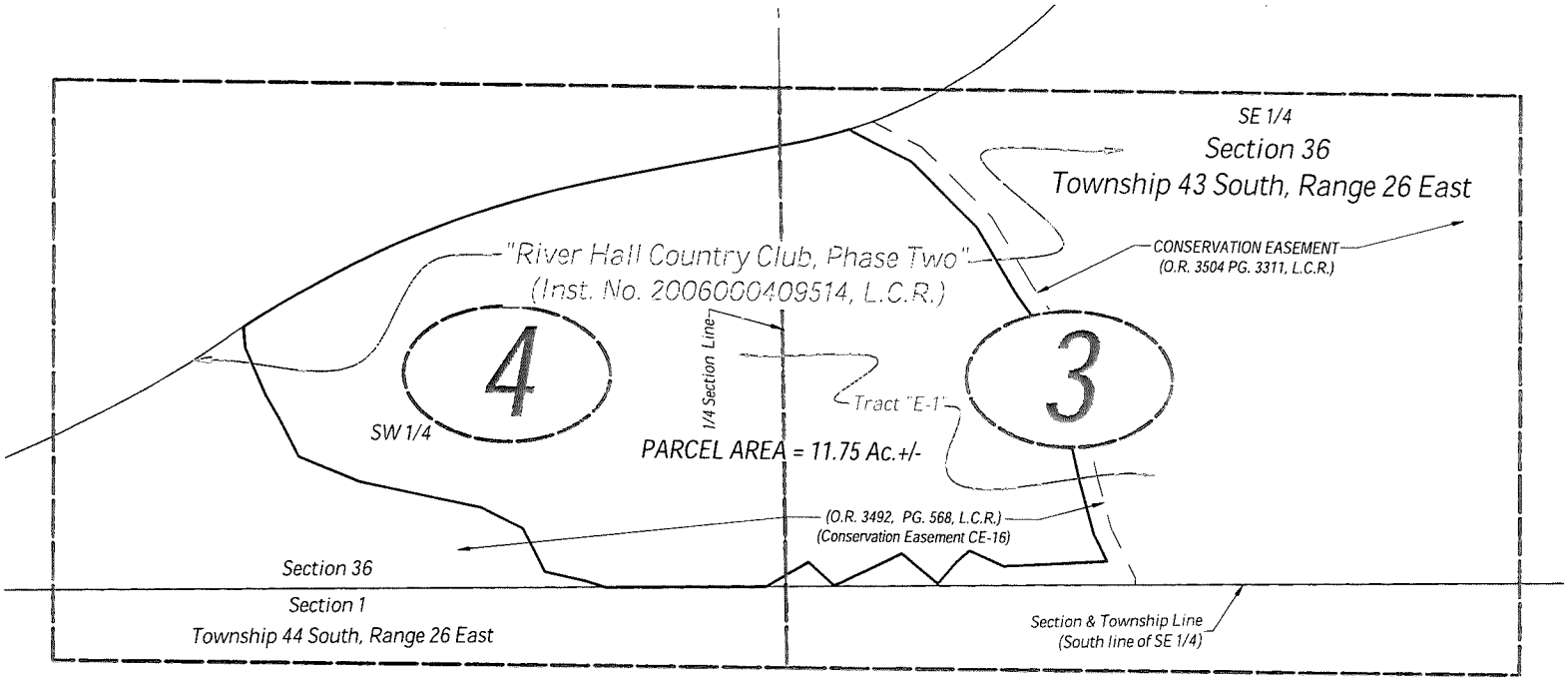
A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,205.87 feet; thence run N00°47'33"W for 31.98 feet to the POINT OF BEGINNING.
From said Point of Beginning run S86°50'27"W for 141.68 feet; thence run N66°30'31"W for 50.48 feet; thence run S48°54'09"W for 25.10 feet; thence run S40°14'25"W for 37.52 feet; thence run N50°24'25"W for 63.84 feet; thence run S64°06'53"W for 102.43 feet; thence run N47°31'00"W for 47.35 feet; thence run S59°42'28"W for 66.49 feet to an intersection with the South line of the Southwest Quarter (SW 1/4) of said Section 36; thence run S89°11'43"W along said South line for 220.33 feet; thence run N73°14'29"W for 27.47 feet; thence run N77°54'50"W for 56.54 feet; thence run N26°55'31"W for 65.99 feet; thence run N63°34'56"W for 62.64 feet; thence run N78°33'38"W for 61.33 feet; thence run N78°14'08"W for 108.91 feet; thence run N68°11'39"W for 89.03 feet; thence run N27°12'03"W for 58.55 feet; thence run N29°28'30"W for 34.12 feet; thence run N23°22'21"W for 72.53 feet; thence run N04°52'29"W for 29.55 feet to a point on a non-tangent curve and an intersection with the Northwesterly line of said Tract "E-1"; thence run the following three (3) courses along said Northwesterly line: Northeasterly along an arc of a curve to the right of radius 1,335.00 feet (delta 22°43'20") (chord bearing N66°51'10"E) (chord 525.97 feet) for 529.43 feet to a point of tangency; N78°12'50"E for 275.30 feet to a point of curvature and Easterly along an arc of a curve to the left of radius 690.00 feet (delta 06°11'33") (chord bearing N75°07'04"E) (chord 74.54 feet) for 74.57 feet; thence run S43°53'03"E for 5.25 feet; thence run S62°54'19"E for 89.02 feet; thence run S44°49'18"E for 128.43 feet; thence run S30°35'26"E for 107.68 feet; thence run S35°05'33"E for 64.03 feet; thence run S13°55'14"E for 126.29 feet; thence run S13°01'34"E for 81.97 feet; thence run S15°07'29"E for 75.29 feet; thence run S26°08'25"E for 40.86 feet to the POINT OF BEGINNING.
Containing 11.75 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the South line of the Southeast Quarter (SE 1/4) of said Section 36 to bear S89°12'27"W.

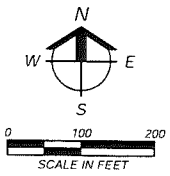
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

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



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR S89°12'27"W.
10. DESCRIPTION IS ATTACHED.



THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
www.barraco.net
LandMar GROUP, LLC

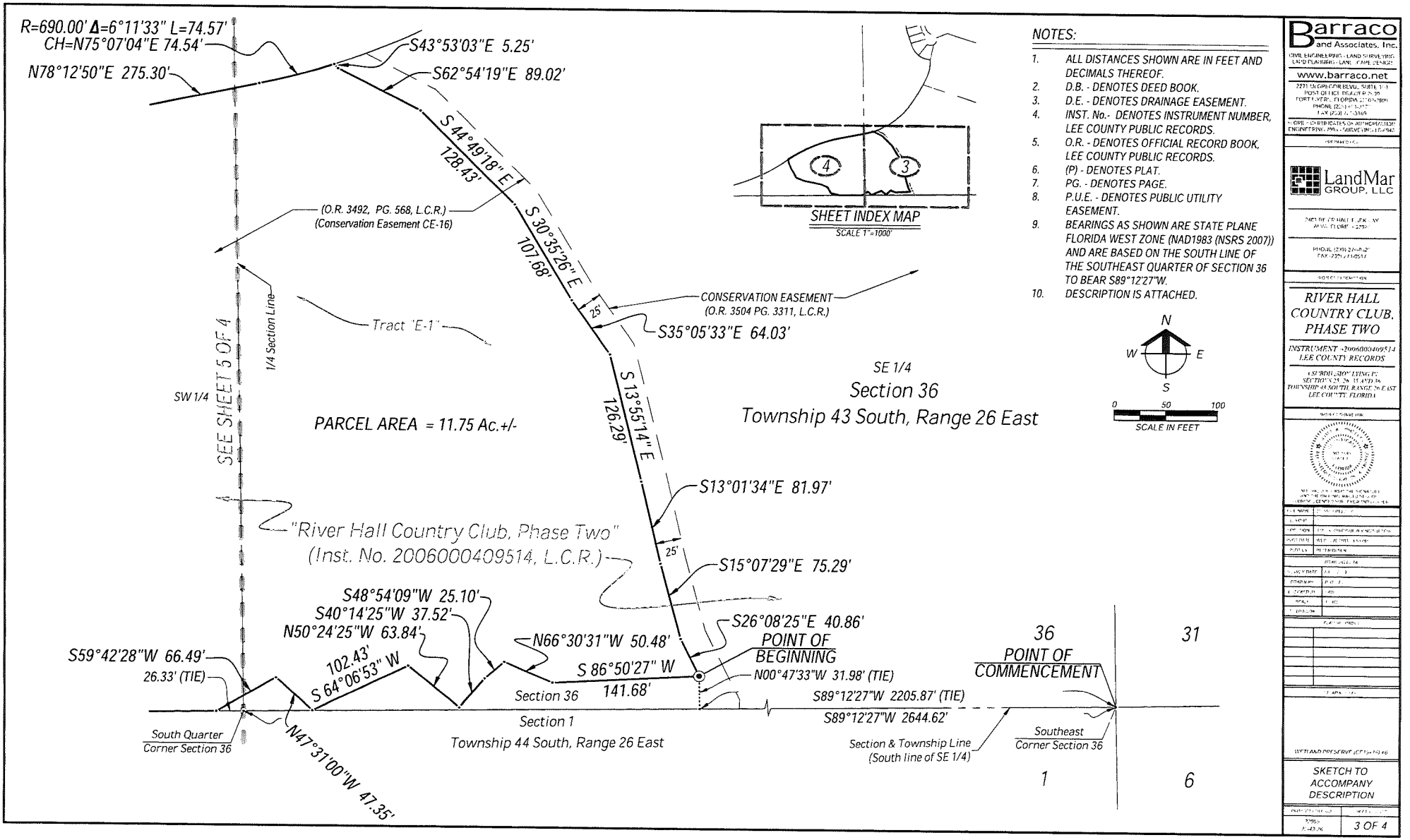
RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514
LEE COUNTY RECORDS

SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

2 OF 4



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR S89°12'27"W.
10. DESCRIPTION IS ATTACHED.

Barraco and Associates, Inc.
CIVIL ENGINEERING · LAND SURVEYING
LAND PLANNING · LAKE CAPE DENGR
www.barraco.net
2271 McGREGOR BLVD., SUITE 1-1
POST OFFICE BEACH P.O. 00
FORT MYERS, FLORIDA 33901-3001
PHONE (239) 4[illegible]
FAX (239) 4[illegible]
CERTIFICATES OF AUTHORIZATION
ENGINEERING 2[illegible] · SURVEYING LB 5[illegible]
LandMar GROUP, LLC
[illegible]
PHONE (239) 2[illegible]
FAX (239) 4[illegible]

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 24, 25, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

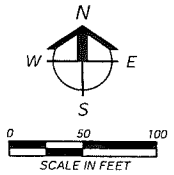
WETLAND PRESERVATION

SKETCH TO ACCOMPANY DESCRIPTION

3 OF 4

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. PG. - DENOTES PAGE.
8. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR S89°12'27"W.
10. DESCRIPTION IS ATTACHED.



N78°12'50"E 275.30'

R=1335.00' Δ=22°43'20" L=529.43'
CH=N66°51'10"E 525.97'

Tract "E-1"

"River Hall Country Club, Phase Two"
(Inst. No. 2006000409514, L.C.R.)

SE 1/4

PARCEL AREA = 11.75 Ac.+/-

SW 1/4
Section 36
Township 43 South, Range 26 East

1/4 Section Line

SEE SHEET 4 OF 4

N04°52'29"W 29.55'

N23°22'21"W 72.53'

(O.R. 3492, PG. 568, L.C.R.)
(Conservation Easement CE-16)

N29°28'30"W 34.12'

N27°12'03"W 58.55'

89.03'
N 68°11'39" W

N 78°14'08" W
108.91'

N78°33'38"W 61.33'

N63°34'56"W 62.64'

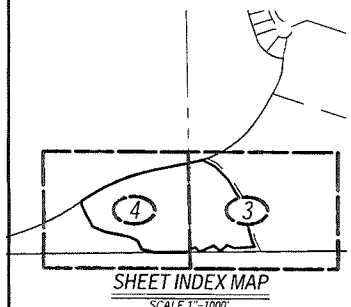
N26°55'31"W 65.99'

N77°54'50"W 56.54'

S89°11'43"W 220.33'

26.33' (TIE)

N73°14'29"W 27.47'



SHEET INDEX MAP
SCALE 1"=1000'

35 36

Section & Township Line
(South line of SE 1/4)

S89°11'43"W 2396.97' (TIE) Section 36
S89°11'43"W 2643.63' Section 1

Township 44 South, Range 26 East

Southwest
Corner Section 36

South Quarter
Corner Section 36

2 1

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 7899
FORT MYERS, FLORIDA 33907-7899
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING #6514 SURVEYING LB#3940

PREPARED FOR:
LandMar GROUP, LLC
9111 RIVER HALL PARKWAY
NAPLES, FLORIDA 34120
PHONE (239) 254-0221
FAX (239) 254-0317

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT 4200600040951-4
LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36 TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

4 OF 4

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

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1"of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Southeast Corner of said Section 36 run N00°45'42"W along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 282.83 feet; thence run S89°14'18"W for 503.48 feet to the POINT OF BEGINNING.

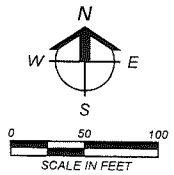
From said Point of Beginning run S58°59'23" W for 57.88 feet; thence run S65°44'12" W for 85.53 feet; thence run N67°33'20" W for 65.21 feet; thence run N45°11'04" W for 105.11 feet; thence run N24°30'41" W for 77.39 feet; thence run N06°47'10" E for 42.23 feet; thence run N35°04'41"E for 49.47 feet; thence run N62°05'31" E for 79.46 feet; thence run N66°34'32" E for 55.33 feet; thence run S83°05'01" E for 54.16 feet; thence run S46°25'55" E for 42.18 feet; thence run S49°07'52" E for 53.46 feet; thence run S40°42'27" E for 57.96 feet; thence run S02°47'22" W for 66.93 feet; thence run S16°45'16" W for 56.77 feet; thence run S15°16'20" W for 10.70 feet to the POINT OF BEGINNING.

Containing 1.60 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the East line of the Southeast Quarter (SE 1/4) of said Section 36 to bear N00°45'42"W.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP19desc.doc



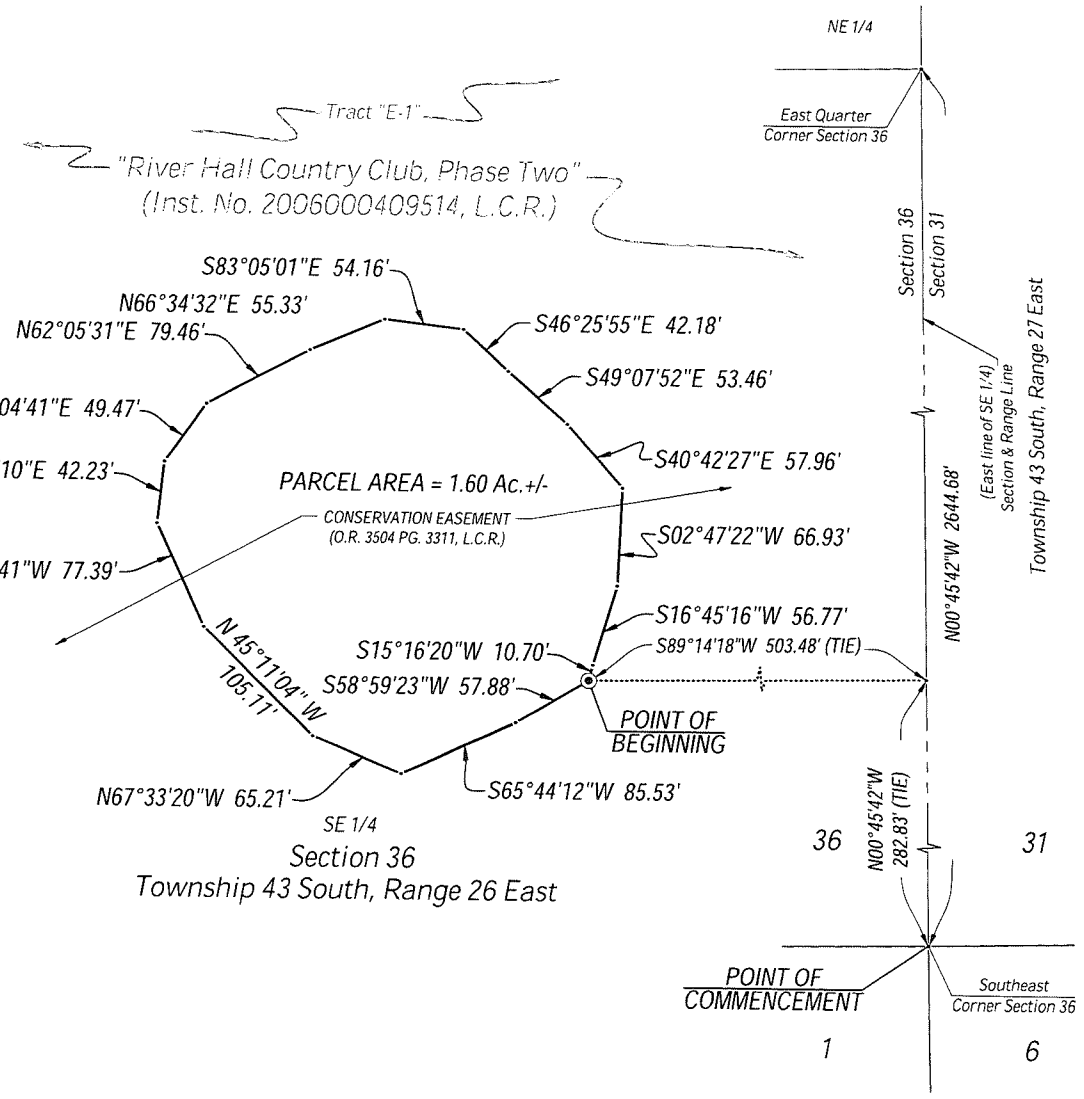
NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO BEAR N00°45'42"W.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

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

PROJECT DESCRIPTION:
RIVER HALL COUNTRY CLUB, PHASE TWO
INSTRUMENT #2006000409514
LEE COUNTY RECORDS
A SUBDIVISION LYING IN SECTIONS 31, 32, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 - 1ST LEE COUNTY, FLORIDA

PROJECT NAME SUB:

FILE NAME: 22955 WETLAND PRESERVE.DWG
LAYOUT: 2
LOCATION: J:\...\22955 WETLAND PRESERVE.DWG
PLOT DATE: WED 3:26:29 PM
PLOT BY: PETER OLSEN

DRAWING DATA
SURVEY DATE: 03-30-2015
DRAWN BY: P. OLSEN
CHECKED BY: SAW
SCALE: 1"=100'
FIELD BOOK:

PLAN REVISIONS

STRAP / NUMBERS

WETLAND PRESERVE(O.R. 3504 PG. 3311)

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO: 22955 26-43-36
SHEET NUMBER: 2 OF 2

DESCRIPTION

Parcel in
Section 36
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Tract "E-1" of "River Hall Country Club, Phase Two", as recorded in Instrument No. 2006000409514, Public Records of Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at the Northeast Corner of said Section 36 run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,278.50 feet; thence run S89°43'09"W for 550.33 feet to the POINT OF BEGINNING.

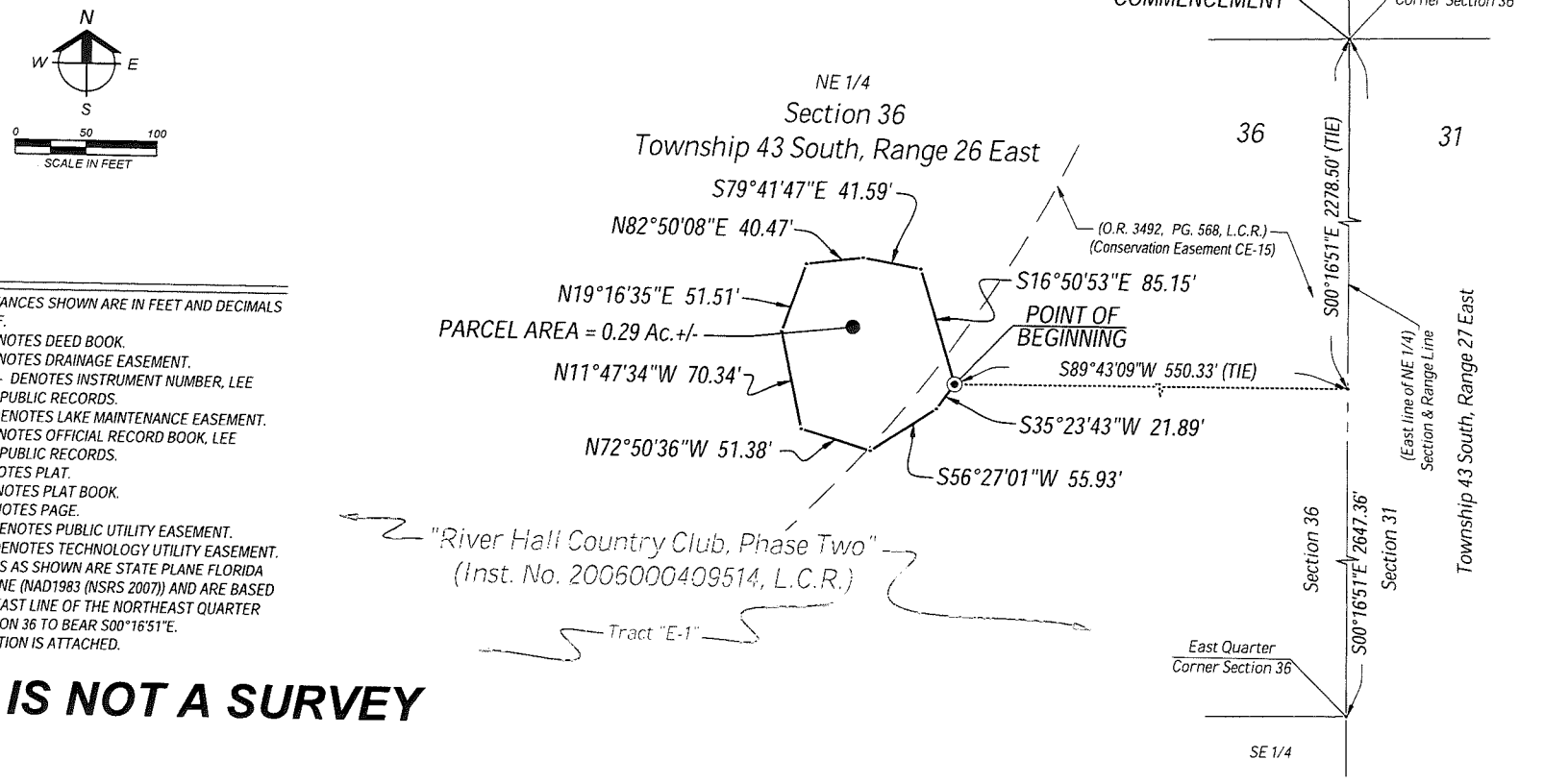
From said Point of Beginning S35°23'43" W for 21.89 feet; thence run S56°27'01" W for 55.93 feet; thence run N72°50'36" W for 51.38 feet; thence run N11°47'34" W for 70.34 feet; thence run N19°16'35" E for 51.51 feet; thence run N82°50'08" E for 40.47 feet; thence run S79°41'47" E for 41.59 feet; thence run S16°50'53" E for 85.15 feet to the POINT OF BEGINNING.

Containing 0.29 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS2007) and the East line of the Northeast Quarter (NE 1/4) of said Section 36 to bear S00°16'51"E.

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

L:\22955 - River Hall - Due Diligence\Survey\descriptions\22955WLP20desc.doc



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 36 TO BEAR S00°16'51"E.
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD. SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7991 - SURVEYING LB-6940

PREPARED FOR:

LandMar GROUP, LLC

2481 RIVER HALL PARKWAY
ALVA, FLORIDA 33920

PHONE (239) 274-0321
FAX (239) 274-0517

PROJECT DESCRIPTION:

RIVER HALL COUNTRY CLUB, PHASE TWO

INSTRUMENT #2006000409514 LEE COUNTY RECORDS

A SUBDIVISION LYING IN SECTIONS 25, 26, 35 AND 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA

SCOTT A. WHEELER
No. 5949
STATE OF FLORIDA
PROFESSIONAL SURVEYOR

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

FIELD BOOK	
LOCATION	
FIELD DATE	
FIELD BY	

DRAWING DATA

SURVEY DATE	02-20-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1" = 100'
FIELD BOOK	

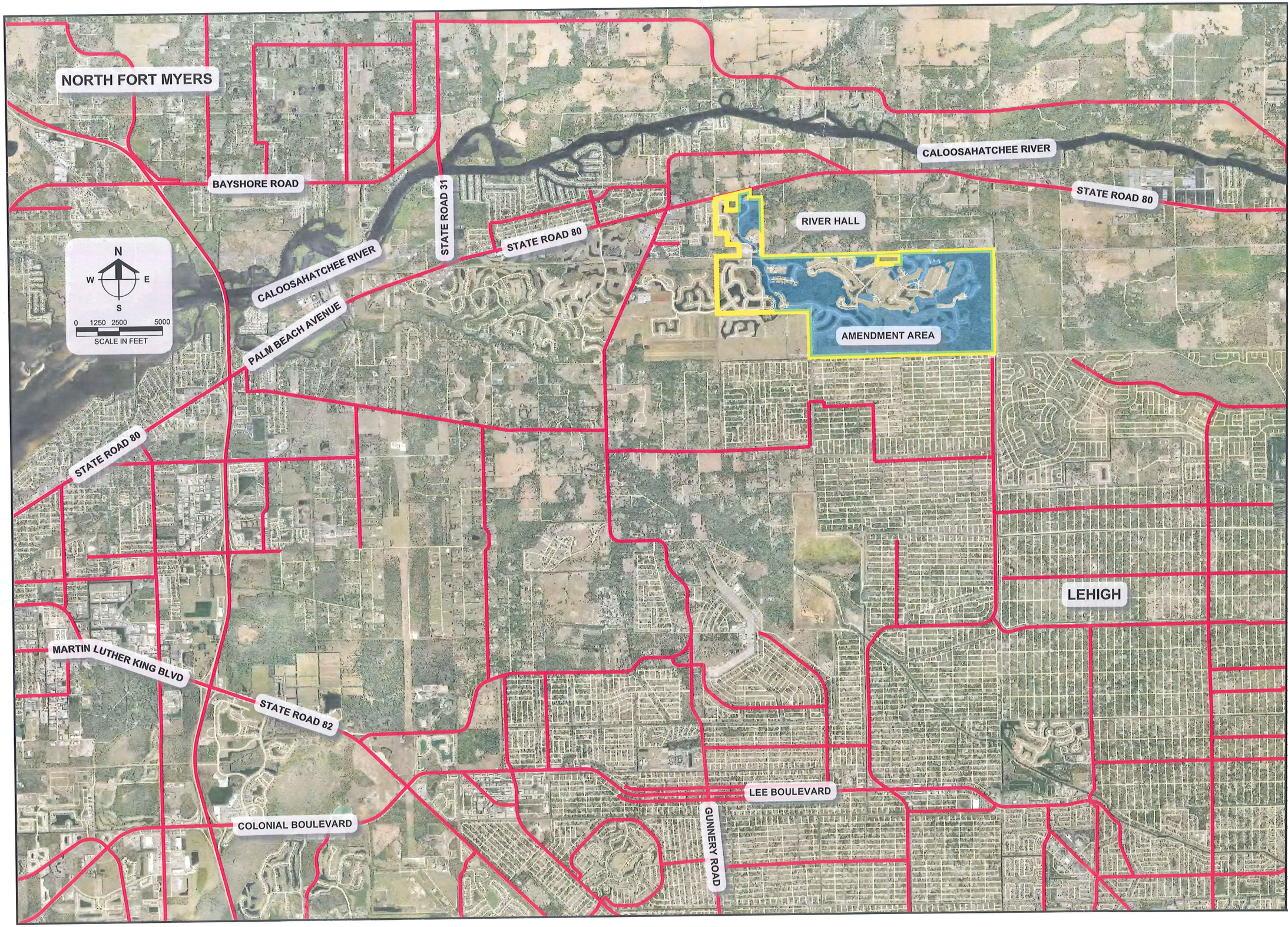
PLAN REVISIONS

STRAP NUMBERS

WETLAND PRESERVE (CE-15) #2A

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT FILE NO.	SHEET NUMBER
12955	2 OF 2
36-43-26	



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	LOCATION.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\APPLICATION\
PLOT DATE	FRI, 3-22-2013 - 6:05 AM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

1-2-13	NEW AMENDMENT BOUNDARY
3-20-13	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT IV.A.8

AERIAL LOCATION MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1

RIVER HALL
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Project #12545

September 26, 2012

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
2149 McGregor Boulevard
Fort Myers, Florida 33901

EXHIBIT IV.B.1

RIVER HALL
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Introduction

River Hall, hereafter referred to as the Project, is an existing residential development located within unincorporated Lee County. The Project site is located on SR 80 in east Lee County, approximately three-fourths of a mile east of Buckingham Road at River Hall Parkway (Exhibit 1).

The subject property is currently zoned Rural and is identified as Rural on Lee County's Future Land Use Map (FLUM). As part of the comprehensive plan amendment (CPA) process, the applicant desires to change the land use designation on a portion of the property from Rural to Sub-Outlying Suburban.

The existing FLUM and zoning for the River Hall community allows 1,999 residential dwelling units and supporting amenities. The proposed CPA will allow an increase of 1,000 dwelling units to a total of 2,999 dwelling units.

The purpose of this report, therefore, is to provide a traffic analysis in support of the proposed Comprehensive Plan Amendment (CPA) application to change the land use designation on a portion of the Project from Rural to Sub-Outlying Suburban.

Pre-Application/Methodology Meeting

A pre-application meeting was held with the Lee County Development Services and DOT staff on August 9, 2012 that included the discussions of the traffic methodology to be used in preparing the traffic study in support of the comprehensive plan amendment.

It was discussed and agreed during the meeting that the potential traffic impacts of the proposed comprehensive plan amendment would be evaluated based on comparative 2035 travel model assignments, for both "without" and "with" the proposed Plan Amendment, using the adopted Lee County MPO 2035 travel model, the MPO's 2035 zonal data projections, and the road network from the adopted MPO 2035 Cost Feasible Plan. This is standard, accepted practice for traffic studies undertaken in support of the proposed comprehensive plan amendment traffic studies in Lee County.

The proposed CPA will not affect the short-term (five-year) traffic conditions as the development of the requested 1,000 dwelling units will not occur until after 2017.

As directed by the County staff, a secondary access connecting to Lehigh Acres will be reflected in the CPA traffic study. The secondary access is a condition in the current zoning resolution.

Study Area

As per Lee County's comprehensive plan amendment requirements, the traffic impact of the proposed CPA is analyzed for major roadways within a three-mile radius of the subject property, as shown in Exhibit 1 and referenced in the Lee County CPA application form, Appendix A.

Existing Roadway Network

The existing roadway network in the vicinity of the Project is depicted in Exhibit 1. As shown in Exhibit 1, there are several major roadways in the vicinity of the Project including SR 80, SR 31 and Buckingham Road.

SR 80 is a State-maintained, east-west arterial connecting Lee County with Hendry County to the east. SR 80 east of SR 31 is currently four-lanes divided.

SR 31 is a State-maintained, two-lane arterial that extends north from SR 80 into Charlotte and DeSoto County.

Buckingham Road is a County-maintained, two-lane, arterial that extends south from SR 80 into Lehigh Acres.

Planned Roadway Improvements

The Lee County Metropolitan Planning Organization (MPO) recently adopted the Lee County 2035 Long Range Transportation Plan (LRTP). The LRTP consists of transportation plans, including: 1) the 2035 Highway Needs Plan; and 2) the 2035 Highway Cost Feasible Plan. The two highway plans are the subject of this CPA traffic analysis.

I. 2035 Highway Needs Plan

The 2035 LRTP Highway Needs Plan map (Appendix B) identifies improvements that are considered to be the future roadway "needs" to support the anticipated county-wide demands.

The following 2035 LRTP roadway improvement needs are identified within the CPA study area.

- SR 80 from SR 31 to Buckingham Road – Widen from 4LD to 6LD
- SR 31 from SR 80 to Charlotte County line – Widen from 2LU to 4LD
- Buckingham Road from SR 80 to Orange River Boulevard – Widen from 2LU to 2LD
- Buckingham Road from Orange River Boulevard to Gunnery Road
  - Widen from 2LU to 4LD

II. 2035 Highway Cost Feasible Plan

The 2035 LRTP Highway Cost Feasible Plan map (included as part of Appendix B) identifies the improvement needs identified above that are considered to be financially feasible based on anticipated future revenues.

It is noted that the Lee County Financial Feasible Plan/Map 3A from The Lee Plan has not been updated yet to reflect the recently adopted Lee County MPO 2035 Long Range Transportation Plan (LRTP), Lee County Highway Cost Feasible Plan. Lee Plan Map 3A will essentially be the cost feasible component of the MPO 2035 LRTP Highway Element. As indicated in the current version of The Lee Plan, Chapter III. Transportation, a. Traffic Circulation, Policy 36.1.1:

> "The Lee County Metropolitan Planning Organization's 2030 Financially Feasible Plan Map series is hereby incorporated as part of the Transportation Map series for this Lee Plan comprehensive plan element. The MPO 2030 Financially Feasible Highway Plan Map, as adopted December 7, 2005 and as amended through March 17, 2006, is incorporated as Map 3A of the Transportation Map series."

Therefore, as agreed during the pre-application/methodology meeting, the traffic analysis reflected the adopted MPO 2035 LRTP, Cost Feasible Plan. In addition, it is noted that using the MPO 2035 LRTP in the traffic analysis is appropriate to reflect the long-term analysis. It is also understood that all the references to the MPO 2035 LRTP Cost Feasible Plan refer to the Map 3A from The Lee Plan, which is yet to be updated reflective of the MPO 2035 LRTP Cost Feasible Plan.

The Cost Feasible projects include those improvements that are considered affordable, given revenue projections through 2035. The Cost Feasible projects in the general vicinity of the Project include the following.

- Buckingham Road from SR 80 to Orange River Boulevard
  – Widen from two-lanes undivided (2LU) to two-lanes divided (2LD)

Scheduled Roadway Improvements

Reflective of the Cost Feasible Plan above, the scheduled road improvements in the Lee County Capital Improvement Program are shown on: 1) Lee County DOT Major Road Improvements Tentatively Programmed Through Construction Phase, F.Y. 2010/11 – 2014/15; and 2) Florida DOT Five Year Work Program – District 01 – Lee County, 2013 – 2017 AD.

The following scheduled improvement was identified within the CPA study area (included as part of Appendix B).

- SR 31 from SR 80 to CR 78 (North River Road) - PD&E study

Land Use Parameters

The proposed CPA will amend The Lee Plan to change a portion of the Project's land use designation from Rural to Sub-Outlying Suburban.

Based on conservative assumptions as to the types and densities that could be developed under the proposed land use designation, the potential future land uses for the Project were developed. These numbers have been prepared for analysis purposes.

Development Parameters

Land Use	Five –Years Size	Units	Build-out Size	Units
Approved Residential – Single Family (without CPA)	N/A [1]	d.u.	1,999	d.u.
Proposed Residential – Single Family (with CPA)	N/A [2]	d.u.	2,999	d.u.

Footnotes:
(1) Not Applicable – Not part of CPA.
(2) Not Applicable – Not affected by CPA.

As shown above, the proposed development plan reflects an increase from 1,999 to 2,999 single-family residential units. For purposes of the CPA traffic analysis, the existing ancillary amenities including the golf course and the school are not reflected, in order to reflect a worse-case condition where no internal trips are captured on site.

A review of the MPO 2035 socio-economic data in the travel model (FSUTMS-Cube) indicated that there were insufficient development levels found in the assigned Traffic Analysis Zone (TAZ 2059) that includes the area of River Hall. As such, a new Traffic Analysis Zone (TAZ 1978) was assigned to specifically reflect River Hall in the travel model. The socio-economic data reflective of: 1) the approved 1,999 d.u., (without CPA); and 2) the proposed 2,999 d.u., (with CPA) shown above that served as the input parameter in the travel model are provided in Appendix C.

Project Access

The Project is currently served by River Hall Parkway, the main entry road from SR 80. As previously discussed, Lee County staff requested that the CPA traffic analysis to include the planned secondary access located at the Project's southern boundary abutting Lehigh Acres. The connection of the secondary access is anticipated to be with Ruth Avenue in Lehigh Acres, Exhibit 2.

Level of Service Standards

Roadway level of service (LOS) standards generally vary depending upon whether the road is a State or County road and whether the road is in an urban or rural area. Furthermore, State roads on the Florida Intrastate Highway System (FIHS) generally have more stringent LOS standards than other roads.

Per The Lee Plan, Policy 37.1.1., appropriate level of service (LOS) standards were used in the traffic analysis, which acknowledges State LOS standards on FIHS, SIS and TRIP-funded facilities.

Long-Term (2035) Comparative Travel Model Assignments

As agreed at the pre-application/methodology meeting, the recently adopted Lee County MPO travel model (FSUTMS) was used to run comparative travel model assignments both "without" and "with" the proposed CPA under the adopted Lee County MPO 2035 Cost Feasible Plan. For these assignments, the future year 2035 Cost Feasible road network and the MPO's 2035 socio-economic data projections were used.

2035 Traffic Conditions Without the CPA

A new TAZ (TAZ 1978) was assigned to represent the existing approved River Hall in the travel model. The approved River Hall build-out parameters (1,999 single-family dwelling units) were converted to socio-economic data to serve as the model input. The residential population estimates were derived based on the same seasonal vacancy and auto ownership rates as that established by the Lee County MPO for adjacent TAZ 2059 and attached as Appendix C. Based on the travel model, the approved River Hall generated approximately 12,600 peak season, weekday, average daily trips (PSWADT).

As required by Lee County, the study area included roadway segments within a three-mile radius of the Project. Exhibit 3 provides the results of the 2035 travel model assignment for "without" the proposed CPA. For each segment, the most representative link volumes from the travel model assignment were used in the segment analysis. All analysis assumptions are identified in Exhibit 3 and documented in Appendix D.

As shown in Exhibit 3, the following segments are projected to be deficient in 2035 without the proposed CPA.

Deficient Roadway Segments – 2035 Cost Feasible Plan, Without CPA

Roadway	From	To
Buckingham Road	Gunnery Road	Cemetery Road
	Cemetery Road	Orange River Boulevard
	Orange River Boulevard	SR 80
SR 31	SR 80	Bayshore Road
	Bayshore Road	North River Road
SR 80	SR 31	Tropic Avenue

The deficient roadways above are the same roadway segments that are identified in the adopted Lee County MPO 2035 LRTP Needs Plan, where improvements are needed given the county-wide future demands by year 2035 (please refer to Appendix B).

2035 Traffic Conditions With the CPA

The proposed CPA build-out parameters (2,999 single-family dwelling units) were converted to socio-economic data for TAZ 1978 that represents River Hall in the travel model. The population estimates were derived based on the same seasonal vacancy and auto ownership rates as that established by the Lee County MPO for adjacent TAZ 2059 and attached as Appendix C. Based on the travel model, the proposed CPA generated approximately 18,700 peak season, weekday, average daily trips (PSWADT).

As required by Lee County, the study area included roadway segments within a three-mile radius of the Project. Exhibit 4 provides the results of the 2035 travel model assignment for "with" the proposed CPA. As shown in Exhibit 4, the following segments were projected to be deficient in 2035 with the proposed CPA. All link analysis assumptions are identified in Exhibit 4 and documented in Appendix D.

Deficient Roadway Segments – 2035 Cost Feasible Plan, With CPA

Roadway	From	To
Buckingham Road	Gunnery Road	Cemetery Road
	Cemetery Road	Orange River Boulevard
	Orange River Boulevard	SR 80
SR 31	SR 80	Bayshore Road
	Bayshore Road	North River Road
SR 80	SR 31	Tropic Avenue

The deficient roadway segments identified above are identical to the deficiencies identified for "without" the proposed CPA.

Based on the long-term (2035) comparative travel model analysis, the following conclusions are derived.

1. Deficient roadway segments on SR 80, SR 31 and Buckingham Road have been identified for "without" the proposed CPA.

2. The deficient roadway segments and the corresponding needed improvements have already been identified in the Lee County MPO 2035 LRTP.

3. The roadway needs to correct the deficiencies for "without" and "with" the CPA are identical. A comparison of the roadway needs resulting from the CPA analysis and the adopted 2035 LRTP is provided in Exhibit 5.

4. There are no additional roadway deficiencies as a result of the proposed CPA.

5. The recommended adjustment to the adopted 2035 LRTP is the planned two-lane divided improvement to Buckingham Road (from Orange River Boulevard to SR 80) be upgraded to four-lanes divided, warranted as a result of both "without" and "with" the proposed CPA traffic analyses.

    - Buckingham Road from SR 80 to Orange River Boulevard
        - Update from two-lanes divided (2LD) to four-lanes divided (4LD)

The complete FSUTMS-Cube travel model run for all CPA scenarios are available for download from ftp://ftpfm.dplummer.com/Public/12545_RiverHall_CPA.

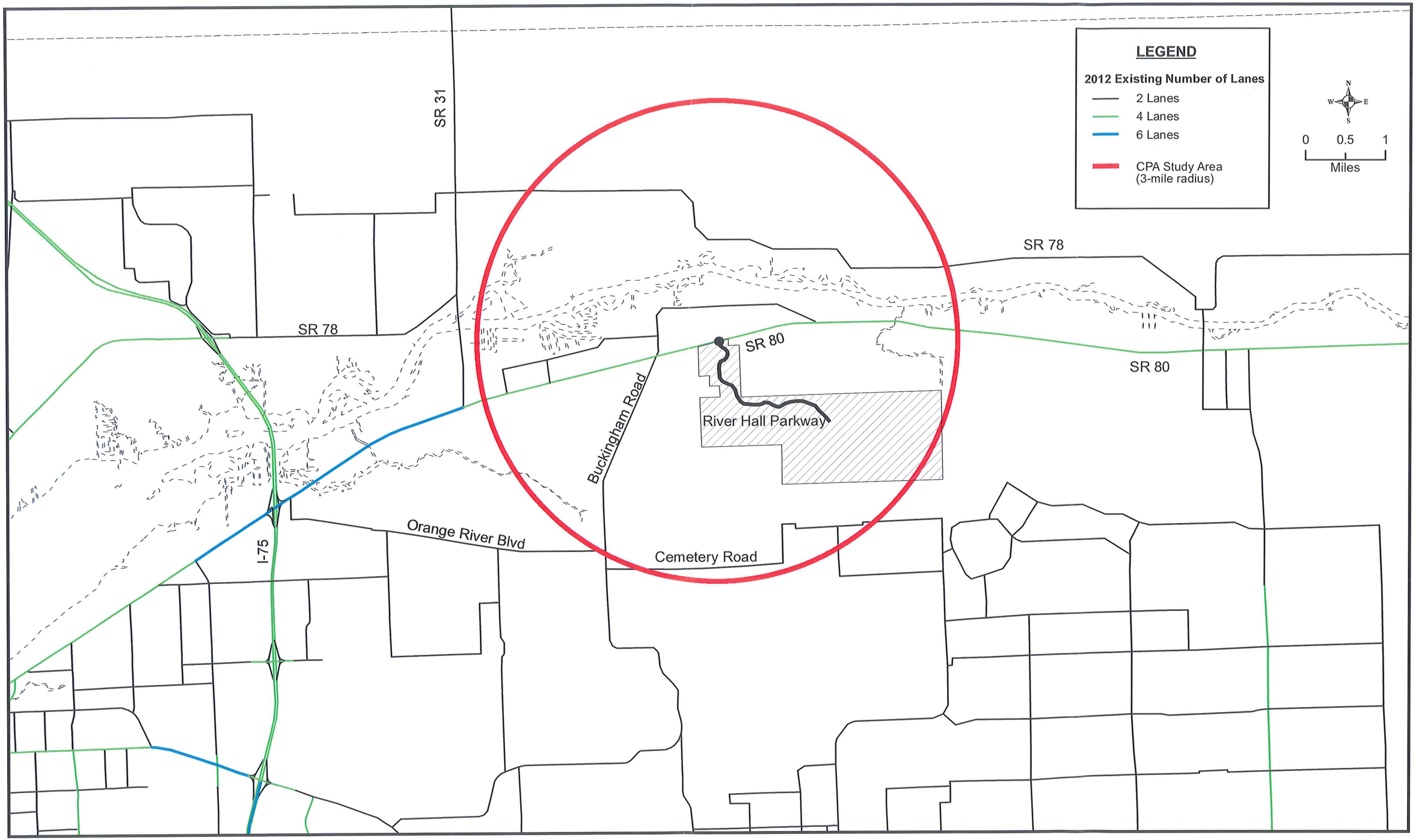
No Five-Year (Short-Term 2017) Outlook Difference

As discussed and agreed in the pre-application/methodology meeting, the short-term (five-year) analysis was not applicable as the requested development associated with the CPA is anticipated to occur after 2017. As such, there would be no changes to the existing approved development and impacts within the short-term five-year horizon.

Traffic Mitigation

It is anticipated that the Project will mitigate its external transportation impacts through the payment of roads impact fees (RIF). Based on the current Lee County RIF schedule and shown in Exhibit 6, it is estimated that the Project may generate an additional $6.7 million in road impact fees as a result of the proposed CPA.

The additional roads impact fees generated can be used by Lee County to fund the future road improvements that will be deemed necessary to support the adopted 2035 LRTP within the study area. The payment of roads impact fees represents full mitigation by the CPA as required by Lee County, at no costs to taxpayers. Of course, the Project will also generate ad valorem taxes, gas taxes, and other revenues that will be used to further assist with the funding of the same 2035 Long Range Transportation Plan for "without" and "with" the proposed River Hall Comprehensive Plan Amendment.



dpe	RIVER HALL COMPREHENSIVE PLAN AMENDMENT	PROJECT LOCATION AND CPA STUDY AREA	DATE	PROJECT NO.	FILE NO.	EXHIBIT
			09/12	12545	1A/0912	1



dpe	RIVER HALL COMPREHENSIVE PLAN AMENDMENT	PROJECT ACCESS	DATE	PROJECT NO.	FILE NO.	EXHIBIT
			09/12	12545	2A/0912	2

EXHIBIT 3
RIVER HALL CPA
FUTURE (2035) TRAFFIC CONDITIONS WITHOUT CPA
DIRECTIONAL PEAK HOUR, PEAK SEASON

LEE COUNTY

ROADWAY	FROM	TO	2035 FSUTMS Cost Feasible Plan Network A Node	B Node	(1) # of Lanes	(3) LOS Std	LC-PCS # or FDOT Station	PROJECT TRAFFIC (4) Raw FSUTMS PSWADT	(4) FSUTMS PSWADT	% of Total Traffic	Non-Project Traffic	TOTAL TRAFFIC Adjusted FSUTMS PSWADT	(5) PSWADT/ AADT Factor or MOCF	AADT	(6) K Factor	Non-Project Peak Hr Volume	(5) D Factor Dir1	Dir2	Peak Hr Volume Dir1	Dir2	(2) SERVICE VOLUME @ LOS STD	LOS V/C Dir1	Dir2	2035 LOS Dir1	Dir2	Needed # of Lanes	Needed Improve-ment
BUCKINGHAM RD.	Gunnery Rd.	Cemetery Rd.	9265	9377	2LU	E	11	19486	1122	5.8%	18,364	19486	1.06	18,400	0.0980	1,800	0.4800	0.5200	860	940	920	0.93	1.02	D	F	4	Add 2 L
	Cemetery Rd.	Orange River Blvd.	9223	9228	2LU	E	11	24632	1347	5.5%	23,285	24632	1.06	23,200	0.0980	2,270	0.4800	0.5200	1,090	1,180	920	1.18	1.28	F	F	4	Add 2 L
	Orange River Blvd.	SR 80	9380	9420	2LD	E	11	21966	2454	11.2%	19,512	21966	1.06	20,700	0.0980	2,030	0.4800	0.5200	970	1,060	970	1.00	1.09	F	F	4	Add 2 L
CEMETERY RD.	Buckingham Rd.	Higgins Ave.	9675	9785	2LC	E	11	11229	2	0.0%	11,227	11229	1.06	10,600	0.0980	1,040	0.4800	0.5200	500	540	860	0.58	0.63	C	C	2	Add 0 L
NORTH RIVER RD.	SR 31	Olga Road	8606	8911	2LU	E	5	9977	948	9.5%	9,029	9977	1.13	8,800	0.1170	1,030	0.5900	0.4100	610	420	920	0.66	0.46	C	C	2	Add 0 L
	Olga Road	Alva Bridge	9694	9807	2LU	E	5	9292	982	10.6%	8,310	9292	1.13	8,200	0.1170	960	0.5900	0.4100	570	390	920	0.62	0.42	C	C	2	Add 0 L
ORANGE RIVER BLVD.	SR 80	Staley Rd.	7888	8168	2LU	E	11	15367	111	0.7%	15,256	15367	1.06	14,500	0.0980	1,420	0.4800	0.5200	680	740	920	0.74	0.80	C	D	2	Add 0 L
	Staley Rd.	Buckingham Rd.	9074	9223	2LU	E	11	15521	511	3.3%	15,010	15521	1.06	14,600	0.0980	1,430	0.4800	0.5200	690	740	920	0.75	0.80	C	D	2	Add 0 L
68TH ST. W.	Cemetery Rd.	Project Entrance	9803	9919	2LC	E	11	10000	58	0.6%	9,942	10000	1.06	9,400	0.0980	920	0.4800	0.5200	440	480	860	0.51	0.56	C	C	2	Add 0 L
	Project Entrance	East	9805	10098	2LC	E	11	10000	938	9.4%	9,062	10000	1.06	9,400	0.0980	920	0.4800	0.5200	440	480	860	0.51	0.56	C	C	2	Add 0 L
SR 31	SR 80	Bayshore Rd.	8618	8619	2LU	E	120030	26318	487	1.9%	25,831	26318	0.89	23,400	0.0900	2,110	0.5620	0.4380	1,190	920	880	1.35	1.05	F	F	4	Add 2 L
	Bayshore Rd.	North River Rd.	2548	8604	2LU	E	121001	28016	203	0.7%	27,813	28016	0.89	24,900	0.0950	2,370	0.5620	0.4380	1,330	1,040	880	1.51	1.18	F	F	4	Add 2 L
SR 80	SR 31	Tropic Ave.	8619	8686	4LD	D	120085	55644	5566	10.0%	50,078	55644	0.89	49,500	0.0900	4,460	0.5620	0.4380	2,510	1,950	1960	1.28	0.99	F	D	6	Add 2 L
	Tropic Ave.	Buckingham Rd.	9204	9420	4LD	D	120085	38537	5950	15.4%	32,587	38537	0.89	34,300	0.0900	3,090	0.5620	0.4380	1,740	1,350	1960	0.89	0.69	C	B	4	Add 0 L
	Buckingham Rd.	River Hall Parkway	9596	9762	4LD	D	120012	39784	8777	22.1%	31,007	39784	0.89	35,400	0.0900	3,190	0.5620	0.4380	1,790	1,400	2630	0.68	0.53	C	C	4	Add 0 L
	River Hall Parkway	Hickey Creek	9762	9915	4LD	D	120012	31319	2290	7.3%	29,029	31319	0.89	27,900	0.0900	2,510	0.5620	0.4380	1,410	1,100	2630	0.54	0.42	C	B	4	Add 0 L
	Hickey Creek	Alva Bridge	9101	10103	4LD	D	120006	31680	2220	7.0%	29,460	31680	0.89	28,200	0.0900	2,540	0.5620	0.4380	1,430	1,110	2630	0.54	0.42	C	B	4	Add 0 L

FOOTNOTES:

(1) 2035 Cost Feasible Plan number of lanes.
(2) Lee County Generalized Service Volumes (January, 2009). State Roads use FDOT Generalized Service Volumes (10/4/10).
(3) Lee County roadway LOS standard. FIHS based on Lee County MPO/FDOT LOS standard.
(4) PSWADT distribution and assignment based on 2035 FSUTMS travel model.
(5) Lee County PSWADT/AADT ratio and based on Lee County 2011 Traffic Count Report.
State roads MOCF based on FDOT 2011 Florida Traffic Information.
(6) Lee County K(100) and D(100) based on Lee County 2011 Traffic Count Report.
State roads K(30) and D(30) based on FDOT 2011 Florida Traffic Information.

EXHIBIT 4
RIVER HALL CPA
FUTURE (2035) TRAFFIC CONDITIONS WITH CPA
DIRECTIONAL PEAK HOUR, PEAK SEASON

LEE COUNTY

ROADWAY	FROM	TO	2035 FSUTMS Cost Feasible Plan Network A Node	2035 FSUTMS Cost Feasible Plan Network B Node	(1) # of Lanes	(3) LOS Std	LC-PCS # or FDOT Station	PROJECT TRAFFIC (4) Raw FSUTMS PSWADT	PROJECT TRAFFIC (4) FSUTMS PSWADT	PROJECT TRAFFIC % of Total Traffic	TOTAL TRAFFIC Non-Project Traffic	TOTAL TRAFFIC Adjusted FSUTMS PSWADT	TOTAL TRAFFIC (5) PSWADT/ AADT Factor or MOCF	TOTAL TRAFFIC AADT	TOTAL TRAFFIC (6) K Factor	TOTAL TRAFFIC Non-Project Peak Hr Volume	TOTAL TRAFFIC (5) D Factor Dir1	TOTAL TRAFFIC (5) D Factor Dir2	Peak Hr Volume Dir1	Peak Hr Volume Dir2	(2) SERVICE VOLUME @ LOS STD	LOS V/C Dir1	LOS V/C Dir2	2035 LOS Dir1	2035 LOS Dir2	Needed # of Lanes	Needed Improve-ment
BUCKINGHAM RD.	Gunnery Rd.	Cemetery Rd.	9265	9377	2LU	E	11	19963	1745	8.7%	18,218	19963	1.06	18,800	0.0980	1,840	0.4800	0.5200	880	960	920	0.96	1.04	E	F	4	Add 2 L
	Cemetery Rd.	Orange River Blvd.	9223	9228	2LU	E	11	25111	2076	8.3%	23,035	25111	1.06	23,700	0.0980	2,320	0.4800	0.5200	1,110	1,210	920	1.21	1.32	F	F	4	Add 2 L
	Orange River Blvd.	SR 80	9380	9420	2LD	E	11	22977	3738	16.3%	19,239	22977	1.06	21,700	0.0980	2,130	0.4800	0.5200	1,020	1,110	970	1.05	1.14	F	F	4	Add 2 L
CEMETERY RD.	Buckingham Rd.	Higgins Ave.	9675	9785	2LC	E	11	11035	4	0.0%	11,031	11035	1.06	10,400	0.0980	1,020	0.4800	0.5200	490	530	860	0.57	0.62	C	C	2	Add 0 L
NORTH RIVER RD.	SR 31	Olga Road	8606	8911	2LU	E	5	10669	1561	14.6%	9,108	10669	1.13	9,400	0.1170	1,100	0.5900	0.4100	650	450	920	0.71	0.49	C	C	2	Add 0 L
	Olga Road	Alva Bridge	9694	9807	2LU	E	5	10002	1611	16.1%	8,391	10002	1.13	8,900	0.1170	1,040	0.5900	0.4100	610	430	920	0.66	0.47	C	C	2	Add 0 L
ORANGE RIVER BLVD.	SR 80	Staley Rd.	7888	8168	2LU	E	11	15040	58	0.4%	14,982	15040	1.06	14,200	0.0980	1,390	0.4800	0.5200	670	720	920	0.73	0.78	C	D	2	Add 0 L
	Staley Rd.	Buckingham Rd.	9074	9223	2LU	E	11	15894	800	5.0%	15,094	15894	1.06	15,000	0.0980	1,470	0.4800	0.5200	710	760	920	0.77	0.83	C	D	2	Add 0 L
68TH ST. W.	Cemetery Rd.	Project Entrance	9803	9919	2LC	E	11	10000	82	0.8%	9,918	10000	1.06	9,400	0.0980	920	0.4800	0.5200	440	480	860	0.51	0.56	C	C	2	Add 0 L
	Project Entrance	East	9805	10098	2LC	E	11	10000	1385	13.9%	8,615	10000	1.06	9,400	0.0980	920	0.4800	0.5200	440	480	860	0.51	0.56	C	C	2	Add 0 L
SR 31	SR 80	Bayshore Rd.	8618	8619	2LU	E	120030	24886	598	2.4%	24,288	24886	0.89	22,100	0.0900	1,990	0.5620	0.4380	1,120	870	880	1.27	0.99	F	D	4	Add 2 L
	Bayshore Rd.	North River Rd.	2548	8604	2LU	E	121001	26147	161	0.6%	25,986	26147	0.89	23,300	0.0950	2,210	0.5620	0.4380	1,240	970	880	1.41	1.10	F	F	4	Add 2 L
SR 80	SR 31	Tropic Ave.	8619	8686	4LD	D	120085	56875	8094	14.2%	48,781	56875	0.89	50,600	0.0900	4,550	0.5620	0.4380	2,560	1,990	1960	1.31	1.02	F	F	6	Add 2 L
	Tropic Ave.	Buckingham Rd.	9204	9420	4LD	D	120085	39875	8597	21.6%	31,278	39875	0.89	35,500	0.0900	3,200	0.5620	0.4380	1,800	1,400	1960	0.92	0.71	C	B	4	Add 0 L
	Buckingham Rd.	River Hall Parkway	9596	9762	4LD	D	120012	43369	12910	29.8%	30,459	43369	0.89	38,600	0.0900	3,470	0.5620	0.4380	1,950	1,520	2630	0.74	0.58	C	C	4	Add 0 L
	River Hall Parkway	Hickey Creek	9762	9915	4LD	D	120012	32095	3529	11.0%	28,566	32095	0.89	28,600	0.0900	2,570	0.5620	0.4380	1,440	1,130	2630	0.55	0.43	C	B	4	Add 0 L
	Hickey Creek	Alva Bridge	9101	10103	4LD	D	120006	32438	3429	10.6%	29,009	32438	0.89	28,900	0.0900	2,600	0.5620	0.4380	1,460	1,140	2630	0.56	0.43	C	B	4	Add 0 L

FOOTNOTES:

(1) 2035 Cost Feasible Plan number of lanes.
(2) Lee County Generalized Service Volumes (January, 2009). State Roads use FDOT Generalized Service Volumes (10/4/10).
(3) Lee County roadway LOS standard. FIHS based on Lee County MPO/FDOT LOS standard.
(4) PSWADT distribution and assignment based on 2035 FSUTMS travel model.
(5) Lee County PSWADT/AADT ratio and based on Lee County 2011 Traffic Count Report.
State roads MOCF based on FDOT 2011 Florida Traffic Information.
(6) Lee County K(100) and D(100) based on Lee County 2011 Traffic Count Report.
State roads K(30) and D(30) based on FDOT 2011 Florida Traffic Information.

EXHIBIT 5
RIVER HALL CPA
FUTURE (2035) ROADWAY NEEDS COMPARISON

LEE COUNTY

			Number of Lanes								
				Adopted MPO 2035		CPA Analysis					
						Without CPA (Approved)			With CPA (Proposed)		
ROADWAY	FROM	TO	(1) Existing	(2) Needs	(3) Cost Feasible	(4) Needs	(5) Same as MPO Needs	(6) Update MPO Needs	(7) Needs	(8) Same as Without CPA	(6) Update MPO Needs
BUCKINGHAM RD.	Gunnery Rd.	Cemetery Rd.	2LU	4LD	Yes	4LD	Yes	-	4LD	Yes	-
	Cemetery Rd.	Orange River Blvd.	2LU	4LD	Yes	4LD	Yes	-	4LD	Yes	-
	Orange River Blvd.	SR 80	2LU	2LD	Yes	4LD	No (2LD)	Yes (4LD)	4LD	Yes	Yes (4LD)
CEMETERY RD.	Buckingham Rd.	Higgins Ave.	2LC	2LC	-	2LC	Yes	-	2LC	Yes	-
NORTH RIVER RD.	SR 31	Olga Road	2LU	2LU	-	2LU	Yes	-	2LU	Yes	-
	Olga Road	Alva Bridge	2LU	2LU	-	2LU	Yes	-	2LU	Yes	-
ORANGE RIVER BLVD.	SR 80	Staley Rd.	2LU	2LU	-	2LU	Yes	-	2LU	Yes	-
	Staley Rd.	Buckingham Rd.	2LU	2LU	-	2LU	Yes	-	2LU	Yes	-
68TH ST. W.	Cemetery Rd.	Project Entrance	2LC	2LC	-	2LC	Yes	-	2LC	Yes	-
	Project Entrance	East	2LC	2LC	-	2LC	Yes	-	2LC	Yes	-
SR 31	SR 80	Bayshore Rd.	2LU	4LD	No	4LD	Yes	-	4LD	Yes	-
	Bayshore Rd.	North River Rd.	2LU	4LD	No	4LD	Yes	-	4LD	Yes	-
SR 80	SR 31	Tropic Ave.	4LD	6LD	No	6LD	Yes	-	6LD	Yes	-
	Tropic Ave.	Buckingham Rd.	4LD	6LD	No	4LD	No (6LD)	-	4LD	Yes	-
	Buckingham Rd.	River Hall Parkway	4LD	4LD	-	4LD	Yes	-	4LD	Yes	-
	River Hall Parkway	Hickey Creek	4LD	4LD	-	4LD	Yes	-	4LD	Yes	-
	Hickey Creek	Alva Bridge	4LD	4LD	-	4LD	Yes	-	4LD	Yes	-

FOOTNOTES:

(1) Existing 2012 conditions.
(2) Adopted MPO 2035 LRTP - Highway Needs Plan.
(3) Adopted MPO 2035 LRTP - Highway Cost Feasible Plan.
(4) CPA Traffic Analysis - Without the CPA (Approved 1,999 SF dwelling units).
(5) Comparison between (4) and (2).
(6) Recommended update to (2).
(7) CPA Traffic Analysis - With the CPA (Proposed 1,999 + 1,000 = 2,999 SF dwelling units).
(8) Comparison between (7) and (4).

EXHIBIT 6
RIVER HALL CPA
LEE COUNTY ROADS IMPACT FEE CALCULATION
Fee Schedule as of 09-2012

Project:	RIVER HALL CPA

		(1) Description	**Size**	**Fee Rate**	**/Unit**	**Amount**
Residential	Single-Family - Detached	Approved	1,999	$6,701	/d.u.	$13,395,299
		Prposed CPA	1,000	$6,701	/d.u.	$6,701,000
		Total with CPA	2,999	**Total**		$20,096,299

Footnote:
(1) Example Only - Non-residential land uses not reflected.
- Actual RIF collected may be different at the time of D.O.

APPENDIX A

Lee County CPA Application
Traffic Circulation Analysis

LEE COUNTY
SOUTHWEST FLORIDA

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 533-8585
FAX: (239) 485-8319

APPLICATION FOR A 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 completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT – PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

_____ _____
Signature of Owner or Authorized Representative Date

_____
Printed Name of Owner or Authorized Representative

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;
   f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

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.

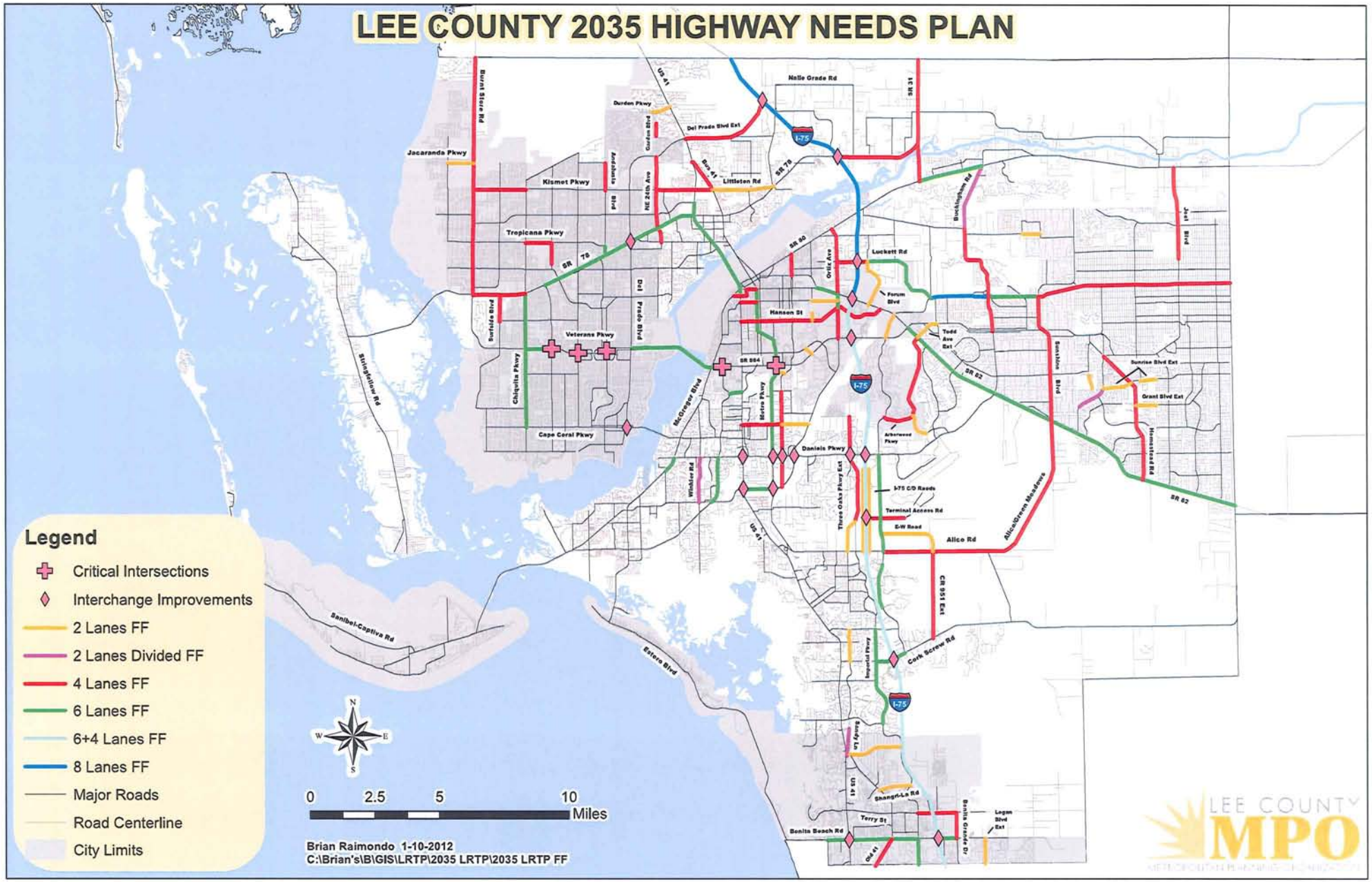
2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
   a. Sanitary Sewer
   b. Potable Water
   c. Surface Water/Drainage Basins
   d. Parks, Recreation, and Open Space
   e. Public Schools.

   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.

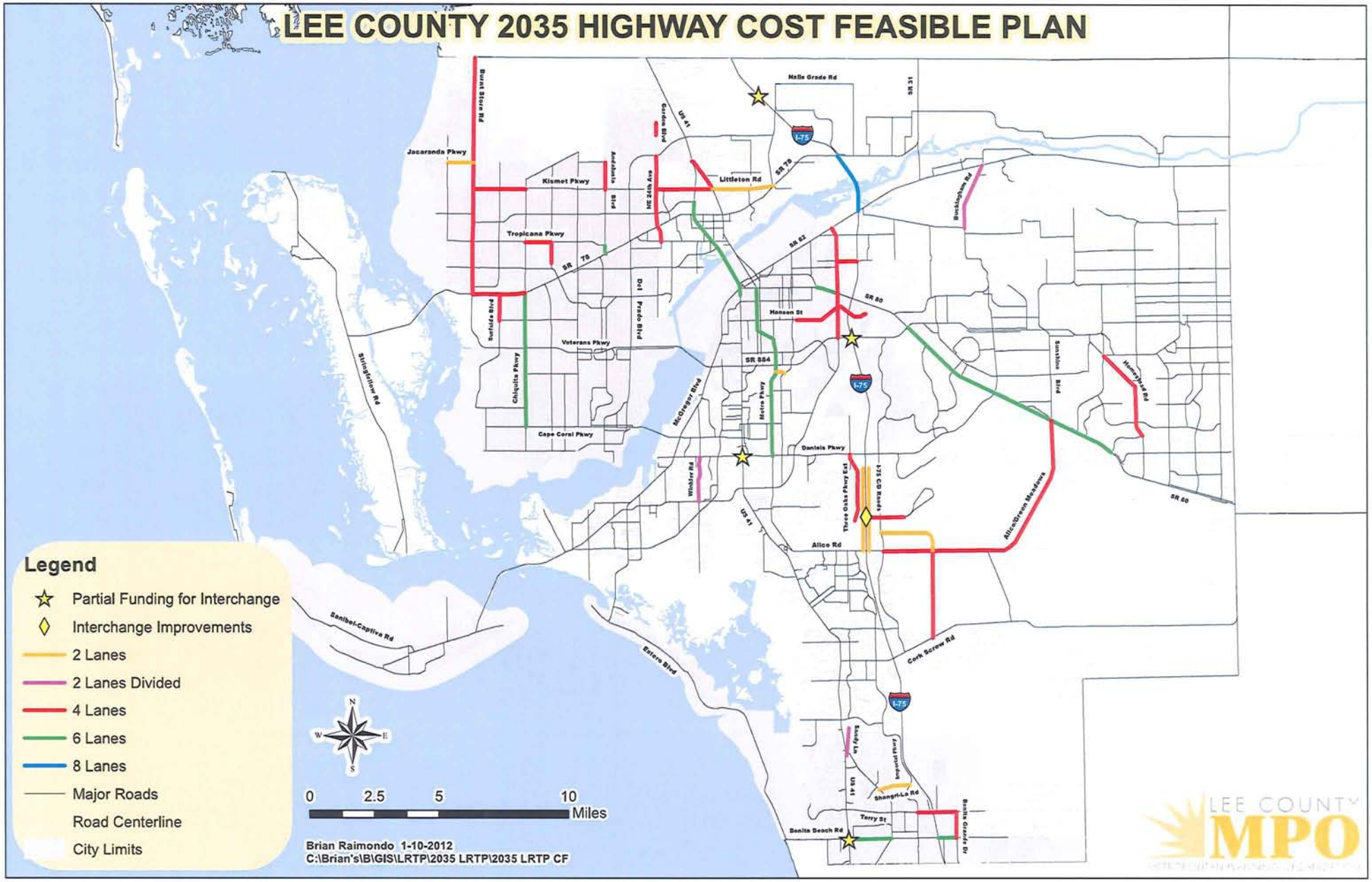
   In addition to the above analysis for Potable Water:
   - Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
   - Include the current demand and the projected demand under 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).

APPENDIX B

Lee County MPO 2035 LRTP
FDOT – SR 31 PD&E


LEE COUNTY 2035 HIGHWAY NEEDS PLAN
Legend
Critical Intersections
Interchange Improvements
2 Lanes FF
2 Lanes Divided FF
4 Lanes FF
6 Lanes FF
6+4 Lanes FF
8 Lanes FF
Major Roads
Road Centerline
City Limits
N
W
E
S
0
2.5
5
10
Miles
Brian Raimondo 1-10-2012
C:\Brian's\B\GIS\LRTP\2035 LRTP\2035 LRTP FF
Burnt Store Rd
Jacaranda Pkwy
Durden Pkwy
Del Prado Blvd Ext
Nalle Grade Rd
SR 31
Kismet Pkwy
Littleton Rd
SR 78
Tropicana Pkwy
Buckingham Rd
Joel Blvd
Luckett Rd
Orlis Ave
Forum Blvd
Hanson St
Veterans Pkwy
Buffalo Reflections Blvd
Chiquita Pkwy
Cape Coral Pkwy
Del Prado Blvd
NE 24th Ave
Andalusia Blvd
Gordon Blvd
SR 884
McGregor Blvd
Metro Pkwy
Whiskey Creek Rd
Stringfellow Rd
Sanibel-Captiva Rd
Estero Blvd
Daniels Pkwy
Three Oaks Pkwy Ext
Arborwood Pkwy
Todd Ave Ext
Sunshine Blvd
Sunrise Blvd Ext
Grant Blvd Ext
Homestead Rd
SR 82
Alico Rd
Alico/Green Meadows
I-75 C/D Roads
Terminal Access Rd
E-W Road
CR 951 Ext
Cork Screw Rd
Imperial Pkwy
Sandy Ln
Shangri-La Rd
Terry St
Bonita Beach Rd
Logan Blvd Ext
Bonita Grande Dr
US 41
I-75
LEE COUNTY MPO

LEE COUNTY 2035 HIGHWAY COST FEASIBLE PLAN



Legend

- Partial Funding for Interchange
- Interchange Improvements
- 2 Lanes
- 2 Lanes Divided
- 4 Lanes
- 6 Lanes
- 8 Lanes
- Major Roads
- Road Centerline
- City Limits

Brian Raimondo 1-10-2012
C:\Brian's\B\GIS\LRTP\2035 LRTP\2035 LRTP CF

LEE COUNTY MPO

Florida Department Of Transportation

Office of Work Program and Budget
Lisa Saliba - Director

Five Year Work Program
2013-2017 AD
(Updated: 9/12/2012-01:26:16)
All in State
Item Number: 428917-1

428917-1			Sr 31 From Sr 80 To Cr 78		
District 01 - Lee County			**Project Manager:** CES-CAP-GGP		
Type of Work: PD&E/EMO STUDY					
Activity	**Description**	**Resp. Person**	**Early Start**	**Early Finish**	**Total Float**
234000000	Notice to Proceed		01/20/2011 A	01/20/2011 A	0
292000120	PUBLIC WORKSHOP		09/03/2012	09/03/2012	80
104000000	Project Development Summary Rpt (PDSR)		11/12/2012	11/12/2012	41
262000000	PUBLIC HEARING		11/27/2012	11/27/2012	41
135000100	LDCA		02/07/2013	02/07/2013	0

Accessibility | Acronyms | Frequently Asked Questions | Governor's Office | Privacy Policy | Statement of Agency

Note: Information on this web page may, at times, be temporarily unavailable due to scheduled maintenance. If you receive an error message, please try again at a later point in time. If you continue to experience problems, please contact our office using the contact information below.

This site is maintained by the Florida Department of Transportation Office of Work Program and Budget.
605 Suwannee Street, MS 21, Tallahassee, Florida 32399.

For additional information please e-mail questions or comments to:
(Lisa Saliba: Lisa.Saliba@dot.state.fl.us or call 850-414-4622)

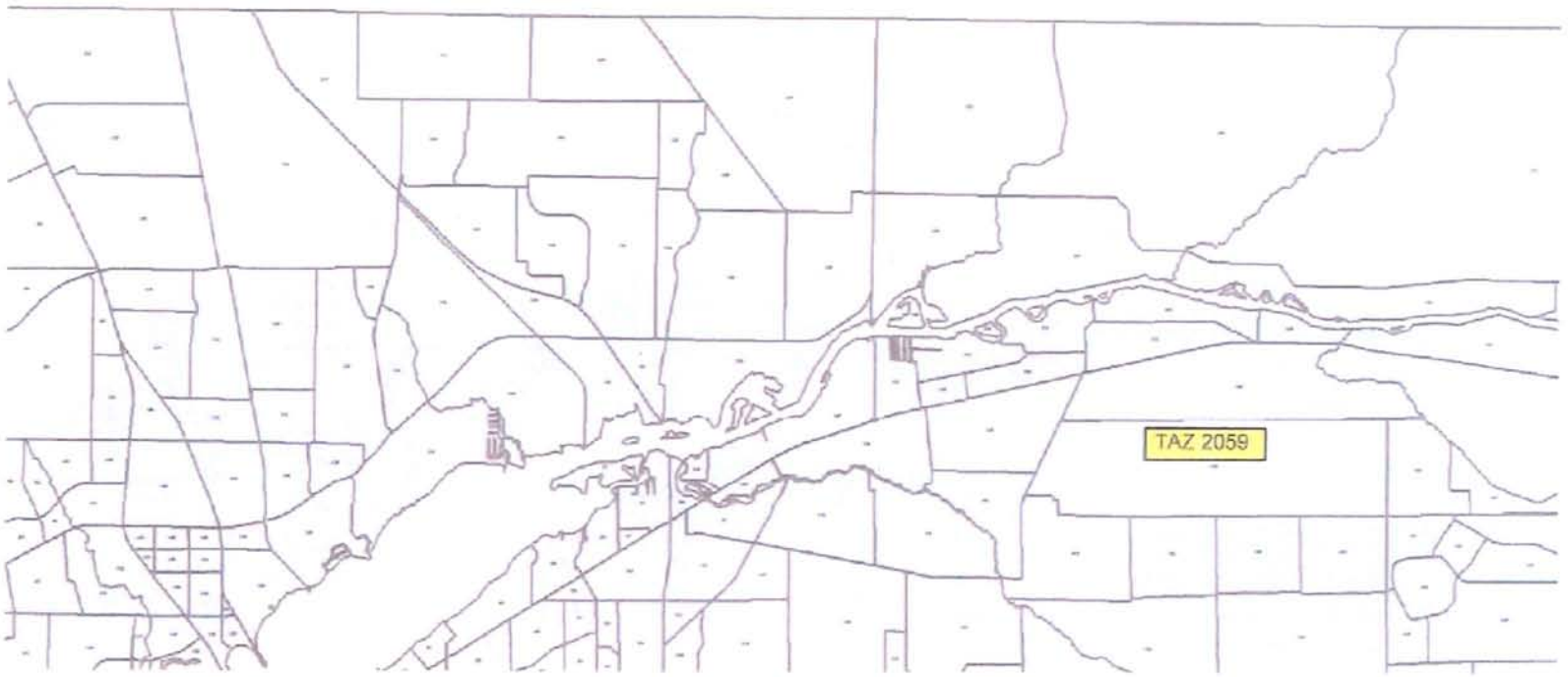
View Contact Information for Office of Work Program and Budget
Application Home: Work Program
Office Home: Office of Work Program and Budget
Florida Department of Transportation Home
MyFlorida
Copyright © 1996-2012
Florida Department of Transportation

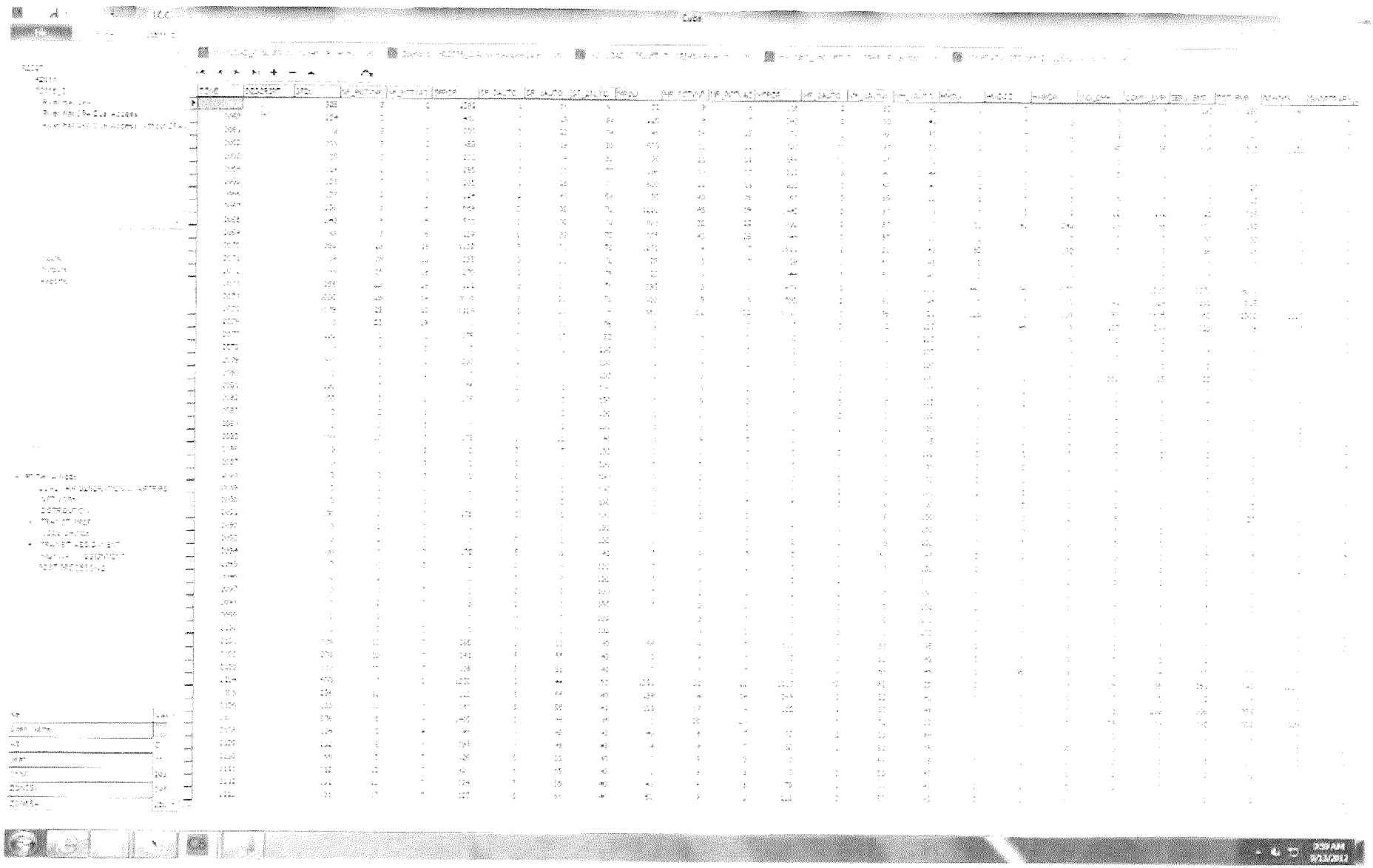
APPENDIX C

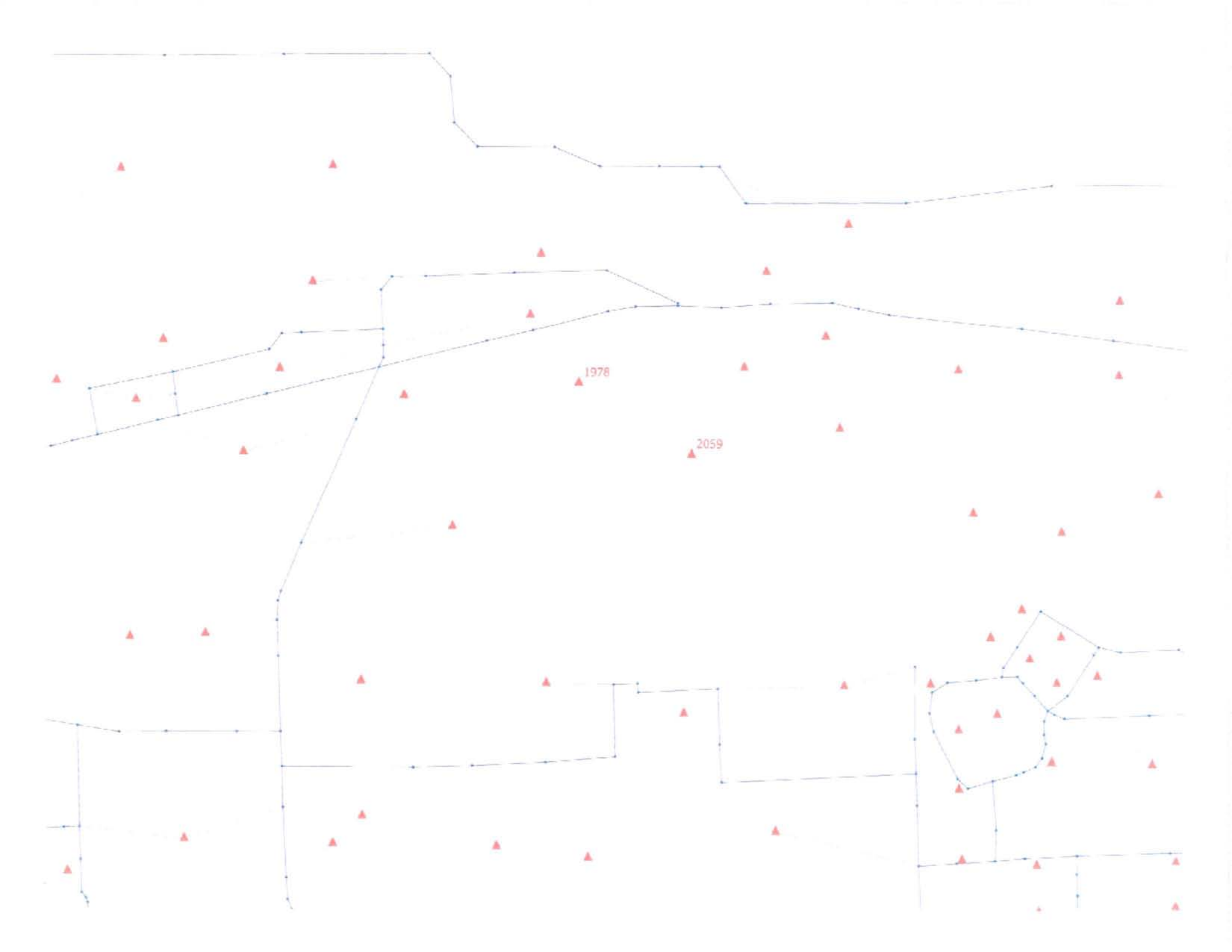
FSUTMS TAZ and ZDATA

TAZ_2059_Map

Traffic Analysis Zones



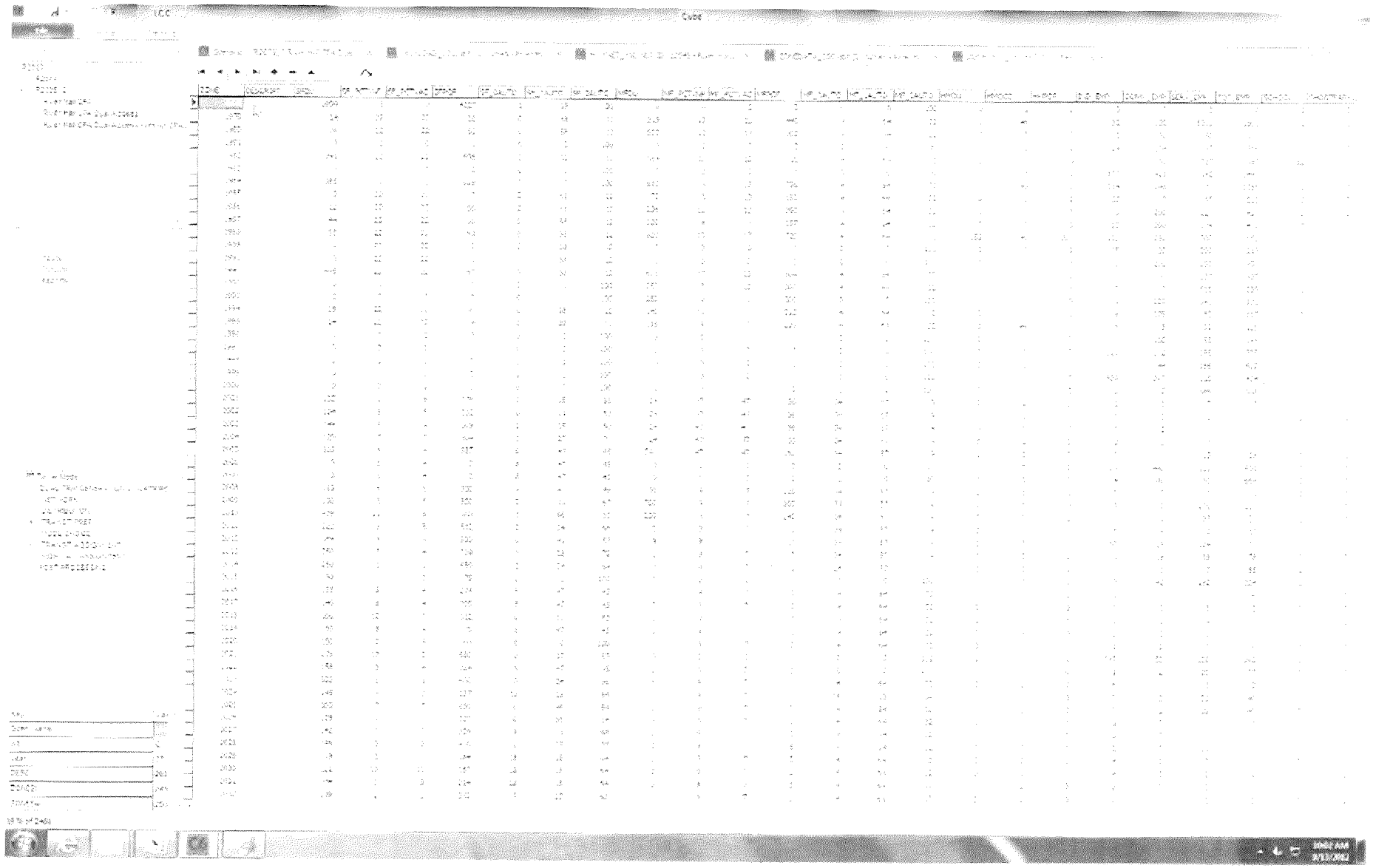



1978
2059

ZDATA1 CALCULATION OF PERSONS PER HOUSEHOLD

SINGLE-FAMILY UNITS:		CALCULATION	TAZ 2059 (2035) ORIGINAL		TAZ 1978 (2035) NEW
A.	Total Units	Input	528		1,999
B.	% of Total Units that are Vacant or Occupied by Seasonal Residents	Input	3%	>>>	3%
C.	% of Total Units that are Vacant during the Peak Season	Input	2%	>>>	2%
D.	Population of Units Occupied by Permanent Residents	Input	1,392		4,227
E.	Units Occupied by Permanent Residents	[(100%-(B)] x (A)	512		1,939
F.	Persons per Household for Units Occupied by Permanent Residents	(D)/(E)	2.72	>>>	**2.18**

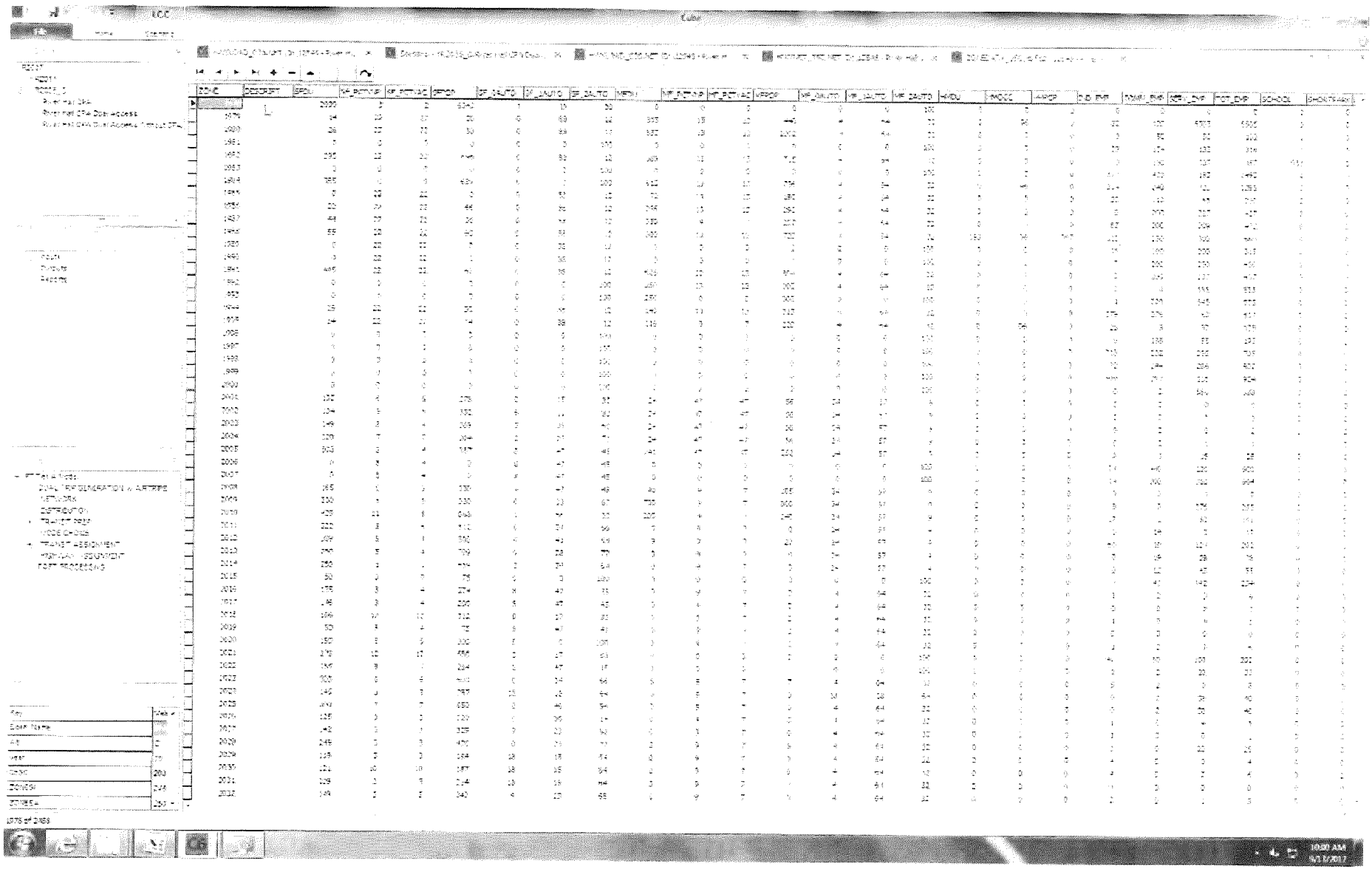
MULTIFAMILY UNITS:		CALCULATION	TAZ 2059 (2035) ORIGINAL		TAZ 1978 (2035) NEW
A.	Total Units	Input	82		0
B.	% of Total Units that are Vacant or Occupied by Seasonal Residents	Input	9%	>>>	9%
C.	% of Total Units that are Vacant during the Peak Season	Input	8%	>>>	8%
D.	Population of Units Occupied by Permanent Residents	Input	116		0
E.	Units Occupied by Permanent Residents	[(100%-(B)] x (A)	75		0
F.	Persons per Household for Units Occupied by Permanent Residents	(D)/(E)	1.55	>>>	1.55



ZDATA1 CALCULATION OF PERSONS PER HOUSEHOLD

	SINGLE-FAMILY UNITS:	CALCULATION	TAZ 2059 (2035) ORIGINAL		TAZ 1978 (2035) NEW
A.	Total Units	Input	528		2,999
B.	% of Total Units that are Vacant or Occupied by Seasonal Residents	Input	3%	>>>	3%
C.	% of Total Units that are Vacant during the Peak Season	Input	2%	>>>	2%
D.	Population of Units Occupied by Permanent Residents	Input	1,392		6,342
E.	Units Occupied by Permanent Residents	[(100%-(B)] x (A)	512		2,909
F.	Persons per Household for Units Occupied by Permanent Residents	(D)/(E)	2.72	>>>	**2.18**

	MULTIFAMILY UNITS:	CALCULATION	TAZ 2059 (2035) ORIGINAL		TAZ 1978 (2035) NEW
A.	Total Units	Input	82		0
B.	% of Total Units that are Vacant or Occupied by Seasonal Residents	Input	9%	>>>	9%
C.	% of Total Units that are Vacant during the Peak Season	Input	8%	>>>	8%
D.	Population of Units Occupied by Permanent Residents	Input	116		0
E.	Units Occupied by Permanent Residents	[(100%-(B)] x (A)	75		0
F.	Persons per Household for Units Occupied by Permanent Residents	(D)/(E)	1.55	>>>	1.55

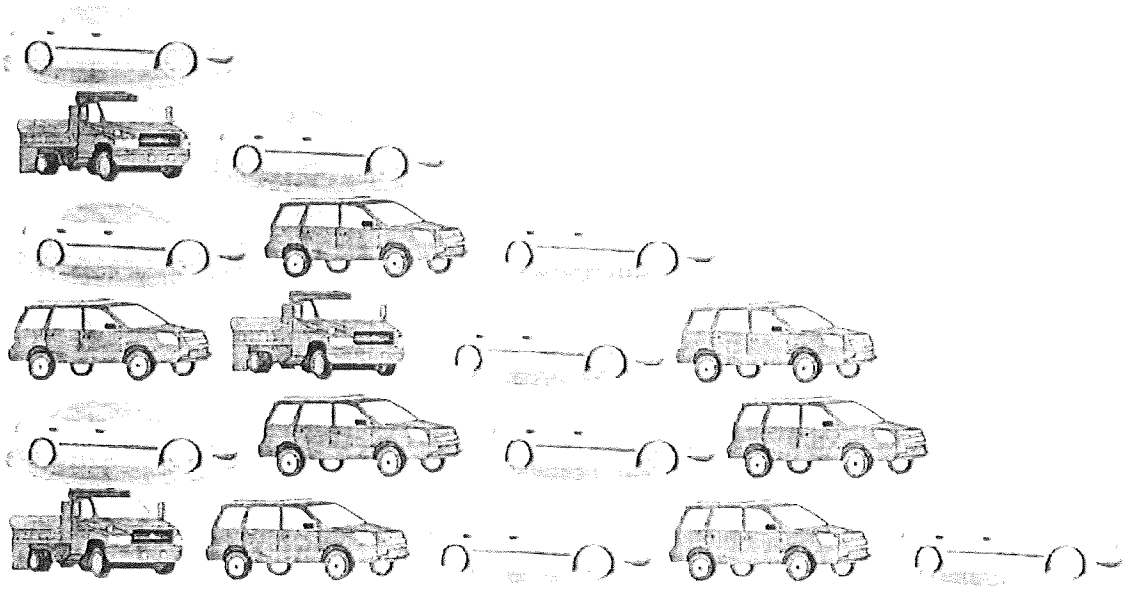


APPENDIX D

Lee County Traffic Data
Florida DOT Traffic Data

TRAFFIC COUNT REPORT

2011



LEE COUNTY, FLORIDA

PREPARED BY:
LEE COUNTY DEPARTMENT OF TRANSPORTATION
1500 MONROE STREET
FORT MYERS, FLORIDA 33901
www.LeeTraffic.com

February 2012

PERMANENT COUNT STATION 5
PALM BEACH BLVD (SR 80) W OF SR 31

2011 AADT = 21400

K100 Factor - 0.117

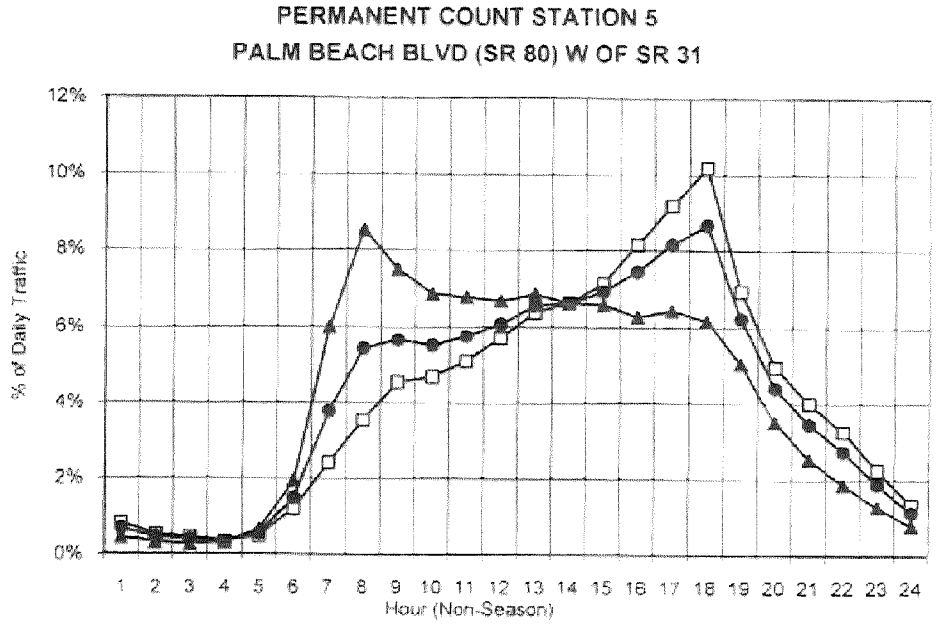
Monthly ADT as a % of Annual ADT

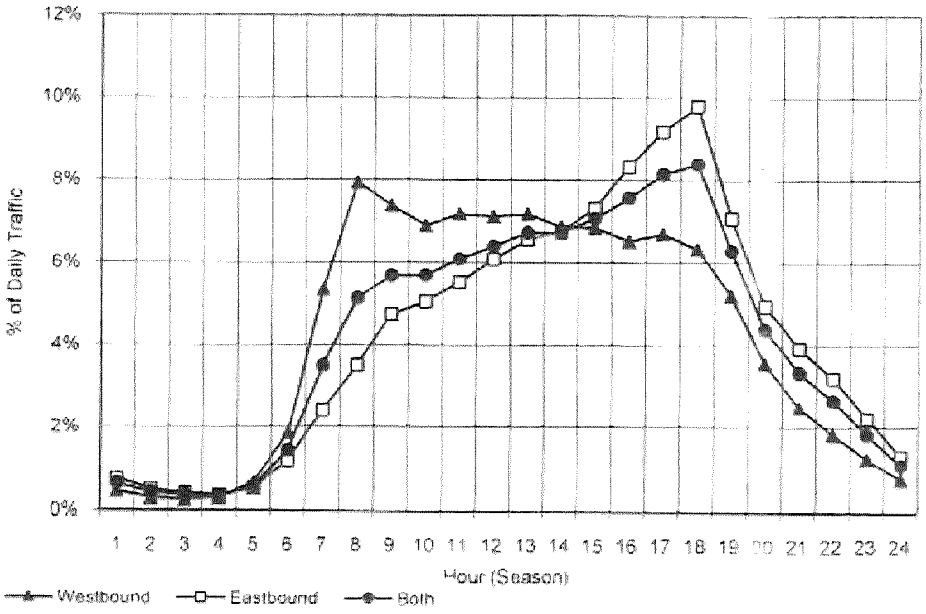
January	106%
February	116%
March	116%
April	107%
May	97%
June	94%
July	88%
August	91%
September	92%
October	94%
November	100%
December	103%

Day of Week as a % of Annual ADT

Monday	100%
Tuesday	103%
Wednesday	106%
Thursday	106%
Friday	115%
Saturday	90%
Sunday	77%

Weekday Peak Flow Characteristics	Non-Season	Season
Peak Flow between 7 a.m. and 9 a.m		
1) as a % of weekday traffic	5.5%	5.4%
2) directional Split (peak direction)	67% Westbound	65% Westbound
Peak Flow between 4 p.m. and 6 p.m.		
1) as a % of weekday traffic	8.4%	8.3%
2) directional Split (peak direction)	61% Eastbound	59% Eastbound





PERMANENT COUNT STATION 11
BUCKINGHAM RD S OF PALM BEACH BLVD

2011 AADT = 8400

K100 Factor - 0.098

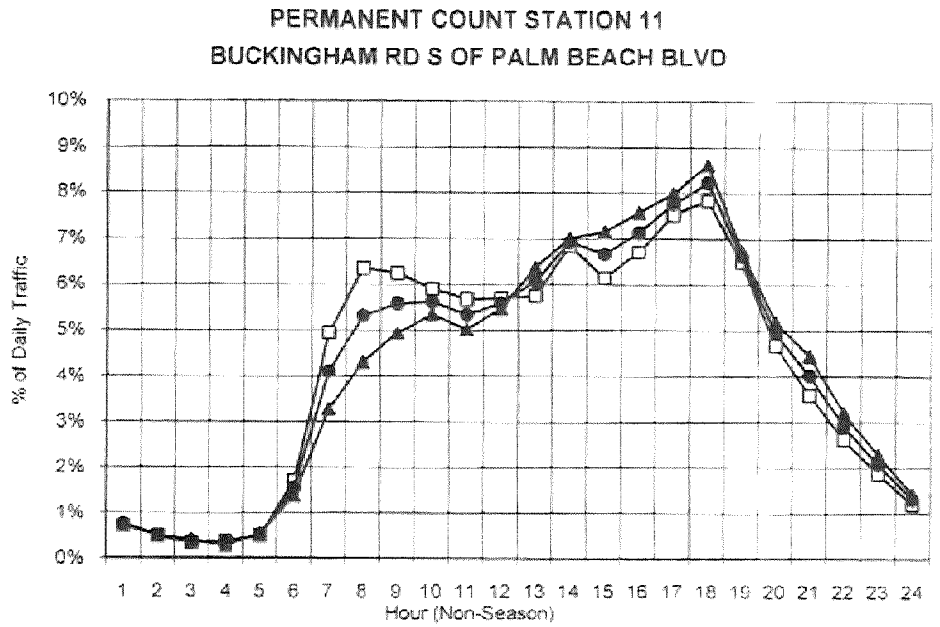
Monthly ADT as a % of Annual ADT

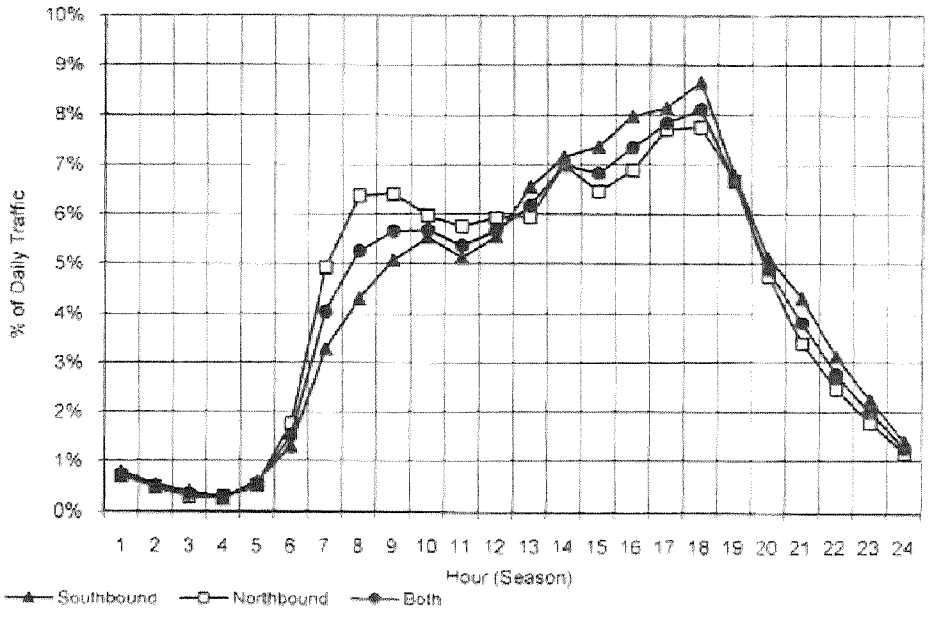
January	100%
February	107%
March	109%
April	102%
May	103%
June	94%
July	84%
August	99%
September	101%
October	101%
November	101%
December	100%

Day of Week as a % of Annual ADT

Monday	100%
Tuesday	103%
Wednesday	106%
Thursday	106%
Friday	114%
Saturday	92%
Sunday	79%

Weekday Peak Flow Characteristics	Non-Season	Season
Peak Flow between 7 a.m. and 9 a.m		
1) as a % of weekday traffic	5.4%	5.5%
2) directional Split (peak direction)	58% Northbound	58% Northbound
Peak Flow between 4 p.m. and 6 p.m.		
1) as a % of weekday traffic	8.0%	8.0%
2) directional Split (peak direction)	52% Southbound	52% Southbound





Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

Jan 2009 c:\input3

Uninterrupted Flow Highway

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	120	370	720	1,010	1,280
2	Divided	1,090	1,780	2,570	3,280	3,690
3	Divided	1,630	2,680	3,860	4,930	5,530

Arterials

Class I (>0.00 to 1.99 signalized intersections per mile)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	210	720	880	920
2	Divided	260	1,570	1,900	1,970	1,970
3	Divided	400	2,410	2,870	2,960	2,960
4	Divided	530	3,260	3,840	3,960	3,970

Class II (>2.00 to 4.50 signalized intersections per mile)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	90	600	840	890
2	Divided	*	220	1,370	1,760	1,860
3	Divided	*	340	2,120	2,660	2,810
4	Divided	*	480	2,860	3,570	3,770

Class III (more than 4.50 signalized intersections per mile)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	260	650	810
2	Divided	*	*	620	1,480	1,700
3	Divided	*	*	980	2,310	2,570
4	Divided	*	*	1,340	3,150	3,440

Controlled Access Facilities

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	120	740	950	990	990
2	Divided	270	1,610	1,970	2,040	2,040
3	Divided	410	2,480	2,970	3,070	3,070

Collectors

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	160	670	820	860
1	Divided	*	170	700	870	910
2	Undivided	*	790	1,590	1,700	1,730
2	Divided	*	820	1,680	1,800	1,830

Note: the service volumes for I-75 (freeway) should be from FDOT's most current version of LOS Handbook.


Department of Transportation 605 Suwannee St. MS21 Tallahassee, FL 32399 (850) 414-4848
FTI 2011
DVD
2011 Florida
Transportation
Information
Both Traffic + Highway
Florida
Traffic Information
New Combined Application
(Runs directly from DVD)
Florida
Highway Data

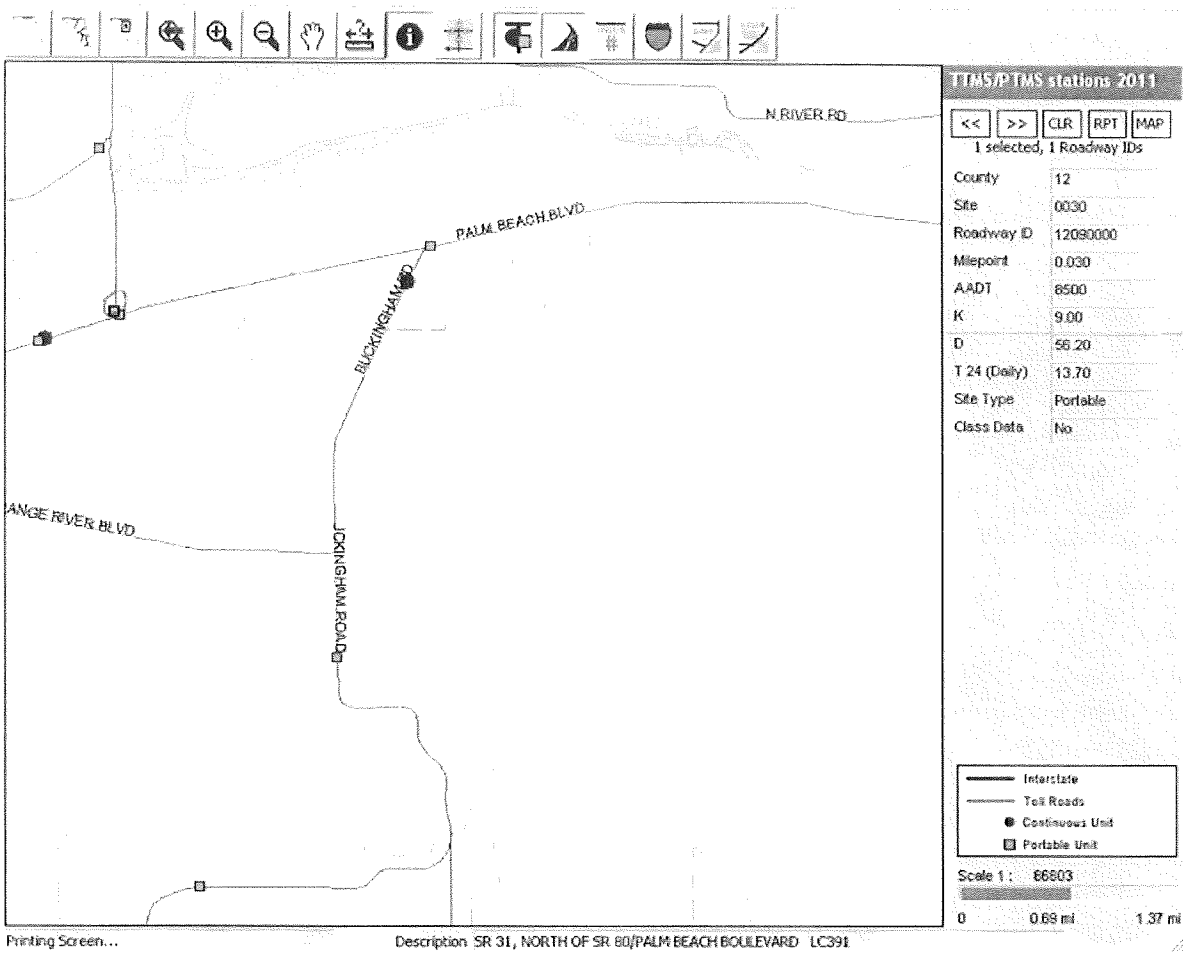
2011 Peak Season Factor Category Report - Report Type: ALL

Category: 1203 SR80, 31 & 78 E OF I-75

MOCF: 0.89

Week	Dates	SF	PSCF
1	01/01/2011 - 01/01/2011	0.98	1.10
2	01/02/2011 - 01/08/2011	0.96	1.08
3	01/09/2011 - 01/15/2011	0.94	1.06
* 4	01/16/2011 - 01/22/2011	0.93	1.05
* 5	01/23/2011 - 01/29/2011	0.91	1.02
* 6	01/30/2011 - 02/05/2011	0.89	1.00
* 7	02/06/2011 - 02/12/2011	0.87	0.98
* 8	02/13/2011 - 02/19/2011	0.86	0.97
* 9	02/20/2011 - 02/26/2011	0.86	0.97
*10	02/27/2011 - 03/05/2011	0.86	0.97
*11	03/06/2011 - 03/12/2011	0.86	0.97
*12	03/13/2011 - 03/19/2011	0.87	0.98
*13	03/20/2011 - 03/26/2011	0.88	0.99
*14	03/27/2011 - 04/02/2011	0.90	1.01
*15	04/03/2011 - 04/09/2011	0.92	1.04
*16	04/10/2011 - 04/16/2011	0.94	1.06
17	04/17/2011 - 04/23/2011	0.95	1.07
18	04/24/2011 - 04/30/2011	0.96	1.08
19	05/01/2011 - 05/07/2011	0.98	1.10
20	05/08/2011 - 05/14/2011	0.99	1.11
21	05/15/2011 - 05/21/2011	1.00	1.13
22	05/22/2011 - 05/28/2011	1.02	1.15
23	05/29/2011 - 06/04/2011	1.04	1.17
24	06/05/2011 - 06/11/2011	1.06	1.19
25	06/12/2011 - 06/18/2011	1.08	1.22
26	06/19/2011 - 06/25/2011	1.09	1.23
27	06/26/2011 - 07/02/2011	1.11	1.25
28	07/03/2011 - 07/09/2011	1.12	1.26
29	07/10/2011 - 07/16/2011	1.13	1.27
30	07/17/2011 - 07/23/2011	1.13	1.27
31	07/24/2011 - 07/30/2011	1.13	1.27
32	07/31/2011 - 08/06/2011	1.13	1.27
33	08/07/2011 - 08/13/2011	1.13	1.27
34	08/14/2011 - 08/20/2011	1.13	1.27
35	08/21/2011 - 08/27/2011	1.13	1.27
36	08/28/2011 - 09/03/2011	1.13	1.27
37	09/04/2011 - 09/10/2011	1.13	1.27
38	09/11/2011 - 09/17/2011	1.13	1.27
39	09/18/2011 - 09/24/2011	1.12	1.26
40	09/25/2011 - 10/01/2011	1.11	1.25
41	10/02/2011 - 10/08/2011	1.11	1.25
42	10/09/2011 - 10/15/2011	1.10	1.24
43	10/16/2011 - 10/22/2011	1.08	1.22
44	10/23/2011 - 10/29/2011	1.06	1.19
45	10/30/2011 - 11/05/2011	1.04	1.17
46	11/06/2011 - 11/12/2011	1.02	1.15
47	11/13/2011 - 11/19/2011	1.00	1.13
48	11/20/2011 - 11/26/2011	0.99	1.11
49	11/27/2011 - 12/03/2011	0.99	1.11
50	12/04/2011 - 12/10/2011	0.99	1.11
51	12/11/2011 - 12/17/2011	0.98	1.10
52	12/18/2011 - 12/24/2011	0.96	1.08
53	12/25/2011 - 12/31/2011	0.94	1.06

* Peak Season



TTMS/PTMS stations 2011

<< >> CLR RPT MAP

1 selected, 1 Roadway IDs

County	12
Site	0030
Roadway ID	12080000
Milepoint	0.030
AADT	8500
K	9.00
D	56.20
T 24 (Daily)	13.70
Site Type	Portable
Class Data	No

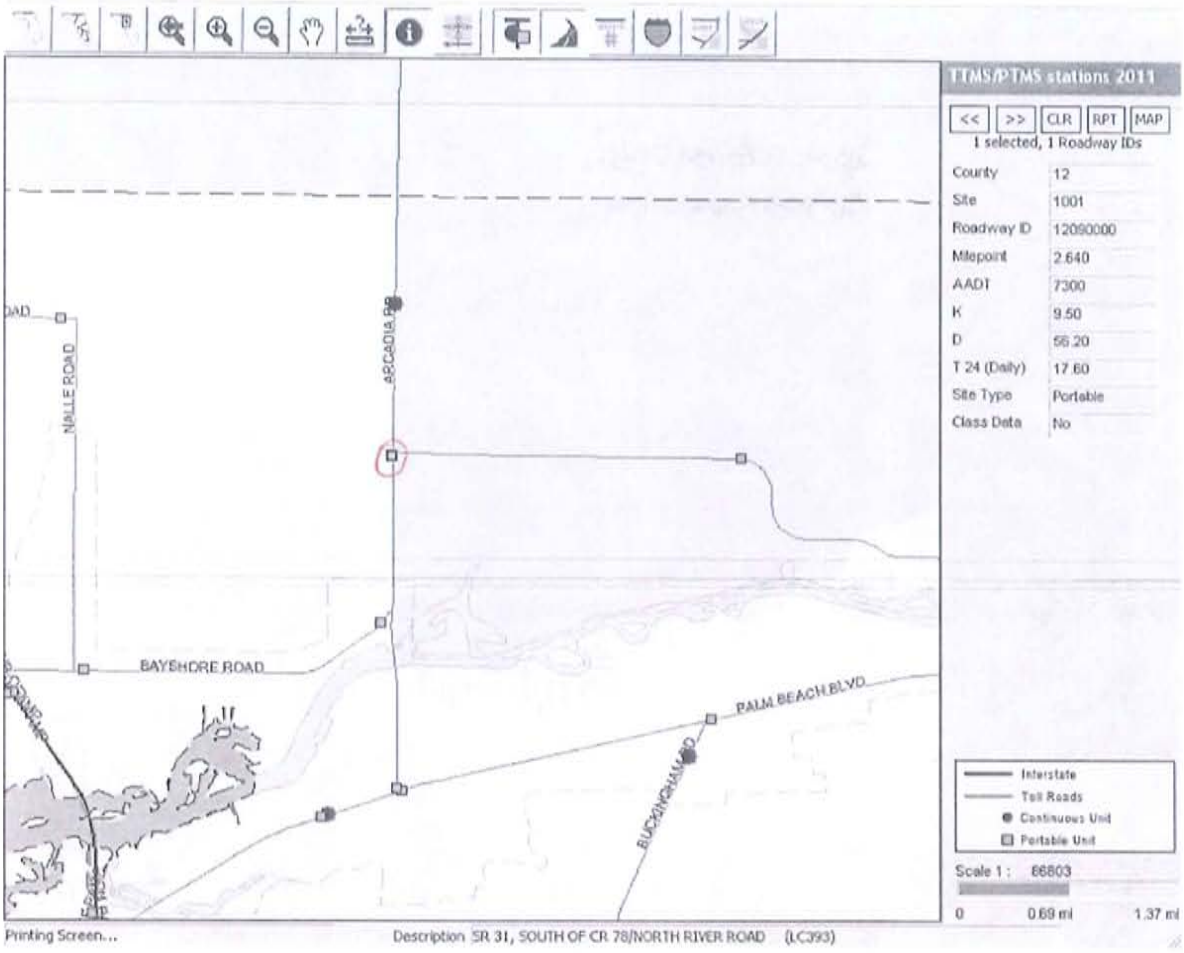
Interstate
Toll Roads
Continuous Unit
Portable Unit

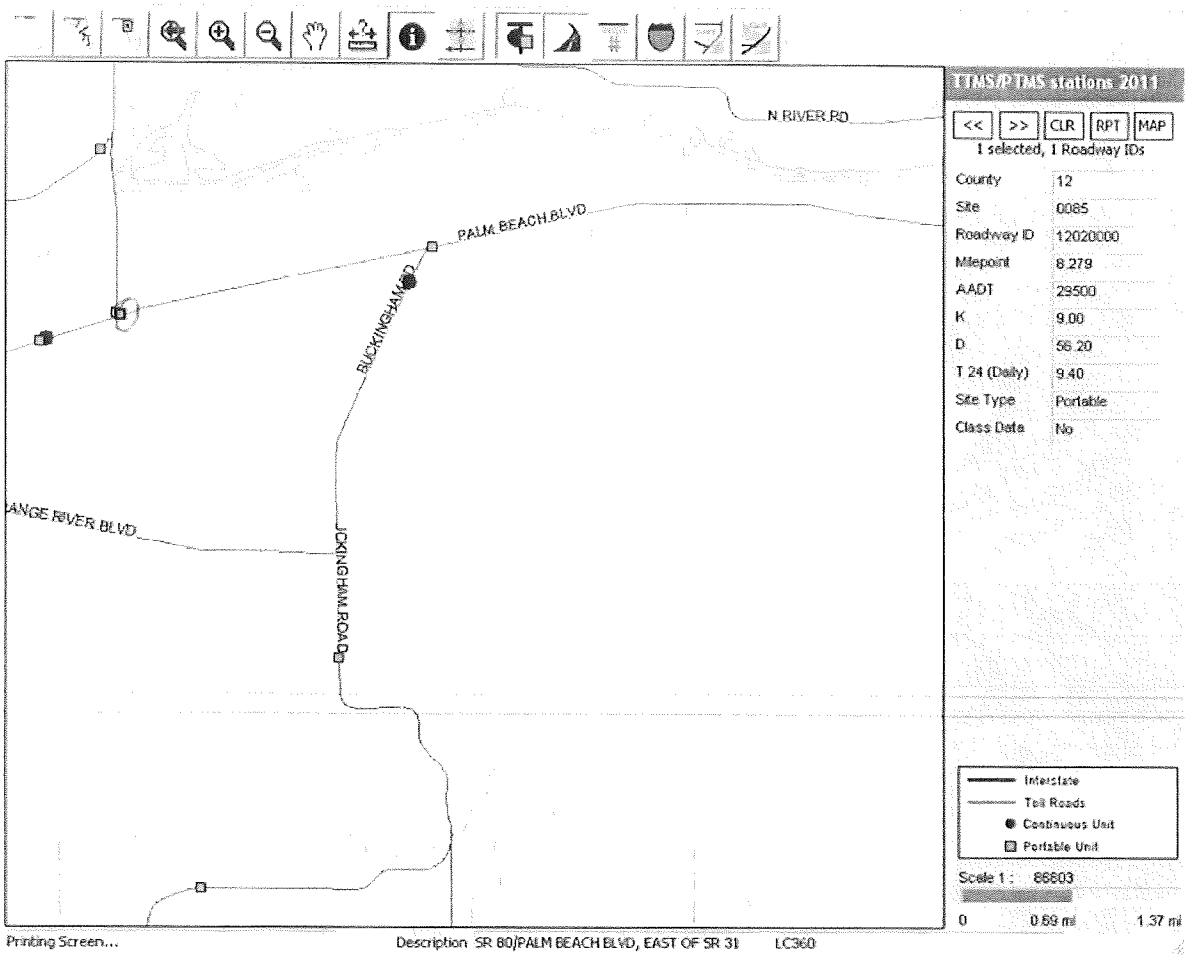
Scale 1 : 86803

0 0.69 mi 1.37 mi

Printing Screen...

Description SR 31, NORTH OF SR 80/PALM BEACH BOULEVARD LC391


TTMS/PTMS stations 2011
<< >> CLR RPT MAP
1 selected, 1 Roadway IDs
County 12
Site 1001
Roadway ID 12090000
Milepoint 2.640
AADT 7300
K 9.50
D 56.20
T 24 (Daily) 17.60
Site Type Portable
Class Data No
NALLE ROAD
ARCADIA RD
BAYSHORE ROAD
PALM BEACH BLVD
BUCKINGHAM RD
Interstate
Toll Roads
Continuous Unit
Portable Unit
Scale 1 : 66803
0 0.69 mi 1.37 mi
Printing Screen...
Description SR 31, SOUTH OF CR 78/NORTH RIVER ROAD (LC393)



TTMS/P TMS stations 2011

<< >> CLR RPT MAP

1 selected, 1 Roadway IDs

County	12
Site	0085
Roadway ID	12020000
Milepoint	8.279
AADT	29500
K	9.00
D	56.20
T 24 (Daily)	9.40
Site Type	Portable
Class Data	No

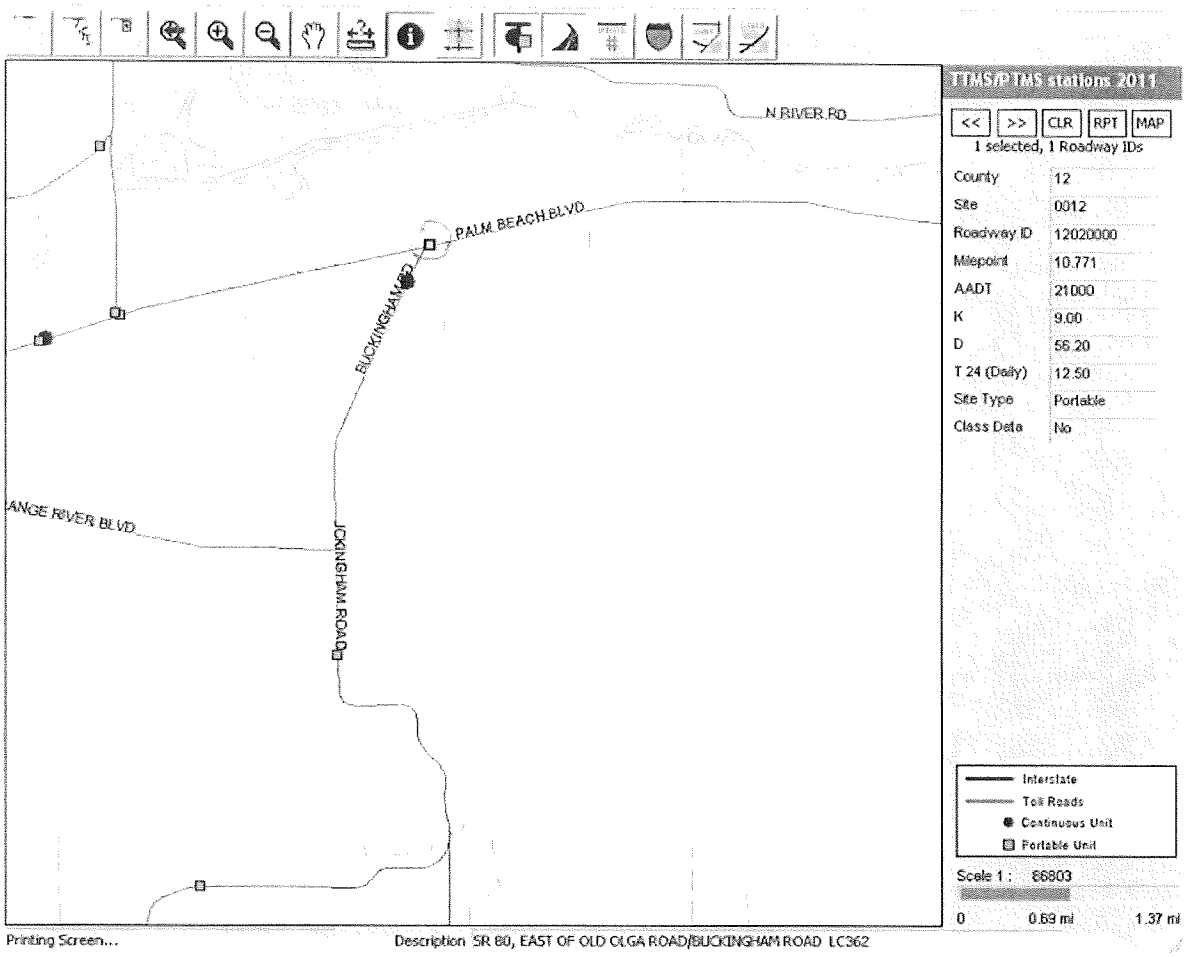
Interstate
Toll Roads
Continuous Unit
Portable Unit

Scale 1 : 86803

0 0.69 mi 1.37 mi

Printing Screen...

Description SR 80/PALM BEACH BLVD, EAST OF SR 31 LC360



TTMS/P TMS stations 2011

<< >> CLR RPT MAP

1 selected, 1 Roadway IDs

County	12
Site	0012
Roadway ID	12020000
Milepoint	10.771
AADT	21000
K	9.00
D	56.20
T 24 (Daily)	12.50
Site Type	Portable
Class Data	No

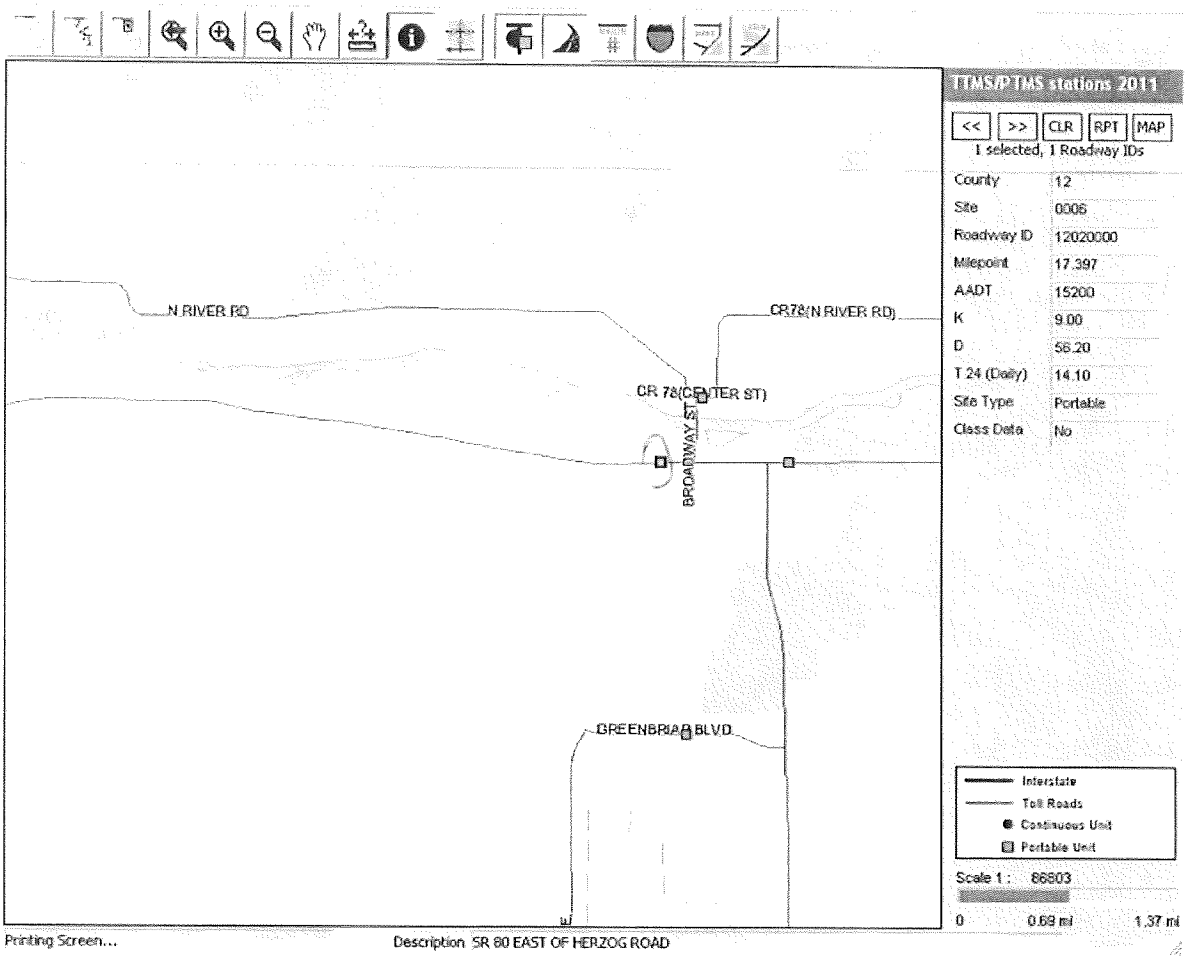
Interstate
Toll Roads
Continuous Unit
Portable Unit

Scale 1 : 86803

0 0.69 mi 1.37 mi

Printing Screen...

Description SR 80, EAST OF OLD OLGA ROAD/BUCKINGHAM ROAD LC362



TTMS/PTMS stations 2011

<< >> CLR RPT MAP

1 selected, 1 Roadway IDs

County	12
Site	0006
Roadway ID	12020000
Milepoint	17.397
AADT	15200
K	9.00
D	56.20
T 24 (Daily)	14.10
Site Type	Portable
Class Data	No

Interstate
Toll Roads
Continuous Unit
Portable Unit

Scale 1 : 86803

0 0.69 mi 1.37 mi

Printing Screen...

Description SR 80 EAST OF HERZOG ROAD

TABLE 7

Generalized **Peak Hour Directional** Volumes for Florida's **Urbanized Areas**[1]

10/4/10

STATE SIGNALIZED ARTERIALS

Class I (>0.00 to 1.99 signalized intersections per mile)

Lanes	Median	B	C	D	E
1	Undivided	510	820	880	***
2	Divided	1,560	1,890	1,960	***
3	Divided	2,400	2,860	2,940	***
4	Divided	3,240	3,830	3,940	***

Class II (2.00 to 4.50 signalized intersections per mile)

Lanes	Median	B	C	D	E
1	Undivided	**	560	810	860
2	Divided	**	1,330	1,770	1,870
3	Divided	**	2,080	2,680	2,830
4	Divided	**	2,830	3,590	3,780

Class III/IV (more than 4.50 signalized intersections per mile)

Lanes	Median	B	C	D	E
1	Undivided	**	270	630	790
2	Divided	**	670	1,500	1,700
3	Divided	**	1,050	2,330	2,570
4	Divided	**	1,440	3,170	3,450

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Major City/County Roadways	- 10%
Other Signalized Roadways	- 35%

State & Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Divided/Undivided & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
2	Divided	Yes	No	+5%
2	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
–	–	–	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding volumes in this table by 1.20.

FREEWAYS

Lanes	B	C	D	E
2	2,200	3,020	3,720	4,020
3	3,300	4,580	5,580	6,200
4	4,400	6,080	7,420	8,400
5	5,500	7,680	9,320	10,580
6	7,560	10,220	12,080	12,780

Freeway Adjustments

Auxiliary Lanes	Ramp Metering
+ 1,000	+ 5%

UNINTERRUPTED FLOW HIGHWAYS

Lanes	Median	B	C	D	E
1	Undivided	400	800	1,140	1,440
2	Divided	1,770	2,560	3,320	3,760
3	Divided	2,660	3,840	4,980	5,650

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
2	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

BICYCLE MODE[2]

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Paved Shoulder/ Bicycle Lane

Coverage	B	C	D	E
0-49%	**	170	650	>650
50-84%	130	200	>200	***
85-100%	340	>340	***	***

PEDESTRIAN MODE[2]

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	**	**	270	770
50-84%	**	100	600	1000
85-100%	**	610	1000	>1000

BUS MODE (Scheduled Fixed Route)[3]

(Buses in peak hour in peak direction)

Sidewalk Coverage	B	C	D	E
0-84%	>5	≥4	≥3	≥2
85-100%	>4	≥3	≥2	≥1

[1] Values shown are presented as hourly directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. To convert to annual average daily traffic volumes, these volumes must be divided by appropriate D and K factors. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual, Bicycle LOS Model, Pedestrian LOS Model and Transit Capacity and Quality of Service Manual, respectively for the automobile/truck, bicycle, pedestrian and bus modes.

[2] Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.

[3] Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

** Cannot be achieved using table input value defaults.

*** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:
Florida Department of Transportation
Systems Planning Office
605 Suwannee Street, MS 19
Tallahassee, FL 32399-0450

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

River Hall Comprehensive Plan Amendment
PUBLIC FACILITIES IMPACTS

Potable Water

The subject property is within the service area limits for the Olga Water Treatment Plant provided by Lee County Utilities. According to the 2011 Concurrency Report published November 2011, The Olga WTP has a capacity for 5,000,000 gallons per day. In 2010 2,663,000 gallons per day were utilized and 2,750,000 gallons per day were estimated for 2011 and 2,900,000 gallons per day were projected for 2012. The anticipated needs of the proposed project are well within the remaining capacity of the Olga Water Treatment Plant.

LOS Standard = 250 GPD/ERC

Existing Land Use = Suburban & Rural
1,999 Dwelling Units @ 250 GPD = 499,750 GPD
Total = 499,750 GPD of water demand

Proposed Land Use = Sub -Outlying Suburban
2,999 Dwelling Units @ 250 GPD = 749,750 GPD
Total = 749,750 GPD of water demand

The amendment results in an increased demand of 250,000 GPD. According to the 2011 Concurrency Report, there are no potable water concurrency problems anticipated beyond 2011, as projected.

Sanitary Sewer

The subject property is within the service area limits for the City of Fort Myers Central Advance Waste Water Treatment Facility, a major regional treatment plant. The property is able to utilize this plant via an inter-local agreement between Lee County and the City of Fort Myers. According to the Lee County 2011 Concurrency Report published November 2011, the Central Fort Myers Facility has a capacity of 11,000,000 gallons per day. In 2010, 5,060,000 gallons per day were utilized, 2011 usage was estimated at 7,000,000 and 2012 usage was projected at 7,100,000. The anticipated needs of the proposed project are well within the remaining capacity of the City of Fort Myers Central Advance Wastewater Treatment Facility.

LOS Standard = 250 GPD/ERC

Existing Land Use = Suburban & Rural
1,999 Dwelling units @ 250 GPD = 499,750 GPD
Total = 499,750 GPD of wastewater produced

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

Proposed Land Use = Sub -Outlying Suburban
2,999 Dwelling units @ 250 GPD = 749,750GPD
Total = 749,750 GPD or wastewater produced

The amendment results in an increased demand of 250,000 GPD. No capacity problems are anticipated for the Major Regional Sewage Treatments Plants beyond 2011, as projected.

Solid Waste – Lee County Waste to Energy Facility
LOS Standard = 7 pounds/day/capita
Current Facility Capacity = 1,836 tons/day

Existing Land Use = Suburban & Rural
1,999 Dwelling Units @ 2.25 persons per unit = 4,498 persons
4,498 persons @ 7 lbs/day = 31,484 lbs.

Proposed Land Use = Sub-Outlying Suburban
2,999 Dwelling Units @ 2.25 persons per unit = 6,748 persons
6,748 persons@ 7 lbs/day = 47,234 lbs.

The proposed amendment results in an increase of solid waste generation of 15,750 lbs/day. According to the 2011 Lee County Concurrency Report, all unincorporated areas of Lee County are in compliance with the Level of Service Standard set forth in the Lee Plan for Solid Waste. And new development should accommodated by the existing capacity. A letter of availability has been received from the Lee County Solid Waste Division confirming the proposed development can be accommodated by the existing franchised haulers and disposal facilities.

Surface Water/Drainage Basins – South Florida Water Management District
The subject property is within the Caloosahatchee River Basin. A South Florida Water Management District Permit has been issued, 36-04006-P and will be modified if prior to construction of the proposed project.

LOS Standard = The existing surface water management system in the unincorporated areas of Lee County will be sufficient to prevent flooding of designated evacuation routes (see Map 15) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.

Parks, Recreation, Open Space
According to the Lee County Regional Parks Inventory, Table 9 there are ±4,128 acres of existing Regional Parks currently operated by government entities in Lee County. At the current population, the regulatory standard of 6 acres per 1000 seasonal population has been met and is projected to remain that way through 2016. The desired standard of 8 acres per 1000 seasonal population has also been met and will remain adequate through 2016.

LOS Standards = Regional Parks 8 acres per 1,000 people

Community Parks .8 acres per 1,000 people

Existing Land Use = Suburban& Rural
1,999 Dwelling Units @ 2.25 persons per unit = 4,498 persons
Regional Parks @ 8 acres/1000= 36 acres required
Community Parks @ 2 acres/1000= 9 acres required

Proposed Land Use = Sub-Outlying Suburban
2,999 Dwelling Units @ 2.25 persons per unit = 6,747 persons
Regional Parks @ 8 Acres/1000 = 54 Acres required
Community Parks @ 2 acres/1000=13 acres required.

The amendment results in an additional demand for 18 acres of Regional Parks and an additional demand for 4 acres of Community Parks. Regional Parks LOS is expected to meet the "Desired LOS" until the year 2016, as currently projected. The East Fort Myers/Alva, District #41, has a Community Park inventory of 175 acres, exceeding the desired level of services standard which will continue with the proposed project and through 2016.

Public School
The subject property is located entirely within the Lee County District School Board East Zone 2. The actual enrollment and FISH capacity are reflective of the Lee County 2011 Concurrency Report

LOS Standard = Elementary, Middle and High Schools: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measureable programmatic changes.

Elementary Schools (River Hall, Manatee, Sunshine, Treeline, Gateway, Harns Marsh)
Actual Enrollment = 5,512 FISH Capacity = 5,811
Capacity Available= 299 seats
Tortuga Preserve Elementary School is open for the 2012/2013 school year. Correspondence from the School District of Lee County indicates 692 students are enrolled and there is FISH capacity for 1,068. This increases the capacity available to approximately 705.

Middle School (Oak Hammock, Varsity Lakes)
Actual Enrollment= 2,235 FISH Capacity = 2,259
Capacity Available= 24 Seats
Harns Marsh Middle School is open for the 2012/2013 school year. Correspondence received from the School District of Lee County indicates 855 students are currently enrolled and there is FISH capacity for 1,230. This increases the capacity available to approximately 399.

High School (Riverdale, Lehigh Senior)
Actual Enrollment =3,099 Fish Capacity = 3,583
Capacity Available= 484 Seats

Existing Land Use = Suburban& Rural

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

1,999 Dwelling Units @ .299 students/household = 584 students

Proposed Land Use = Sub-Outlying Suburban
2,999 Dwelling Units @ .299 students/household= 876 Students

The amendment results in the addition of 299 Students, less than the available FISH capacity. According to the 2011 Concurrency Report, all Level of Service standards will continue to be met in future years.

A breakdown for elementary, middle, and high schools, capacity was provided by the School District within their Letter of Availability for the following:

Elementary School 1,000 dwelling units @ .150 students/household = 150 additional students
Middle School 1,000 dwelling units @ .072 students/household = 72 additional students
High School 1,000 dwelling units @ .077 students/household = 77 additional students

The increase that will occur as a result of the proposed development is less than the available FISH Capacity with the opening of Tortuga Elementary School and Harns Marsh Middle School.

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

August 23, 2012

Sheriff Mike Scott
Lee County Sheriff's Office
14750 Six Mile Cypress Pkwy.
Fort Myers, FL 33912

Re: River Hall (formerly Hawk's Haven) - Request for Letter of Availability

Dear Sheriff Scott,

Please accept this letter as a request for service availability to the River Hall (formerly known as Hawk's Haven) Residential Planned Development located in northeast Lee County - S33 T43 R26; S34 T43 R26, S35 T43 R26, S36 T43 R26 and S27 T43 R26. An aerial of the subject property is attached for your review.

The RPD is currently being serviced by all utilities and is approved for 1,999 Single Family Units. An additional 1,000 units are being proposed via a Comprehensive Plan Amendment for a total of 2,999 Single Family Units. The Comprehensive Plan Amendment Application will be submitted to Lee County the last week of September. Letters of availability from all service providers are required for the submittal.

We appreciate your assistance, please contact me with any questions you may have about the application.

Thank you,

Morris-Depew Associates, Inc.

Tina Mayfield Ekblad

Tina Mayfield-Ekblad
Planner

TME/smh

EXHIBIT IV.B.3

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 113, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (239) 224-0688
414 SW 140th Terrace, Suite 100, Newberry, Florida 32669 Telephone: (352) 378-3450 Fax: (352) 337-3994
Toll Free: (866) 337-7341

Mike Scott
Office of the Sheriff

State of Florida
County of Lee

November 28, 2012

Ms. Tina Mayfield-Ekblad
Morris Depew Associates
2914 Cleveland Ave.
Fort Myers, Fl. 33901

Ms. Mayfield-Ekblad,

The proposed increase to 2,999 Single Family Units at the River Hall Residential Planned Development located in northeast Lee County would not affect the ability of the Lee County Sheriff's Office to provide core services at this time. We will provide law enforcement services primarily from our Fort Myers district office.

At the time of application for new development orders or building permits, the applicant shall provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comments.

Please address further correspondence to me at the address listed below. Please contact Kevin Farrell, Community Program Coordinator of the Crime Prevention Unit, at 477-2821 with any questions.

Respectfully,

Stan Nelson

Stan Nelson,
Director, Planning & Research
Lee County Sheriff's Office
14750 Six Mile Cypress Parkway
Fort Myers, FL 33912
(239) 477-1066

MORRIS DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

August 23, 2012

Mr. Lindsey Sampson, Director
Lee County Solid Waste
10550 Buckingham Road
Fort Myers, FL 33905

Re: River Hall (formerly Hawk's Haven) - Request for Letter of Availability

Dear Mr. Sampson,

Please accept this letter as a request for service availability to the River Hall (formerly known as Hawk's Haven) Residential Planned Development located in northeast Lee County - S33 T43 R26; S34 T43 R26, S35 T43 R26, S36 T43 R26 and S27 T43 R26. An aerial of the subject property is attached for your review.

The RPD is currently being serviced by all utilities and is approved for 1,999 Single Family Units. An additional 1,000 units are being proposed via a Comprehensive Plan Amendment for a total of 2,999 Single Family Units. The Comprehensive Plan Amendment Application will be submitted to Lee County the last week of September. Letters of availability from all service providers are required for the submittal.

We appreciate your assistance, please contact me with any questions you may have about the application.

Thank you,

Morris-Depew Associates, Inc.

Tina Mayfield Ekblad

Tina Mayfield-Ekblad
Planner

TME/smh

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 113, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (239) 224-0688
414 SW 140th Terrace, Suite 100, Newberry, Florida 32669 Telephone: (352) 378-3450 Fax: (352) 337-3994
Toll Free: (866) 337-7341

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

August 29, 2012

Tina Mayfield-Ekblad
Planner
Morris – Depew Engineers
2914 Cleveland Ave.
Fort Myers, FL 33901

SUBJECT: River Hall – Letter of Availability

Dear Ms. Mayfield-Ekblad:

The Lee County Solid Waste Division is capable of providing solid waste collection service for the additional 1000 residential units proposed for River Hall Residential Planned Development located in northeast Lee County through our franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

Additionally, please review the Solid Waste Ordinance (11-27, Section 7) which defines those residential dwelling units that are eligible to receive curbside residential collection service. If you have any questions, please call me at (239) 533-8000.

Sincerely,

William T. Newman
Operations Manager
Solid Waste Division

RECEIVED AUG 30 2012

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

August 23, 2012

Ms. Dawn Huff
Community Development Planner
Lee County Public School District
3308 Canal Street
Fort Myers, FL 33916

Re: River Hall (formerly Hawk's Haven) - Request for Letter of Availability

Dear Ms. Huff,

Please accept this letter as a request for service availability to the River Hall (formerly known as Hawk's Haven) Residential Planned Development located in northeast Lee County - S33 T43 R26; S34 T43 R26, S35 T43 R26, S36 T43 R26 and S27 T43 R26. An aerial of the subject property is attached for your review.

The RPD is currently being serviced by all utilities and is approved for 1,999 Single Family Units. An additional 1,000 units are being proposed via a Comprehensive Plan Amendment for a total of 2,999 Single Family Units. The Comprehensive Plan Amendment Application will be submitted to Lee County the last week of September. Letters of availability from all service providers are required for the submittal.

We appreciate your assistance, please contact me with any questions you may have about the application.

Thank you,

Morris-Depew Associates, Inc.

Tina Mayfield Ekblad

Tina Mayfield-Ekblad
Planner

TME/smh

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 113, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (239) 224-0688
414 SW 140th Terrace, Suite 100, Newberry, Florida 32669 Telephone: (352) 378-3450 Fax: (352) 337-3994
Toll Free: (866) 337-7341

THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966-1012 ♦ (239) 334-1102 ♦ WWW.LEESCHOOLS.NET

MARY FISCHER, M.A.
CHAIRMAN, DISTRICT 1

JEANNE S. DOZIER
VICE CHAIRMAN, DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

DON H. ARMSTRONG
DISTRICT 4

THOMAS SCOTT
DISTRICT 5

JOSEPH BURKE, ED.D.
SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

August 31, 2012

Tina Mayfield-Ekblad
Morris-Depew Associates, Inc.
2914 Cleveland Ave
Fort Myers, FL 33901

RE: River Hall Request for Letter of Availability/Adding 1,000 Single Family

Dear Ms. Mayfield-Ekblad:

This letter is in response to your request dated August 23, 2012 for River Hall for sufficiency comments in reference to the educational impact. This development is located in the East Choice Zone, Sub Zone E2.

This development is approved and consists of 1,999 single family units. This request is to add an additional 1,000 single family units. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level.

For single family the generation rate is .299 and further broken down into the following, .150 for elementary, .072 for middle and .077 for high. A total of 299 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development. Currently within the School District, there are sufficient seats available to serve this need.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Huff, Long Range Planner
Planning Department

RECEIVED SEP 05 2012

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY	Lee School District
NAME/CASE NUMBER	River Hall
OWNER/AGENT	RH Golf, LLC
ITEM DESCRIPTION	Adding 1000 Single Family Units East CSA, sub area E2
LOCATION	St. Rd 82 East of Buckingham Rd.
CURRENT FLU	Rural
CURRENT ZONING	RPD

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
1000	0	0

	Student Generation Rates			
STUDENT GENERATION	**SF**	**MF**	**MH**	**Projected Students**
Elementary School	0.15			150.00
Middle School	0.072			72.00
High School	0.077			77.00

Source: Lee County School District, August 31, 2012 letter

CSA SCHOOL NAME 2016/17	CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
East CSA, Elementary	14,266	13,293	973	150	823	94%	
East CSA, Middle	5,898	4,876	1,022	72	950	84%	
East CSA, High	6,568	5,463	1,105	77	1028	84%	

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the first three (5) years of the School District's Five Year Plan

(2) Projected Enrollment per the first three (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)

(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by: Dawn Huff, Long Range Planner

Tina Ekblad

From: Burns, Jerri-Lyn <JerriLynB@LeeSchools.net>
Sent: Tuesday, September 18, 2012 2:28 PM
To: Sheila Holland
Cc: Huff, Dawn
Subject: FW: Tortuga Preserve and Harns Marsh Middle Information

Good Afternoon,

Tortuga Preserve has 1068 permanent student stations in the State Florida Inventory of School Houses (FISH) and has 692 students currently enrolled.
Harns Marsh Middle has 1230 permanent Student Stations in FISH based on the 90% utilization for middle schools and has 855 students currently enrolled.
Please do not hesitate to contact me if you have questions.
Regards,
Jerri Burns

Jerri Burns
Director- Planning, Growth & School Capacity
http://planning.leeschools.net/
Lee County School District
3308 Canal Street, Fort Myers, Fl 33916
239-479-5662 jerrilynb@leeschools.net

"Education is the most powerful weapon which you can use to change the world." Nelson Mandela

VISION - To be a world-class school system

SUNSHINE LAW AND PUBLIC RECORDS CAUTION: Most E-mail communications made or received by District staff are considered public records that must be retained and, upon request, made available to the public and media.

From: Huff, Dawn
Sent: Tuesday, September 18, 2012 12:20 PM
To: Burns, Jerri-Lyn
Subject: FW: Tortuga Preserve and Harns Marsh Middle Information

Can you answer his question below? Does it need to go through communications?

Thanks,

Dawn Huff
Long Range Planner
Planning, Growth & School Capacity
Lee County School District
3308 Canal St. Fort Myers, FL 33916
Phone (239)479-5661 Fax (239)479-5667

From: Sheila Holland [mailto:sholland@m-da.com]
Sent: Tuesday, September 18, 2012 10:44 AM
To: Huff, Dawn
Subject: Tortuga Preserve and Harns Marsh Middle Information

MORRIS DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

August 23, 2012

Fort Myers Shores Fire Department
Att: Chief Duncan
12345 Palm Beach Blvd.
Fort Myers, FL 33905

Re: River Hall (formerly Hawk's Haven) - Request for Letter of Availability

Dear Chief Duncan,

Please accept this letter as a request for service availability to the River Hall (formerly known as Hawk's Haven) Residential Planned Development located in northeast Lee County - S33 T43 R26; S34 T43 R26, S35 T43 R26, S36 T43 R26 and S27 T43 R26. An aerial of the subject property is attached for your review.

The RPD is currently being serviced by all utilities and is approved for 1,999 Single Family Units. An additional 1,000 units are being proposed via a Comprehensive Plan Amendment for a total of 2,999 Single Family Units. The Comprehensive Plan Amendment Application will be submitted to Lee County the last week of September. Letters of availability from all service providers are required for the submittal.

We appreciate your assistance, please contact me with any questions you may have about the application.

Thank you,

Morris-Depew Associates, Inc.

Tina Mayfield Ekblad

Tina Mayfield-Ekblad
Planner

TME/smh

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 113, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (239) 224-0688
414 SW 140th Terrace, Suite 100, Newberry, Florida 32669 Telephone: (352) 378-3450 Fax: (352) 337-3994
Toll Free: (866) 337-7341

FORT MYERS SHORES FIRE PROTECTION & RESCUE SERVICE DISTRICT
12345 PALM BEACH BOULEVARD S.E.
FT. MYERS, FL. 33905
(239)694-2833 Fax (239)694-3355

David Depew
Morris-Depew Assoc. Inc
2914 Cleveland Ave
Fort Myers, FL 33901

Mr. David Depew;

It is My opinion and with full confidence that the Fort Myers Shores Fire and Rescue Service District can provide adequate services to the subject site with the proposed future land use category.

Sincerely

David Duncan, Chief

RECEIVED NOV 28 2012

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

August 23, 2012

Mr. John Wilson, Director
Lee County Division of Public Safety
P.O. Box 398
Fort Myers, FL 33902

Re: River Hall (formerly Hawk's Haven) - Request for Letter of Availability

Dear Mr. Wilson,

Please accept this letter as a request for service availability to the River Hall (formerly known as Hawk's Haven) Residential Planned Development located in northeast Lee County - S33 T43 R26; S34 T43 R26, S35 T43 R26, S36 T43 R26 and S27 T43 R26. An aerial of the subject property is attached for your review.

The RPD is currently being serviced by all utilities and is approved for 1,999 Single Family Units. An additional 1,000 units are being proposed via a Comprehensive Plan Amendment for a total of 2,999 Single Family Units. The Comprehensive Plan Amendment Application will be submitted to Lee County the last week of September. Letters of availability from all service providers are required for the submittal.

We appreciate your assistance, please contact me with any questions you may have about the application.

Thank you,

Morris-Depew Associates, Inc.

Tina Mayfield Ekblad

Tina Mayfield-Ekblad
Planner

TME/smh

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 113, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (239) 224-0688
414 SW 140th Terrace, Suite 100, Newberry, Florida 32669 Telephone: (352) 378-3450 Fax: (352) 337-3994
Toll Free: (866) 337-7341

Tina Ekblad

From: Tina Ekblad
Sent: Friday, January 11, 2013 9:51 AM
To: 'hschwartz@leegov.com'
Subject: RE: River Hall - Request for Letter of Availability
Attachments: EMS LOA 2nd request.pdf

Good Morning Holly,

As you can see by the below e-mail correspondence and the attached request letter, my office has been trying to obtain a Letter of Availability from the Division of Public Safety. The request is for the River Hall Comprehensive Plan Amendment, which proposes to change the Future Land Use Category of a portion of the Community to Sub-Outlying Suburban to allow an additional 1,000 dwelling units. A corresponding Planned Development Amendment will be submitted for concurrent review with the Comprehensive Plan Amendment request.

I understand there have been some staffing adjustments at the Division of Public Safety and it is likely our request letter was caught up in those changes. However, will we be able to obtain a letter of availability today? We have held the submittal of the CPA sufficiency and PD Amendment request for as long as possible and must submit by the end of business today.

Thank you in advance for your assistance. I hope you have a good weekend,
Tina

Tina Mayfield Ekblad MPA, AICP, LEED AP BD+C
Project Manager

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
LC26000130

2914 Cleveland Avenue
Fort Myers, Florida 33901
239.337.3993 X308

www.morris-depew.com

Fort Myers | Gainesville | Tallahassee

From: Davis, Jenny [mailto:JLDavis@leegov.com]
Sent: Wednesday, January 09, 2013 4:28 PM

To: Sheila Holland
Cc: Tina Ekblad
Subject: RE: River Hall - Request for Letter of Availability

Hi Sheila,

I found out this has not been completed, but forwarded onto Holly Schwartz / Assistant County Manager--who is currently researching your request.

Sorry, for any inconvenience this may have caused.

Thanks!

Jenny Davis
Administrative Specialist
Lee County Public Safety/Emergency Medical Services
Phone: 239-533-3948
Main Line: 239-533-3911
Fax: 239-485-2605
jldavis@leegov.com

LEE COUNTY
SOUTHWEST FLORIDA

From: Sheila Holland [mailto:sholland@m-da.com]
Sent: Monday, January 07, 2013 11:12 AM
To: Davis, Jenny
Cc: Tina Ekblad
Subject: FW: River Hall - Request for Letter of Availability

Hi Jenny,

I was just e-mailing to check in with you after all of the holiday craziness on this letter of availability request. We are looking at submitting our applications this Wed to Lee County so if we could get the letter by then it would be much appreciated. You can send it to me as a pdf.

Thanks so much and please let me know if you have any questions.

Sheila M. Holland
Planning Technician
(239) 337-3993

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, FL 33901
(239) 337-3993 | FAX: (239) 337-3994
Toll Free: (866) 337-7341
www.morris-depew.com
LC2000330

From: Sheila Holland
Sent: Wednesday, January 02, 2013 11:47 AM
To: 'Davis, Jenny'
Subject: RE: River Hall - Request for Letter of Availability

Thanks so much, sorry about the confusion with your e-mail address.

Sheila M. Holland
Planning Technician
(239) 337-3993

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, FL 33901
(239) 337-3993 | FAX: (239) 337-3994
Toll Free: (866) 337-7341
www.morris-depew.com
LC2000330

From: Davis, Jenny [mailto:JLDavis@leegov.com]
Sent: Wednesday, January 02, 2013 11:47 AM
To: Sheila Holland
Subject: RE: River Hall - Request for Letter of Availability

Hi Sheila,

I will be passing this onto Chief Tuttle today. When he has it completed I will scan and email back to you—if that's okay. He is playing catch-up since he's been out of the office for a few days, but will try and get it done later this afternoon.

Thanks so much! ☺

Jenny Davis
Administrative Specialist
Lee County Public Safety/Emergency Medical Services
Phone: 239-533-3948
Main Line: 239-533-3911
Fax: 239-485-2605
jldavis@leegov.com

LEE COUNTY
SOUTHWEST FLORIDA

From: Sheila Holland [mailto:sholland@m-da.com]
Sent: Wednesday, January 02, 2013 10:45 AM
To: Davis, Jenny
Subject: FW: River Hall - Request for Letter of Availability

Please see comments below.

Sheila M. Holland
Planning Technician
(239) 337-3993

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, FL 33901
(239) 337-3993 | FAX: (239) 337-3994
Toll Free: (866) 337-7341
www.morris-depew.com

From: Sheila Holland
Sent: Saturday, December 15, 2012 2:07 PM
To: jdavis@leegov.com
Cc: Tina Ekblad
Subject: FW: River Hall - Request for Letter of Availability

Hi Jenni,

Just checking to see if you had heard any response on this as I have not been contacted by anyone.

Thanks

Sheila M. Holland
Planning Technician
(239) 337-3993

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, FL 33901
(239) 337-3993 | FAX: (239) 337-3994
Toll Free: (866) 337-7341
www.morris-depew.com
LC26000330

From: Sheila Holland
Sent: Tuesday, December 11, 2012 8:49 AM
To: 'jdavis@leegov.com'
Subject: River Hall - Request for Letter of Availability

Hi Jenny,

Per our phone conversation this morning attached is the request for a Letter of Availability. Our firm is working on a Comprehensive Plan Amendment for the River Hall Subdivision and this is one of the requirements. I have sent the letter over a couple times but have received no response so I am wondering if you can get me to the right person.

Thank you,

Sheila M. Holland
Planning Technician
(239) 337-3993

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, FL 33901
(239) 337-3993 | FAX: (239) 337-3994
Toll Free: (866) 337-7341
www.morris-depew.com
LC26000330

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

MORRIS DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

August 23, 2012

Mr. Wayne Gaither, Planner
Lee Tran
6035 Landing View Road
Fort Myers, FL 33907

Re: River Hall (formerly Hawk's Haven) - Request for Letter of Availability

Dear Mr. Gaither,

Please accept this letter as a request for service availability to the River Hall (formerly known as Hawk's Haven) Residential Planned Development located in northeast Lee County - S33 T43 R26; S34 T43 R26, S35 T43 R26, S36 T43 R26 and S27 T43 R26. An aerial of the subject property is attached for your review.

The RPD is currently being serviced by all utilities and is approved for 1,999 Single Family Units. An additional 1,000 units are being proposed via a Comprehensive Plan Amendment for a total of 2,999 Single Family Units. The Comprehensive Plan Amendment Application will be submitted to Lee County the last week of September. Letters of availability from all service providers are required for the submittal.

We appreciate your assistance, please contact me with any questions you may have about the application.

Thank you,

Morris-Depew Associates, Inc.

Tina Mayfield Ekblad

Tina Mayfield-Ekblad
Planner

TME/smh

2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994
327 Office Plaza, Suite 113, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (239) 224-0688
414 SW 140th Terrace, Suite 100, Newberry, Florida 32669 Telephone: (352) 378-3450 Fax: (352) 337-3994
Toll Free: (866) 337-7341

RECEIVED OCT 19 2012

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

October 17, 2012

Ms. Tina Mayfield-Ekblad
Morris-Depew Associates Inc
2914 Cleveland Ave
Fort Myers, FL 33901

Re: River Hall (formerly Hawks Haven) – Request for Letter of Availability

Dear Ms. Ekblad,

In reviewing your letter of August 23, 2012 requesting a determination of service availability from LeeTran for the Residential Planned Development please find the following:

1) Currently, LeeTran does not provide service to Hawk's Haven (proposed River Hall) as it lies outside of the ¼ mile transit service buffer. The closest transit route to the site is Route 100.
2) Currently, only a small area of the proposed River Hall RDP, in the northwest section of the development, is eligible for ADA service through LeeTran. The remainder of the development lies outside of the ¾ mile ADA transit service buffer.
3) The FY2012-2021 Transit Development Plan does not include the expansion of transit services beyond their current service area, for the Route 100. This also means that there are no plans to expand ADA services in this area.

Should you have any additional questions, please feel free to contact me at your convenience.

Sincerely,

H. Wayne Gaither

H. Wayne Gaither
Planner, LeeTran

file

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
Internet address http://www.lee-county.com
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

Scanned OCR Exported
[ ] [ ] [ ]

This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.

September 19, 2012

Florida Master Site File

Sheila Holland
Morris-Depew Associates, Inc.
2914 Cleveland Avenue
Fort Myers, FL 33901
Phone: 239.337.3993
Email: sholland@m-da.com

In response to your inquiry of September 19, 2012, the Florida Master Site File lists two previously recorded archaeological sites, one resource group, and no standing structures found in the following parcel of Lee County:

The portion of T43S R26E Sections 27, 34, 35, 36, 25, 26, 28, & 33; T43S 27W Sections 30 & 31; T44S 27W Section 6; and T44S 26W Sections 1, 2, & 3 shown within the radius (including a 500 foot buffer from project area indicated on map submitted with search request) on the corresponding map.

When interpreting the results of our search, please consider the following information:

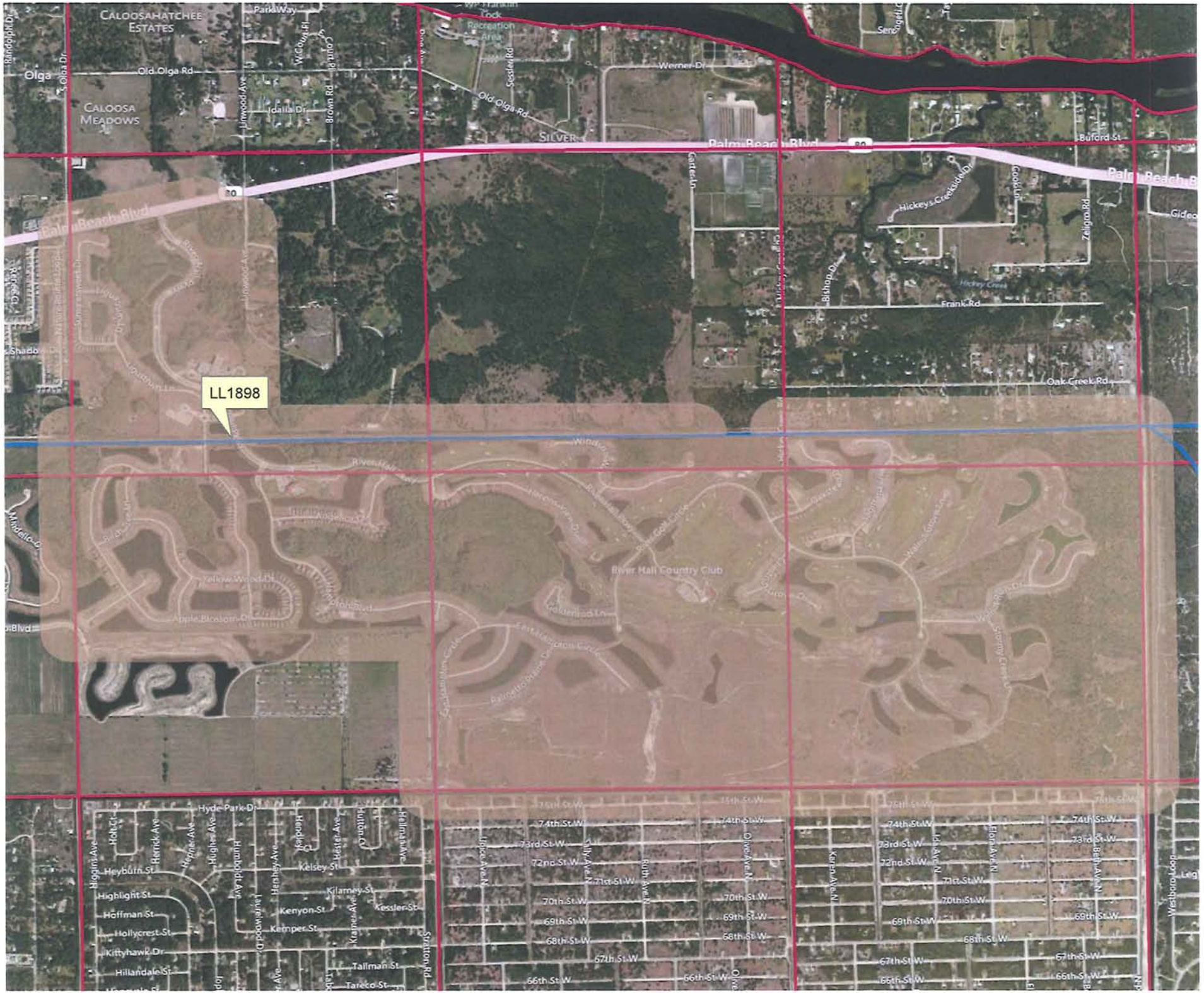
- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.**
- **While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

Sarah Liko
Archaeological Data Analyst
Florida Master Site File

Sarah.Liko@DOS.MyFlorida.com


LL1898
Caloosahatchee Estates
Caloosa Meadows
Olga
Old Olga Rd
Park Way
Recreation Area
Werner Dr
Palm Beach Blvd
80
Buford St
Hickeys Creekside Dr
Frank Rd
Oak Creek Rd
Linwood Ave
Brown Rd
Idalia Dr
Sessler Rd
Carter Ln
Bishop Dr
Zeligo Rd
River Hall Country Club
Hyde Park Dr
Heyburn St
Highlight St
Hoffman St
Hollycrest St
Kittyhawk Dr
Hillandale St
Kelsey St
Kilarney St
Kenyon St
Kemper St
Kessler St
Tallman St
Tareco St
Stratton Rd
74th St W
73rd St W
72nd St W
71st St W
70th St W
69th St W
68th St W
67th St W
66th St W

RIVER HALL
COMPREHENSIVE PLAN AMENDMENT
ENVIRONMENTAL ASSESSMENT

January 2013

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

Project No. 03PEG931

TABLE OF CONTENTS

Page

Introduction....1

Land Uses and Vegetation Associations....1

Soils....3

Jurisdictional Wetlands....3

Topography and Flood Elevations....4

Listed Species....4

Summary....5

References....7

LIST OF FIGURES

Page

Figure 1. Project Location Map.....2

LIST OF TABLES

Page

Table 1. Wetland and Waters Acreage by FLUCFCS Code.....3

LIST OF EXHIBITS

		Page
Exhibit A.	Aerial with Boundary	A-1
Exhibit B.	FLUCFCS and Wetlands Map	B-1
Exhibit C.	Aerial with FLUCFCS and Wetlands Map	C-1
Exhibit D.	Existing Land Use and Cover Summary Table and FLUCFCS Descriptions	D-1
Exhibit E.	Soils Map	E-1
Exhibit F.	Soils Summary Table and Descriptions	F-1
Exhibit G.	Quad Sheet	G-1
Exhibit H.	Topographic Map	H-1
Exhibit I.	Flood Insurance Rate Map	I-1
Exhibit J.	Lee County Protected Species Management Plan	J-1
Exhibit K.	Lee County Protected Species Survey	K-1

INTRODUCTION

This environmental assessment has been prepared to support the proposed Comprehensive Plan Amendment (CPA) for River Hall (Project) which is currently being reviewed by Lee County under File No. CPA2012-00001. This report documents existing land uses and vegetative cover; jurisdictional wetlands; topography; flood zones; protected species occurrences; and protected species management plans. The proposed CPA boundary covers the majority of the site, excluding the Sub-Outlying Suburban Area in the far northwest corner of the Project.

The CPA area totals 1,892.29± acres and is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The site is located immediately south of State Road (SR) 80, approximately 0.5 mile east of the intersection of SR 80 and Buckingham Road. The surrounding land uses include Lehigh Acres to the south; SR 80, undeveloped, forested land, and residential housing to the north; Hickey's Creek Mitigation Park to the east; and the residential development Hawk's Preserve to the west (Exhibit A).

The property consists of a residential golf course community with the associated storm water management lakes and conservation areas. The conservation areas include forested and herbaceous uplands and wetlands both internal to the development, as well as a large preserve located along the east boundary. The majority of the infrastructure for the Project is in place and numerous residential homes have already been constructed.

LAND USES AND VEGETATION ASSOCIATIONS

The majority of the vegetation associations for the property were originally delineated by Consul-Tech Engineering, Inc. over ten years ago. Passarella & Associates, Inc. (PAI) initially updated the mapping in August 2003 using 2002 rectified color aerials. The updated mapping was based on a nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation (FDOT) 1999). Level IV FLUCFCS was utilized to denote disturbance. Additional parcels were later added to the Project which were subsequently mapped by PAI in 2004 and 2005. In December 2012, PAI updated the FLUCFCS mapping again to reflect the conditions of the site after the majority of the construction activities had occurred and mitigation work had been completed. The most recent FLUCFCS mapping for the CPA area is utilized in this assessment. AutoCAD Map 3D 2011 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map (Exhibit B). An aerial photograph of the property with an overlay of the FLUCFCS is provided as Exhibit C.

A total of 28 vegetative associations and land uses (i.e., FLUCFCS codes) were identified within the CPA area. The dominant land uses are urban/residential, disturbed land, lakes, golf course, and forested uplands and wetlands. A summary of the FLUCFCS codes with acreage breakdown and description of each FLUCFCS code is presented in Exhibit D. No rare or unique uplands were identified since the Project is located outside of the Lee County Coastal Planning Area.

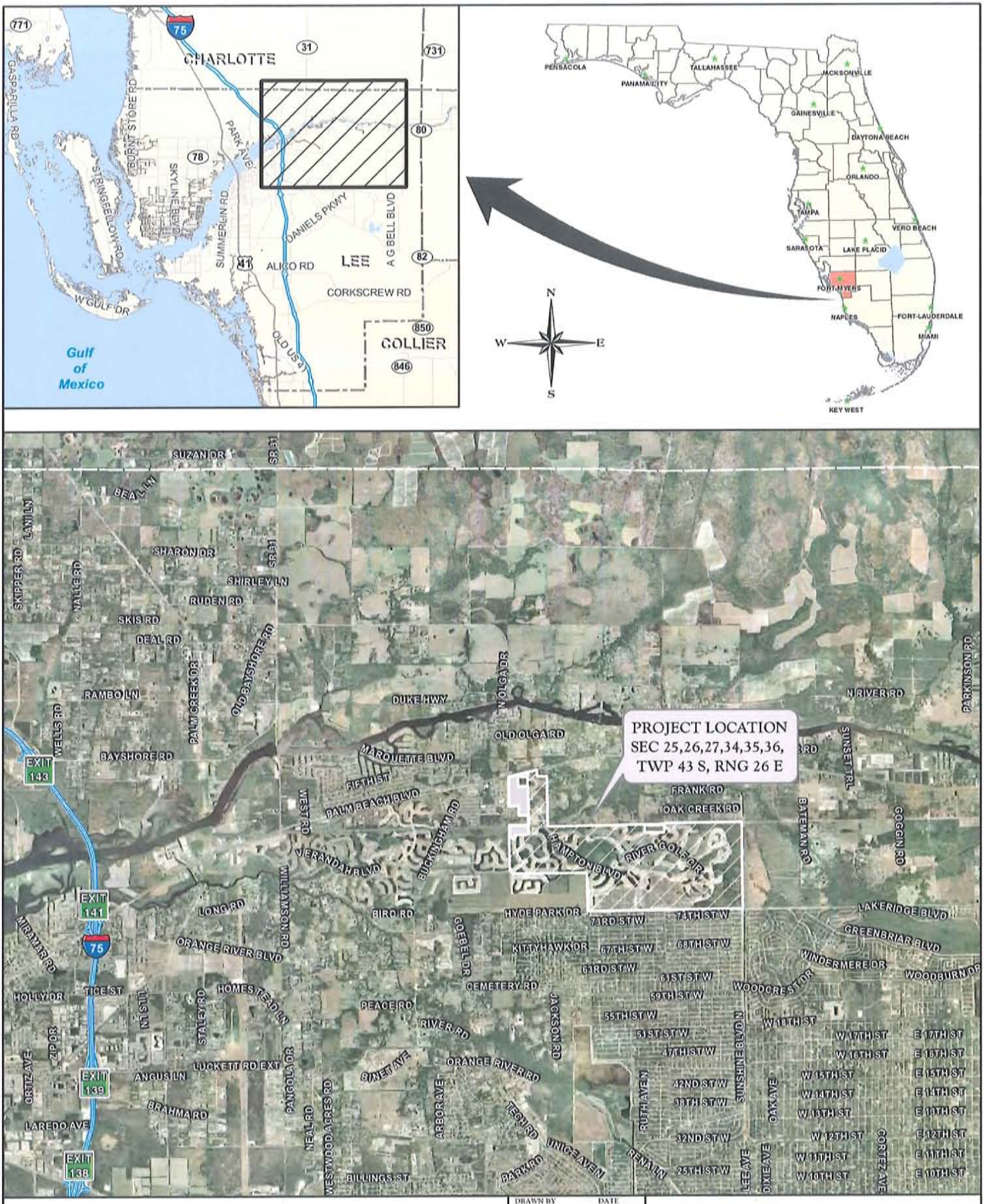


FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

DRAWN BY	DATE
H.H.	12/10/12
REVIEWED BY	DATE
A.D.	12/10/12
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2003\05PEG03\GIS\2012\COMP PLAN AMENDMENT\FIGURES\Figure 1 Project Location Map.mxd - 1/10/2013 @ 12:58:55 PM

SOILS

The soils for the property, per the Natural Resource Conservation Service (formerly the Soil Conservation Service), are shown on Exhibit E and listed in Exhibit F. A brief description for each soil type per the Soil Survey of Lee County, Florida (Soil Conservation Service 1998) is presented in Exhibit F. It should be noted that the majority of the development area has previously been filled, so the soil types depicted on Exhibit E typically apply to the preserve areas.

JURISDICTIONAL WETLANDS

The South Florida Water Management District (SFWMD) jurisdictional wetlands were identified using the "Delineation of the Landward Extent of Wetlands and Surface Waters" (Chapter 62-340, Florida Administrative Code). The SFWMD jurisdictional wetlands were approved under the existing SFWMD Environmental Resource Permit (No. 36-040006-P) for the Project. U.S. Army Corps of Engineers (COE) wetlands were identified per the COE's Clean Water Act jurisdiction. The majority of the COE jurisdictional wetlands were approved under COE Permit No. 199901378 (IP-DEY). The on-site waters were estimated based on an interpretation of aerial photographs.

The wetlands and waters for the CPA area are shown on Exhibit B. The wetlands and waters by FLUCFCS code are summarized in Table 1. SFWMD and COE wetlands constitute a total of 166.35± acres or approximately 8.8 percent of the CPA area. The COE claimed an additional 13.51± acres of wetlands. SFWMD "other surface waters" (i.e., lakes) constitute a total of 216.50± acres or approximately 11.4 percent of the CPA area.

Table 1. Wetland and Waters Acreage by FLUCFCS Code

FLUCFCS Code	Description	Wetland and Waters Acreage
4291	Wax-Myrtle/Willow,Hydric	11.56
4341	Hardwood-Conifer, Hydric	1.90
514*	Ditch	0.01
520*	Lakes	216.49
617	Mixed Wetland Hardwoods	9.42
617C	Mixed Wetland Hardwood (COE Wetland Only)	2.01
618	Pop Ash and Willow	0.44
621	Cypress	10.23
625	Hydric Pine	4.63
625C	Hydric Pine (COE Wetland Only)	1.15
630	Mixed Wetland Forest	109.76
630C	Mixed Wetland Forest (COE Wetland Only)	10.35

Table 1. (Continued)

FLUCFCS Code	Description	Wetland and Waters Acreage
641	Freshwater Marsh	5.43
643	Wet Prairie	12.98
TOTAL		**421.34**

*SFWMD "other surface waters"

The prominent wetland feature on the Project is the large forested wetland system in the central portion of the site. Other smaller wetland systems are scattered throughout the development area. A U.S. Geological Survey Quadrangle Map is provided as Exhibit G. This map shows the location of some of the wetland systems on-site.

TOPOGRAPHY AND FLOOD ELEVATIONS

A topographic map for the preserve areas and Flood Insurance Rate Map (effective August 2008) for the CPA area are provided as Exhibits H and I, respectively.

LISTED SPECIES

Lee County Protected Species Surveys (PSSs) were previously conducted on the Project in 2004. The surveys were conducted to meet the Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) Standards. The reports detailing the results of the previous surveys were provided as part of the zoning authorized under Resolution No. Z-05-051. During the previous surveys, a total of five Lee County protected species were identified on the Project site. The protected species previously identified included gopher tortoises (*Gopherus polyphemus*), burrowing owls (*Athene cunicularia*), Florida sandhill cranes (*Grus canadensis pratensis*), little blue herons (*Egretta caerula*), and wood storks (*Mycteria americana*).

To address the protection of the listed species previously documented on-site, as well as listed other species with the potential to occur on-site, PAI prepared a Lee County Protected Species Management Plan for the overall Project in May 2006 (Exhibit J). The management plan was written to meet the requirements of LDC 10-474 and Zoning Resolution No. Z-05-051; and was reviewed and approved by Lee County Division of Environmental Sciences (DES) staff as part of Development Order No. DOS2006-00042. The management plan pertains to the gopher tortoise, American Alligator (*Alligator mississippiensis*), burrowing owl, Florida sandhill crane, Florida Scrub Jay (*Aphelocoma coerulescens*), as well as listed wading birds. The management plan also outlines protected species that could potentially inhabit or utilize conservation areas or indigenous open spaces.

An updated PSS was conducted within the Disturbed Land habitats on the Project site on December 4, 6, 7, and 11, 2012 (Exhibit K). The updated PSS was limited to this area as

authorized under Lee County Waiver No. PRE2012-00252 issued on December 12, 2012. During the updated surveys, a total of three different Lee County protected species were observed within the survey area, including the gopher tortoise, burrowing owl, and little blue heron. A total of 61 gopher tortoise burrows, 16 burrowing owl burrows (with 3 burrowing owls at various burrow locations), and 2 little blue herons were identified. In addition, one bald eagle was observed perched in a pine snag near the southern property boundary. However, no bald eagle nests or nesting activity was observed during the surveys.

The protection of the gopher tortoises, burrowing owls, and little blue herons recently identified within the development footprint will be addressed per the approved Lee County Protected Species Management Plan. Prior to construction of the undeveloped areas, the gopher tortoise burrows will be excavated as authorized under Florida Fish and Wildlife Conservation Commission (FWCC) Gopher Tortoise Incidental Take Permit (#LEE-58). The captured tortoises will be relocated to the 64.58± acre gopher tortoise preserve in the southeast portion of the site. The applicant will also obtain a nest removal permit from the FWCC for the taking of the burrowing owl burrows. The nest removal will be conducted prior to construction of the undeveloped areas, in the non-nesting season (i.e., July 10 – February 15) while the burrows are inactive and relocation is not necessary. A copy of the nest removal permit will be forwarded to the Lee County DES staff for their records. Habitat protection for the little blue herons, along with other listed wading birds, has been provided through extensive foraging areas throughout the property.

SUMMARY

The property consists of a residential golf course community with the associated storm water management lakes and conservation areas. The conservation areas include forested and herbaceous uplands and wetlands both internal to the development, as well as a large preserve located along the east boundary. The majority of the infrastructure for the Project is in place and numerous residential homes have already been constructed.

A total of 28 vegetative associations and land uses (i.e., FLUCFCS types) have been identified within the 1,892.29± acre CPA area. The dominant land uses are urban/residential, disturbed land, lakes, golf course, and forested uplands and wetlands. No rare or unique uplands were identified since the Project is located outside of the Lee County Coastal Planning Area.

SFWMD and COE wetlands constitute a total of 166.35± acres or approximately 8.8 percent of the CPA area. The COE claimed an additional 13.51± acres of wetlands. SFWMD "other surface waters" (i.e., lakes) constitute a total of 216.50± acres or approximately 11.4 percent of the CPA area. The prominent wetland feature on the Project is the large forested wetland system in the central portion of the site. Other smaller wetland systems are scattered throughout the development area.

Lee County PSSs were previously conducted on the Project in 2004. The protected species previously identified included gopher tortoises, burrowing owls, Florida sandhill cranes, little blue herons, and wood storks. To address the protection of the listed species previously

documented on-site, as well as listed other species with the potential to occur on-site, PAI prepared a Lee County Protected Species Management Plan for the overall Project in May 2006. The management plan was written to meet the requirements of LDC 10-474 and Zoning Resolution No. Z-05-051; and was reviewed and approved by the Lee County DES staff as part of Development Order No. DOS2006-00042. The management plan pertains to the gopher tortoise, American alligator, burrowing owl, Florida sandhill crane, Florida scrub jay, as well as listed wading birds.

An updated PSS was conducted on December 4, 6, 7, and 11, 2012. A total of three different Lee County protected species were observed, including the gopher tortoise, burrowing owl, and little blue heron. A total of sixty-one gopher tortoise burrows, 16 burrowing owl burrows (with three burrowing owls at various burrow locations), and two little blue herons were identified. In addition, one bald eagle was observed perched in a pine snag near the southern property boundary. However, no bald eagle nests or nesting activity was observed during the surveys. The protection of gopher tortoises, burrowing owl, and listed wading birds recently identified within the development footprint will be addressed per the approved Lee County Protected Species Management Plan.

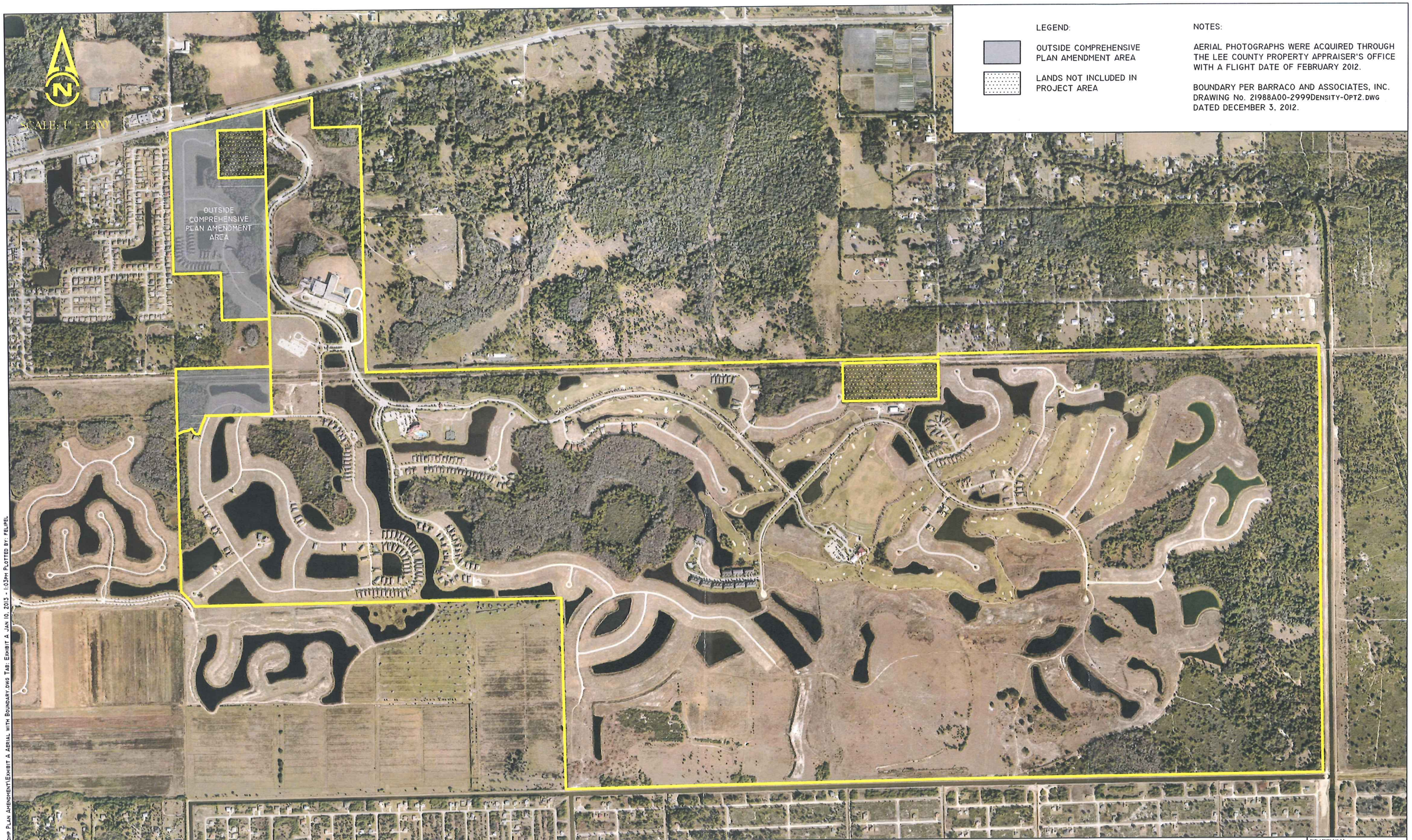
REFERENCES

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

Soils Conservation Service. 1998. Soil Survey of Lee County, Florida.

EXHIBIT A

AERIAL WITH BOUNDARY



LEGEND:

OUTSIDE COMPREHENSIVE PLAN AMENDMENT AREA

LANDS NOT INCLUDED IN PROJECT AREA

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY 2012.

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

J:\2005\03PEG931\2012\Comp Plan Amendment\Exhibit A Aerial with Boundary.dwg Tab: Exhibit A Jan 10, 2013 - 1:03pm Plotted By: felipel

REVISIONS	DATE

DRAWN BY	H.H.	DATE 12/10/12
DESIGNED BY	A.D.	DATE 12/10/12
REVIEWED BY	A.D.	DATE 12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

Consulting Ecologists PASSARELLA & ASSOCIATES INC

RIVER HALL

AERIAL WITH BOUNDARY

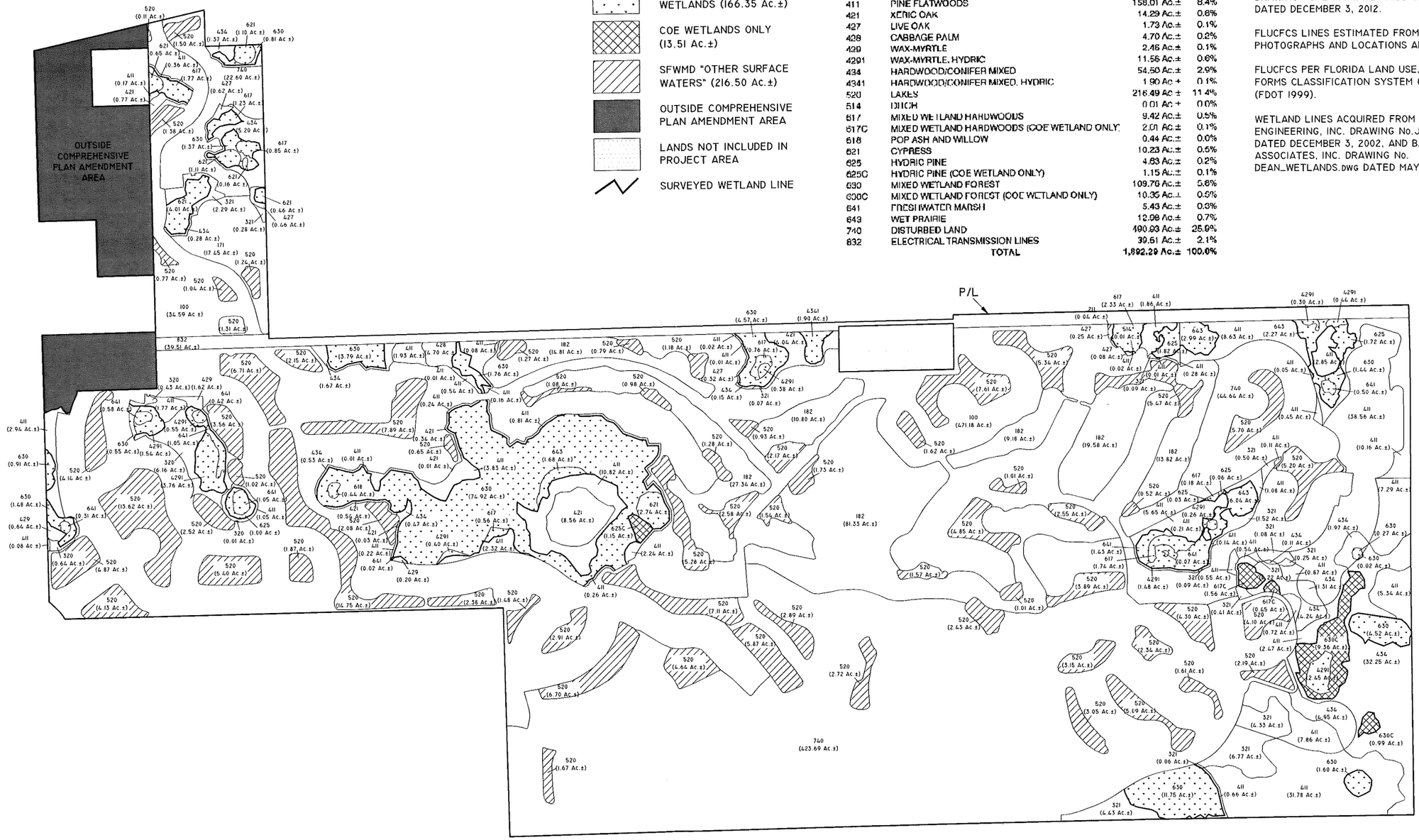
DRAWING No. 03PEG931

SHEET No. EXHIBIT A

EXHIBIT B

FLUCFCS AND WETLANDS MAP

SCALE: 1" = 1200'



LEGEND:

- SFWMD AND COE WETLANDS (166.35 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (216.50 Ac.±)
- OUTSIDE COMPREHENSIVE PLAN AMENDMENT AREA
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
100	URBAN/RESIDENTIAL	505.77 Ac.±	26.7%
171	EDUCATIONAL FACILITIES	17.45 Ac.±	0.9%
182	GOLF COURSE	176.91 Ac.±	9.3%
211	IMPROVED PASTURE	0.04 Ac.±	0.0%
320	SHRUB AND BRUSHLAND	7.24 Ac.±	0.4%
321	PALMETTO PRAIRIE	22.39 Ac.±	1.2%
411	PINE FLATWOODS	158.01 Ac.±	8.4%
421	XERIC OAK	14.29 Ac.±	0.8%
427	LIVE OAK	1.73 Ac.±	0.1%
428	CABBAGE PALM	4.70 Ac.±	0.2%
429	WAX-MYRTLE	2.46 Ac.±	0.1%
4291	WAX-MYRTLE, HYDRIC	11.56 Ac.±	0.6%
434	HARDWOOD/CONIFER MIXED	54.50 Ac.±	2.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	1.90 Ac.±	0.1%
520	LAKES	216.49 Ac.±	11.4%
514	DITCH	0.01 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	9.42 Ac.±	0.5%
617C	MIXED WETLAND HARDWOODS (COE WETLAND ONLY)	2.01 Ac.±	0.1%
618	POP ASH AND WILLOW	0.44 Ac.±	0.0%
621	CYPRESS	10.23 Ac.±	0.5%
625	HYDRIC PINE	4.63 Ac.±	0.2%
625C	HYDRIC PINE (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	109.70 Ac.±	5.8%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	5.43 Ac.±	0.3%
643	WET PRAIRIE	12.98 Ac.±	0.7%
740	DISTURBED LAND	490.93 Ac.±	25.9%
832	ELECTRICAL TRANSMISSION LINES	39.61 Ac.±	2.1%
	TOTAL	1,892.29 Ac.±	100.0%

NOTES:

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

FLUCFCS LINES ESTIMATED FROM1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

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

WETLAND LINES ACQUIRED FROM CONSUL-TECH ENGINEERING, INC. DRAWING No.JD LINES.DWG DATED DECEMBER 3, 2002, AND BARRACO AND ASSOCIATES, INC. DRAWING No. DEAN_WETLANDS.DWG DATED MAY 10, 2005.

J:\2003\03PEG931\2012\Comp Plan Amendment\Exhibit B and C aerial with FLUCFCS and wetlands.dwg Tab: Exhibit B Jan 10, 2013 - 1:04pm Plotted by: felipel

REVISIONS	DATE

DRAWN BY	H.H.
DATE	12/10/12
DESIGNED BY	A.K.
DATE	12/10/12
REVIEWED BY	K.C.P.
DATE	12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES, INC.
Consulting Ecologists

RIVER HALL

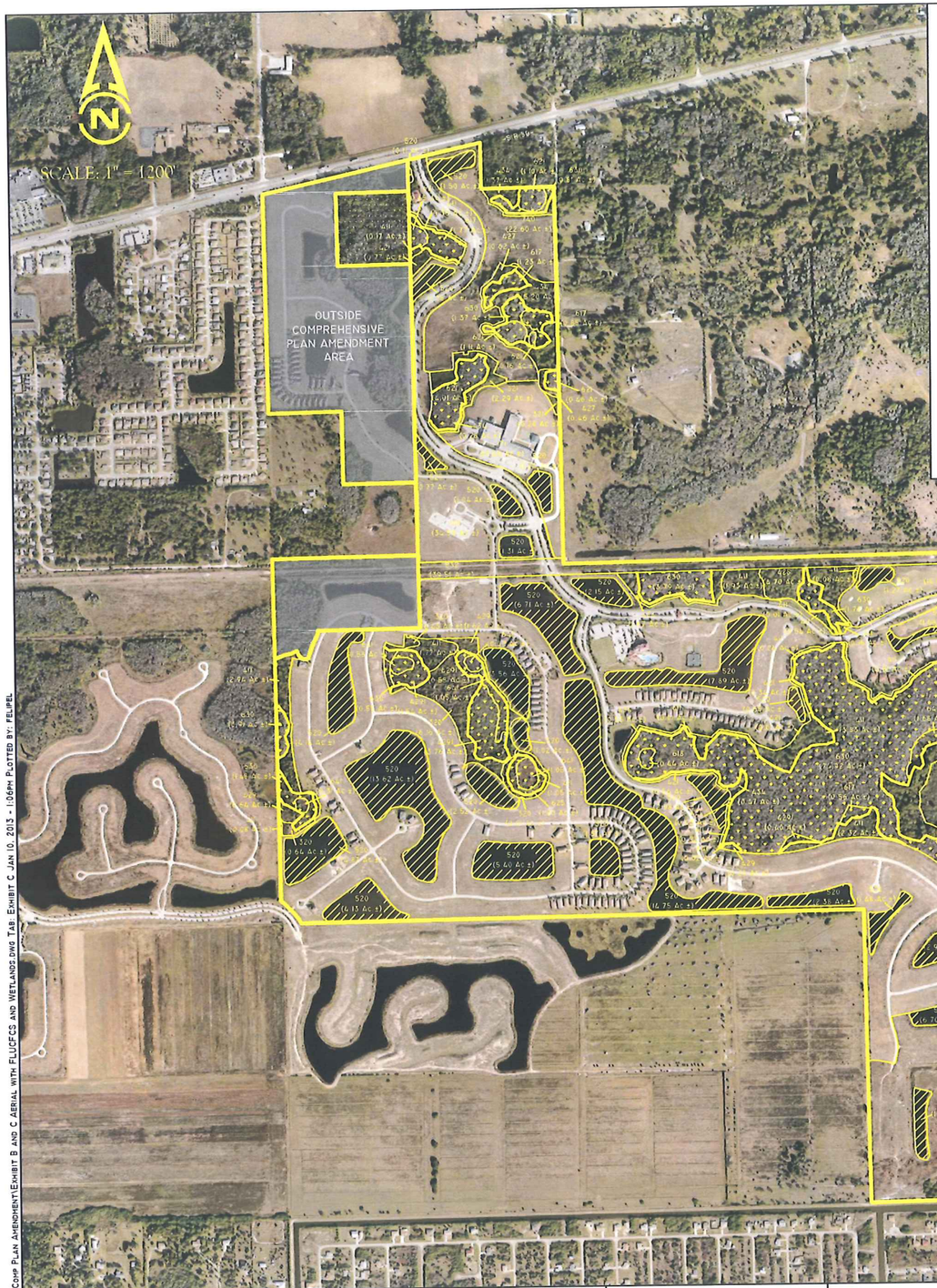
FLUCFCS AND WETLANDS

DRAWING No. 03PEG931

SHEET No. EXHIBIT B

EXHIBIT C

AERIAL WITH FLUCFCS AND WETLANDS MAP



LEGEND:

- SFWMD AND COE WETLANDS (166.35 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (216.50 Ac.±)
- OUTSIDE COMPREHENSIVE PLAN AMENDMENT AREA
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
100	URBAN/RESIDENTIAL	505.77 Ac.±	26.7%
171	EDUCATIONAL FACILITIES	17.45 Ac.±	0.9%
182	GOLF COURSE	176.91 Ac.±	9.3%
211	IMPROVED PASTURE	0.04 Ac.±	0.0%
320	SHRUB AND BRUSHLAND	7.24 Ac.±	0.4%
321	PALMETTO PRAIRIE	22.39 Ac.±	1.2%
411	PINE FLATWOODS	158.01 Ac.±	8.4%
421	XERIC OAK	14.29 Ac.±	0.8%
427	LIVE OAK	1.73 Ac.±	0.1%
428	CABBAGE PALM	4.70 Ac.±	0.2%
429	WAX-MYRTLE	2.46 Ac.±	0.1%
4291	WAX-MYRTLE, HYDRIC	11.56 Ac.±	0.6%
434	HARDWOOD/CONIFER MIXED	54.50 Ac.±	2.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	1.90 Ac.±	0.1%
520	LAKES	218.49 Ac.±	11.4%
514	DITCH	0.01 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	9.42 Ac.±	0.5%
617C	MIXED WETLAND HARDWOODS (COE WETLAND ONLY)	2.01 Ac.±	0.1%
618	POP ASH AND WILLOW	0.44 Ac.±	0.0%
621	CYPRESS	10.28 Ac.±	0.5%
625	HYDRIC PINE	4.63 Ac.±	0.2%
625C	HYDRIC PINE (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	100.76 Ac.±	5.8%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	5.43 Ac.±	0.3%
643	WET PRAIRIE	12.98 Ac.±	0.7%
740	DISTURBED LAND	490.03 Ac.±	25.9%
832	ELECTRICAL TRANSMISSION LINES	39.51 Ac.±	2.1%
	TOTAL	1,892.29 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY 2012.

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

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

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

WETLAND LINES ACQUIRED FROM CONSUL-TECH ENGINEERING, INC. DRAWING No.JD LINES.DWG DATED DECEMBER 3, 2002, AND BARRACO AND ASSOCIATES, INC. DRAWING No. DEAN_WETLANDS.DWG DATED MAY 10, 2005.

J:\2003\03PEG931\2012 COMP PLAN AMENDMENT\EXHIBIT B AND C AERIAL WITH FLUCFCS AND WETLANDS.DWG TAB: EXHIBIT C JAN 10, 2013 - 1:06PM PLOTTED BY: FELIPEL

REVISIONS	DATE

DRAWN BY: H.H.	DATE: 12/10/12
DESIGNED BY: A.K.	DATE: 12/10/12
REVIEWED BY: K.C.P.	DATE: 12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

RIVER HALL

AERIAL WITH FLUCFCS AND WETLANDS

DRAWING No. 03PEG931

SHEET No. EXHIBIT C

EXHIBIT D

EXISTING LAND USE AND COVER SUMMARY TABLE AND FLUCFCS DESCRIPTIONS

RIVER HALL
EXISTING LAND USE AND COVER SUMMARY TABLE AND FLUCFCS DESCRIPTIONS

The following table summarizes the FLUCFCS codes and provides an acreage breakdown of the habitat types found within the Comprehensive Plan Amendment boundary, while a description of each of the FLUCFCS classifications follows.

Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage	Percent of Total
100	Urban/Residential	505.77	26.7
171	Educational Facilities	17.45	0.9
182	Golf Course	176.91	9.3
211	Improved Pasture	0.04	<0.1
320	Shrub and Brushland	7.24	0.4
321	Palmetto Prairie	22.39	1.2
411	Pine Flatwoods	158.01	8.4
421	Xeric Oak	14.29	0.8
427	Live Oak	1.73	0.1
428	Cabbage Palm	4.70	0.2
429	Wax-Myrtle	2.46	0.1
4291	Wax-Myrtle/Willow, Hydric	11.56	0.6
434	Hardwood-Conifer Mixed	54.50	2.9
4341	Hardwood-Conifer, Hydric	1.90	0.1
514	Ditch	0.01	<0.1
520	Lakes	216.49	11.4
617	Mixed Wetland Hardwoods	9.42	0.5
617C	Mixed Wetland Hardwoods (COE Wetland Only)	2.01	0.1
618	Pop Ash and Willow	0.44	<0.1
621	Cypress	10.23	0.5
625	Hydric Pine	4.63	0.2
625C	Hydric Pine (COE Wetland Only)	1.15	0.1
630	Mixed Wetland Forest	109.76	5.8
630C	Mixed Wetland Forest (COE Wetland Only)	10.35	0.5
641	Freshwater Marsh	5.43	0.3
643	Wet Prairie	12.98	0.7
740	Disturbed Land	490.93	25.9
832	Utility Easement	39.51	2.1
TOTAL		**1,892.29**	**100.0**

Urban/Residential (FLUCFCS Code 100)
This land use includes numerous development tracts throughout the Project and occupies 505.77± acres or 26.7 percent of the site.

Educational Facilities (FLUCFCS Code 171)
This land use consists of the River Hall Elementary School and occupies 17.45± acres or 0.9 percent of the site.

Golf Course (FLUCFCS Code 182)
This land use consists of the River Hall County Club and associated golf course which occupies 176.91± acres or 9.3 percent of the site.

Improved Pasture (FLUCFCS Code 211)
This upland habitat occupies 0.04± acres or <0.1 percent of the site. The canopy and sub-canopy are open. The ground cover is dominated by bahiagrass (*Paspalum notatum*) with St. Augustine grass (*Stenotaphrum secundatum*), water drop-wort (*Oxypolis* sp.), blackroot (*Pterocaulon virgatum*), caesarweed (*Urena lobata*), five-leaf sneezeweed (*Helenium amarum*), Baldwin flatsedge (*Cyperus globulosus*), pawpaw (*Asimina reticulata*), prickly pear (*Opuntia* sp.), smutgrass (*Sporobolus indicus*), greenbriar (*Smilax* sp.), and grapevine (*Vitis rotundifolia*).

Shrub and Brushland (FLUCFCS Code 320)
This upland habitat occupies 7.24± acres or 0.4 percent of the site. The canopy has widely scattered slash pine (*Pinus elliotii*), cabbage palm (*Sabal palmetto*), and earleaf acacia (*Acacia auriculifomis*). The sub-canopy consists of cabbage palm, Brazilian pepper (*Schinus terebinthifolius*), and slash pine. The ground cover contains greenbriar, bahiagrass, grapevine, Johnson grass (*Sorghum halepense*), and caesarweed.

Palmetto Prairie (FLUCFCS Code 321)
This upland habitat occupies 22.39± acres or 1.2 percent of the site. The canopy contains scattered slash pine, live oak (*Quercus virginiana*), and cabbage palm. The sub-canopy consists of Brazilian pepper, beauty-berry (*Callicarpa americana*), wax-myrtle (*Myrica cerifera*), and winged sumac (*Rhus copallina*). The ground cover includes saw palmetto (*Serenoa repens*) and grapevine.

Pine Flatwoods (FLUCFCS Code 411)
This upland habitat occupies 158.01± acres or 8.4 percent of the site. The canopy contains slash pine. The sub-canopy contains wax-myrtle, dahoon holly (*Ilex cassine*), and cabbage palm. Ground cover includes saw palmetto, bahiagrass, and staggerbush (*Lyonia fruiticosa*).

Xeric Oak (FLUCFCS Code 421)
This upland habitat occupies 14.29± acres or 0.8 percent of the site. Canopy and sub-canopy contains myrtle oak (*Quercus myrtifolia*), Chapman's oak (*Quercus chapmanii*), sand live oak (*Quercus geminata*), and live oak. Ground cover includes saw palmetto, tarflower (*Bejaria racemosa*), staggerbush, hogplum (*Prunus umbellata*), and greenbrier.

Live Oak (FLUCFCS Code 427)
This upland habitat occupies 1.73± acres or 0.1 percent of the site. The canopy consists of live oak, swamp laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes myrsine (*Rapanea punctata*), saw palmetto, beauty-berry, bracken fern (*Pteridium aquilinum*), grapevine, poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*).

Cabbage Palm (FLUCFCS Code 428)
This upland habitat type occupies 4.70± acres or 0.2 percent of the site. The canopy and sub-canopy contain cabbage palm. The ground cover includes wild coffee and beauty-berry.

Wax-Myrtle (FLUCFCS Code 429)
This upland habitat type occupies 2.46± acres or 0.1 percent of the site. The canopy and sub-canopy are open. Ground cover includes wax-myrtle, Brazilian pepper, bahiagrass, whitetop sedge (*Rhynchospora colorata*), and asiatic pennywort (*Centella asiatica*).

Wax-Myrtle/Willow, Hydric (FLUCFCS Code 4291)
This wetland habitat occupies 11.56± acres or 0.6 percent of the site. The canopy is open with scattered cypress (*Taxodium distichum*). The sub-canopy contains wax-myrtle, willow, buttonbush (*Cephalanthus occidentalis*), flowering dogwood (*Cornus florida*), and Brazilian pepper. The ground cover includes peppervine, grapevine, swamp laurel oak, iris (*Iris* sp.), sawgrass (*Cladium jamaicense*), and asiatic pennywort.

Hardwood-Conifer Mixed (FLUCFCS Code 434)
This upland habitat type occupies 54.50± acres or 2.9 percent of the site. The canopy contains slash pine, live oak, and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes bahiagrass, caesarweed, Brazilian pepper, and cabbage palm.

Hardwood-Conifer, Hydric (FLUCFCS Code 4341)
This wetland habitat occupies 1.90± acres or 0.1 percent of the site. The canopy includes slash pine, laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy includes laurel oak and cabbage palm. The ground cover is mostly open with scattered yellow-eyed grass, gulfdune paspalum (*Paspalum monostachyum*), and flatsedge (*Cyperus* sp.).

Ditch (FLUCFCS Code 514)
This water area occupies 0.01± acres or <0.1 percent of the site. The canopy and sub-canopy are open. The ground cover contains dotted smartweed (*Polygonum punctatum*) and cattail (*Typha* sp.).

Lakes (FLUCFCS Code 520)
This water area includes storm water management lakes throughout the Project and occupies 216.49± acre or less than 11.4 percent of the site. The canopy and sub-canopy are open. The ground cover is also mostly open but contains littoral plants around the lake edge including pickerelweed (*Pontedaria cordata*), arrowhead (*Sagittaria lancifolia*), and maidencane (*Panicum hemitomon*).

Mixed Wetland Hardwoods (FLUCFCS Codes 617)
This wetland habitat occupies 9.42± acres or 0.5 percent of the site. The canopy contains red maple (*Acer rubrum*), swamp laurel oak, cypress, cabbage palm, pop ash *(Fraxinus caroliniana)*, and American elm (*Ulmus americana*). The sub-canopy includes wax-myrtle, buttonbush, and cabbage palm. The ground cover includes swamp fern (*Blechnum serrulatum*), sawgrass, smartweed, and yellow-eyed grass.

Mixed Wetland Hardwoods (COE Wetland Only) (FLUCFCS Code 617C)
This area is considered an upland habitat by the SFMD and wetland by the COE. It occupies 2.01± or 0.1 percent of the site and is similar to that of FLUCFCS Code 617.

Pop Ash and Willow (FLUCFCS Code 618)
This wetland habitat occupies 0.44± acres or <0.1 percent of the site. The canopy and sub-canopy contain pop ash and willow (*Salix caroliniana*). The ground cover is mostly open with scattered swamp fern.

Cypress (FLUCFCS Code 621)
This wetland habitat occupies 10.23± acres or 0.5 percent of the site. The canopy is dominated by cypress. The sub-canopy contains cypress, swamp bay (*Persea palustris*), wax myrtle, and pop ash. The ground cover is mostly open with scattered swamp fern and leather fern (*Acrostichium danefolium*).

Hydric Pine (FLUCFCS Code 625)
This wetland habitat occupies 4.63± acres or 0.2 percent of the site. The canopy is slash pine. The sub-canopy is mostly open with scattered slash pine and cabbage palm. The ground cover includes gulfdune paspalum, wiregrass (*Aristida stricta*), sawgrass, flatsedge, yellow-eyed grass, and beaksedge (*Rhynchospora* sp.)

Hydric Pine (COE Wetland Only) (FLUCFCS Codes 625C)
This area is considered an upland habitat by the SFMD and wetland by the COE. It occupies 1.15± acres or 0.1 percent of the site and is similar to that of FLUCFCS Code 625.

Mixed Wetland Forest (FLUCFCS Codes 630)
This wetland habitat occupies 109.76± acres or 5.8 percent of the site. The canopy contains cabbage palm, cypress, American elm, swamp laurel oak, and slash pine. The sub-canopy contains swamp laurel oak, cabbage palm, dahoon holly, and Brazilian pepper. The ground cover includes swamp fern, myrsine, wax-myrtle, poison ivy, iris, peppervine, greenbriar, asiatic pennywort, and day-flower (*Commelina* sp.).

Mixed Wetland Forest (COE Wetland Only) (FLUCFCS Codes 630C)
This area is considered an upland habitat by the SFMD and wetland by the COE. It occupies 10.35± acres or 0.5 percent of the site and is similar to that of FLUCFCS Code 630.

Freshwater Marsh (FLUCFCS Code 641)
This wetland habitat occupies 5.43± acres or 0.3 percent of the site. The canopy and sub-canopy are absent. The ground cover includes pickerelweed, arrowhead, buttonbush, and maidencane.

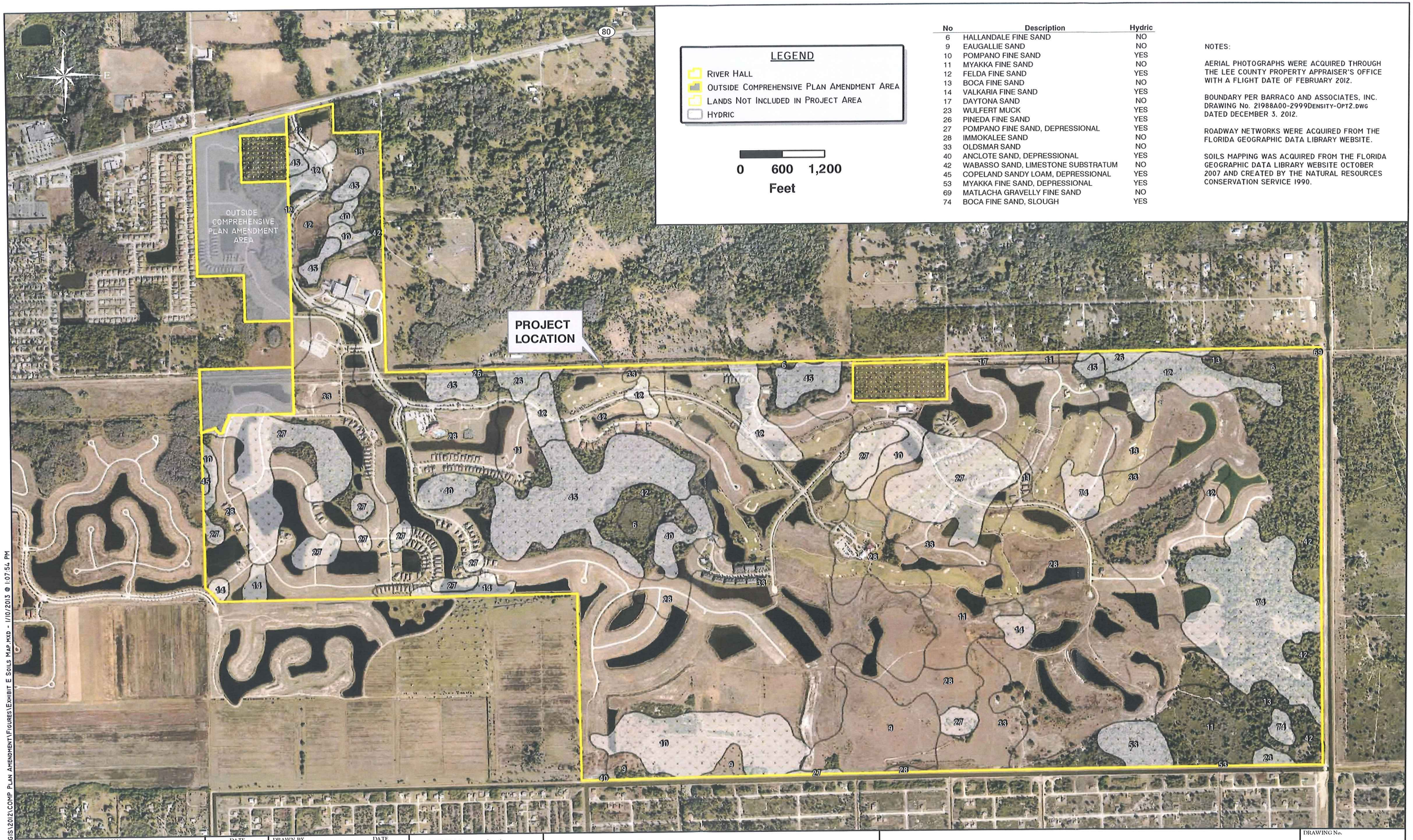
Wet Prairie (FLUCFCS Code 643)
This wetland habitat occupies 12.98± acres or 0.7 percent of the site. The canopy and sub-canopy are absent. Ground cover includes pickerelweed, arrowhead, sand cordgrass (*Spartina bakeri*), corkwood (*Stilingia aquatica*), and little blue maidencane (*Amphicarpum muhlenbergianum*).

Disturbed Land (FLUCFCS Code 740)
This upland habitat occupies 490.93± acres or 25.9 percent of the site. The canopy and sub-canopy are mostly open with scattered live oak and slash pine. The ground cover includes bahiagrass, dogfennel (*Eupatorium capillifolium*), fireweed (*Erechtites hieracifolia*), ragweed (*Ambrosia artemisiifolia*), caesarweed, sweet broom (*Scoparia dulcis*), hairy beggar-ticks (*Bidens pilosa*), sandspur (*Cenchrus* sp.), smutgrass (*Sporobolis indicus*), saw palmetto, peppervine, and wild sensitive plant (*Chamaecrista nictitans*).

Utility Easement (FLUCFCS Code 832)
This land use includes a Florida Power & Light electrical transmission lines and occupies 39.51± acres or 2.1 percent of the site.

EXHIBIT E

SOILS MAP



LEGEND

- River Hall
- Outside Comprehensive Plan Amendment Area
- Lands Not Included in Project Area
- Hydric

0 600 1,200

Feet

No	Description	Hydric
6	HALLANDALE FINE SAND	NO
9	EAUGALLIE SAND	NO
10	POMPANO FINE SAND	YES
11	MYAKKA FINE SAND	NO
12	FELDA FINE SAND	YES
13	BOCA FINE SAND	NO
14	VALKARIA FINE SAND	YES
17	DAYTONA SAND	NO
23	WULFERT MUCK	YES
26	PINEDA FINE SAND	YES
27	POMPANO FINE SAND, DEPRESSIONAL	YES
28	IMMOKALEE SAND	NO
33	OLDSMAR SAND	NO
40	ANCLOTE SAND, DEPRESSIONAL	YES
42	WABASSO SAND, LIMESTONE SUBSTRATUM	NO
45	COPELAND SANDY LOAM, DEPRESSIONAL	YES
53	MYAKKA FINE SAND, DEPRESSIONAL	YES
69	MATLACHA GRAVELLY FINE SAND	NO
74	BOCA FINE SAND, SLOUGH	YES

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY 2012.

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.

SOILS MAPPING WAS ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE OCTOBER 2007 AND CREATED BY THE NATURAL RESOURCES CONSERVATION SERVICE 1990.

REVISIONS	DATE

		DATE
DRAWN BY	H.H.	12/10/12
DESIGNED BY	A.D.	12/10/12
REVIEWED BY	K.C.P.	12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

Consulting Ecologists PASSARELLA & ASSOCIATES INC

RIVER HALL
SOILS MAP

DRAWING No. 03PEG931

SHEET No. EXHIBIT E

J:\2003\03PEG931\GIS\2012\COMP PLAN AMENDMENT\FIGURES\EXHIBIT E SOILS MAP.MXD - 1/10/2013 @ 1:07:54 PM

EXHIBIT F

SOILS SUMMARY TABLE AND DESCRIPTIONS

RIVER HALL
SOILS SUMMARY TABLE AND DESCRIPTIONS

Soils Listed by the NRCS on the Project

Mapping Unit	Description
6	Hallandale Fine Sand
9	Eaugallie Sand
10	Pompano Fine Sand
11	Myakka Fine Sand
12	Felda Fine Sand
13	Boca Fine Sand
14	Valkaria Fine Sand
17	Daytona Sand
23	Wulfert Muck
26	Pineda Fine Sand
27	Pompano Fine Sand, Depressional
28	Immokalee Sand
33	Oldsmar Sand
40	Anclote Sand, Depressional
42	Wabasso Sand, Limestone Substratum
45	Copeland Sandy Loam, Depressional
53	Myakka Fine Sand, Depressional
69	Matlacha Gravelly Fine Sand
74	Boca Fine Sand, Slough

6 - Hallandale Fine Sand

This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth and range from 0 to 2 percent. Typically, the surface layer is gray fine sand about two inches thick. The subsurface layer is light gray fine sand about 5 inches thick. The substratum is very pale brown fine sand about 5 inches thick. At a depth of 12 inches is fractured limestone bedrock that has solution holes extending to a depth of 25 inches. These solution holes contain mildly alkaline, loamy material. In most years, under natural conditions, the water table is less than 10 inches below the surface for 1 to 3 months. It recedes below the limestone for about 7 months.

9 – EauGallie Sand

This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth to convex and less than 1 percent. Typically, the surface layer is dark gray sand about 4 inches thick. The subsurface layer is sand that is gray in the upper 5 inches and light gray in the lower 13 inches. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months.

10 – Pompano Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to concave and range from 0 to 1 percent. Typically, the surface layer is dark gray fine sand about 4 inches thick. The underlying layers are light gray, very pale brown, or white fine sand and extend to a depth of 80 inches or more. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 2 to 4 months and at a depth of 10 to 40 inches for about 6 months. It recedes to a depth of more than 40 inches for about 3 months. During periods of high rainfall, the soil is covered by slowly moving water for periods of about 7 to 30 days or more.

11 – Myakka Fine Sand

This is a nearly level, poorly drained soil on broad flatwoods areas. Slopes are smooth to slightly concave and range from 0 to 2 percent. Typically, the surface layer is very dark gray fine sand about 3 inches thick. The subsurface layer is fine sand about 23 inches thick. In the upper 3 inches it is gray, and in the lower 20 inches it is light gray. The subsoil is fine sand to a depth of 80 inches or more. The upper 4 inches is black and firm, the next 5 inches is dark reddish brown and friable, the nest 17 inches is black and firm, the next 11 inches is dark reddish brown and friable, and the lower 17 inches is mixed black and dark reddish brown and friable. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It is more than 40 inches below the surface during extended dry periods

12 – Felda Fine Sand

This is a nearly level, poorly drained soil on broad, nearly level sloughs. Slopes are smooth to concave and range from 0 to 2 percent. Typically, the surface layer is dark gray fine sand about 8 inches thick. The subsurface layer is light gray and light brownish gray fine sand about 14 inches thick. The subsoil is light gray loamy fine sand about 16 inches thick and is underlain by gray and light gray fine sand that extends to a depth of 80 inches of more. In most years, under natural conditions, this soil has a water table within 10 inches of the surface for 2 to 4 months. The water table is 10 to 40 inches below the surface for about 6 months. It is more than 40 inches below the surface for about 2 months. During periods of high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 to 30 days or more.

13 – Boca Fine Sand

This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth and range from 0 to 2 percent. Typically, the surface layer is gray fine sand about 3 inches thick. The subsurface layer is fine sand about 22 inches thick. The upper 11 inches is light gray and the lower 11 inches is very pale brown. The subsoil, about 5 inches thick, is gray fine sandy loam with brownish yellow mottles and calcareous nodules. At a depth of 30 inches is a layer of fractured limestone. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months.

14 – Valkaria Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to concave and range from 0 to 1 percent. Typically, the surface layer is about 2 inches of dark grayish brown fine sand. The subsurface layer is 5 inches of very pale brown fine sand. The subsoil is loose fine sand to a depth of 80 inches or more. The upper 9 inches is yellow, the next 4 inches is brownish

yellow, the next 6 inches is yellowish brown, and the lowermost 54 inches is pale yellow, yellow, brown, and very pale brown. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at depth of 10 to 40 inches for about 6 months and recedes to a depth of more than 40 inches for about 3 months. During periods of high rainfall, the soil is covered by slowly moving water for periods of about 7 to 30 days or more.

17 – Daytona Sand

This is a nearly level to gently sloping, moderately well drained soil on low ridges on the flatwoods. Slopes are smooth to convex and are 0 to 5 percent. Typically, the surface layer is dark gray sand about 4 inches thick. The subsurface layers are light gray and white sand about 39 inches thick. The subsoil is sand to a depth of 80 inches or more. The upper 7 inches is mixed black and dark reddish brown, and the lower 30 inches is dark brown. In most years, under natural conditions, the water table is at a depth of 24 to 40 inches for about 1 to 4 months. It is at a depth of 40 to 60 inches for 8 months.

23 – Wulfert Muck

This is a nearly level, very poorly drained soil on broad tidal swamps. Slopes are smooth and range from 0 to 1 percent. Typically, the surface layer is muck that is dark reddish brown to a depth of 12 inches and dark brown to a depth of 36 inches. Beneath the muck is gray fine sand with light gray streaks and about 10 percent shell fragments. The water table fluctuates with the tide. Areas are subject to tidal flooding.

26 – Pineda Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent. Typically, the surface layer is black fine sand about 1 inch thick. The subsurface layer is very pale brown fine sand about 4 inches thick. The upper part of the subsoil is brownish yellow fine sand about 8 inches thick. The next 10 inches is strong brown fine sand. The next 6 inches is yellowish brown fine sand. The next 7 inches is light gray fine sand with brownish yellow mottles. The lower part of the subsoil is light brownish gray fine sandy loam with light gray sandy intrusions about 18 inches thick. The substratum is light gray fine sand to a depth of 80 inches or more. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months, and it recedes to more than 40 inches below the surface during extended dry periods. During periods of high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 to 30 days or more.

27 – Pompano Fine Sand, Depressional

This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is gray fine sand about 3 inches thick. The substratum is fine sand to a depth of 80 inches or more. The upper 32 inches is light brownish gray with few, fine, faint yellowish brown mottles. The lower 45 inches is light gray. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months and stands above the surface for about 3 months. It is 10 to 40 inches below the surface for more than 5 months.

28 – Immokalee Sand

This is a nearly level, poorly drained soil in flatwoods areas. Slopes are smooth to convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 4 inches thick. The subsurface layer is dark gray sand in the upper 5 inches and light gray sand in the lower 27 inches. The subsoil is sand to a depth of 69 inches. The upper 14 inches is black and firm, the next 5 inches is dark reddish brown, and the lower 14 inches is dark yellowish brown. The substratum is very pale brown sand to a depth of 80 inches or more. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It recedes to a depth of more than 40 inches during extended dry periods.

33 – Oldsmar Sand

This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth to slightly convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is gray and light gray sand about 39 inches thick. The upper part of the subsoil is very dark gray sand about 5 inches thick. The lower part of the subsoil is yellowish brown and mixed light brownish gray and brown fine sandy loam about 11 inches thick. Pale brown sand extends to a depth of 80 inches or more. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for more than 6 months, and it recedes to a depth of more than 40 inches during extended dry periods.

40 – Anclote Sand, Depressional

This is a nearly level, poorly drained soil in isolated depressions. Slopes are smooth to concave and less than 1 percent. Typically, the surface layer is about 22 inches thick. The upper 8 inches is black sand, and the lower 14 inches is black sand with common light gray pockets and streaks throughout. The substratum is sand to a depth of 80 inches or more. The upper 18 inches is light brownish gray and the lower 40 inches is light gray. In most years, under natural conditions, the soil is ponded for more than 6 months.

42 – Wabasso Sand, Limestone Substratum

This is a nearly level, poorly drained soil on broad flatwoods. Slopes range from 0 to 2 percent. Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is sand about 16 inches thick. The upper 10 inches is gray, and the lower 6 inches is light gray. The subsoil is about 32 inches thick. The upper 2 inches is dark brown sand that is well coated with organic matter. The next 2 inches is dark reddish brown friable sand. The next 14 inches is brown loose sand with dark brown streaks along root channels. The lower 14 inches is light brownish gray, firm fine sandy loam with light olive brown mottles. A hard, fractured limestone ledge and boulders are at a depth of 51 inches. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months. It is 10 to 40 inches below the surface for 2 to 4 months. It is below the limestone during extended dry periods.

45 – Copeland sandy loam, depressional

This is a low, nearly level, very poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is about 8 inches of very dark gray sandy loam. The subsoil is very dark gray sandy loam about 12 inches thick. It is underlain by 8 inches of light

brownish gray sandy clay loam with soft calcium carbonate throughout. Fractured limestone bedrock is at a depth of 28 inches. Under natural conditions, the water table is above the surface for 3 to 6 months. It is 10 to 40 inches below the surface for about 3 to 6 months.

53 – Myakka Fine Sand, Depressional

This is a nearly level, poorly drained soil in depressions. Slopes are smooth to concave and are less than 1 percent. Typically, the surface layer is black fine sand about 3 inches thick. The subsurface layer is fine sand about 26 inches thick. The upper 4 inches is light gray, and the lower 22 inches is light brownish gray. The subsoil is fine sand about 17 inches thick. The upper 6 inches is dark brown with grayish brown streaks, and the sand grains are well coated with organic matter. The lower 11 inches is very brown with many well coated sand grains. Below this, extending to a depth of 80 inches or more is brown fine sand. In most years, under natural conditions, the soil is ponded for about 3 to 6 months. The water table is 10 to 40 inches below the surface for about 3 to 6 months

69 – Matlacha Gravelly Fine Sand

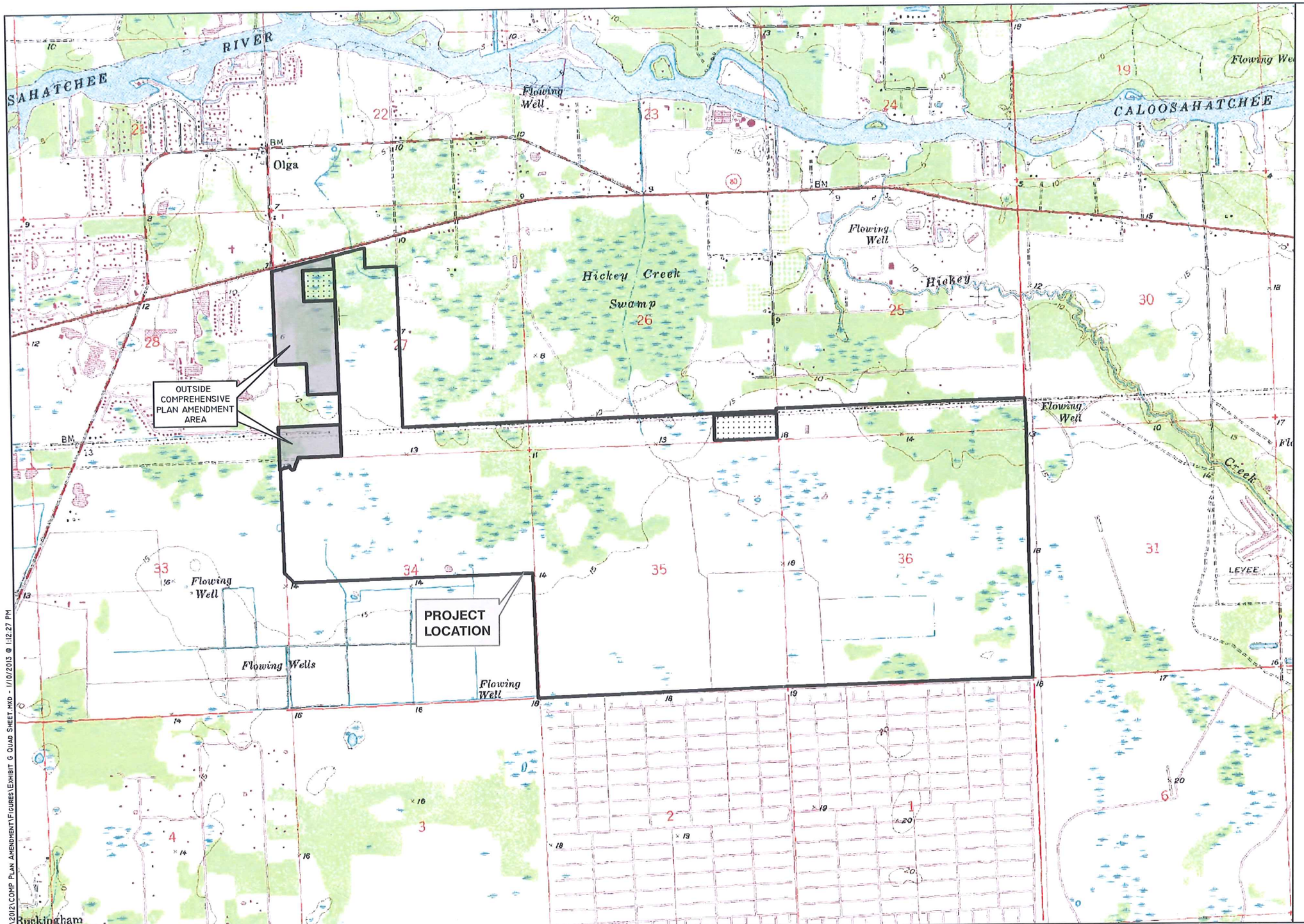
This is a nearly level, somewhat poorly drained soil formed by filling and earthmoving operations. Slopes are smooth to slightly convex and range from 1 to 2 percent. Typically, the surface layer is about 35 inches of black, olive brown, grayish brown, dark brown, light brownish gray, very dark gray, and very pale brown mixed gravelly fine sand and sandy mineral material. The surface layer contains lenses of loamy sand and coated sandy fragments of former subsoil material with about 25 to 30 percent limestone and shell fragments. Below this, to a depth of 80 inches or more, is undisturbed fine sand. The upper 5 inches is dark gray and the lower 40 inches is light gray with common, medium, distinct dark grayish brown stains along old root channels. The depth to the water table varies with the amount of fill material and the extent of artificial drainage. However, in most years, the water table is 24 to 36 inches below the surface of the fill material for 2 to 4 months. It is more than 60 inches below the surface during extended dry periods.

74 – Boca Fine Sand, Slough

This is a nearly level, poorly drained soil in sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent. Typically, the surface layer is grayish brown fine sand about 3 inches thick. The subsurface layer is light gray and very pale brown fine sand about 30 inches thick. The subsoil, about 5 inches thick, is gray sandy clay loam with yellowish brown and brownish yellow mottles. At a depth of about 38 inches is hard, fractured limestone bedrock with solution holes extending to 46 inches. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 4 months and recedes to a depth of more than high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 days to 1 month or more.

EXHIBIT G

QUAD SHEET



LEGEND

- RIVER HALL
- OUTSIDE COMPREHENSIVE PLAN AMENDMENT AREA
- LANDS NOT INCLUDED IN PROJECT AREA

N
W E
S

0 1,000 2,000
Feet

NOTES:

COUNTY INFORMATION AND ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.

DIGITAL RASTER GRAPHIC USGS TOPOGRAPHIC QUADRANGLES WERE ACQUIRED FROM THE LAND BOUNDARY INFORMATION SYSTEM (LABINS) WEBSITE JULY 2007.

J:\2003\03PEG931\GIS\2012\COMP PLAN AMENDMENT\FIGURES\EXHIBIT G QUAD SHEET.MXD - 1/10/2013 @ 1:12:27 PM

REVISIONS	DATE

		DATE
DRAWN BY	H.H.	12/10/12
DESIGNED BY	A.D.	12/10/12
REVIEWED BY	K.C.P.	12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

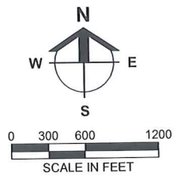
RIVER HALL
QUAD SHEET

DRAWING No. 03PEG931

SHEET No. EXHIBIT G

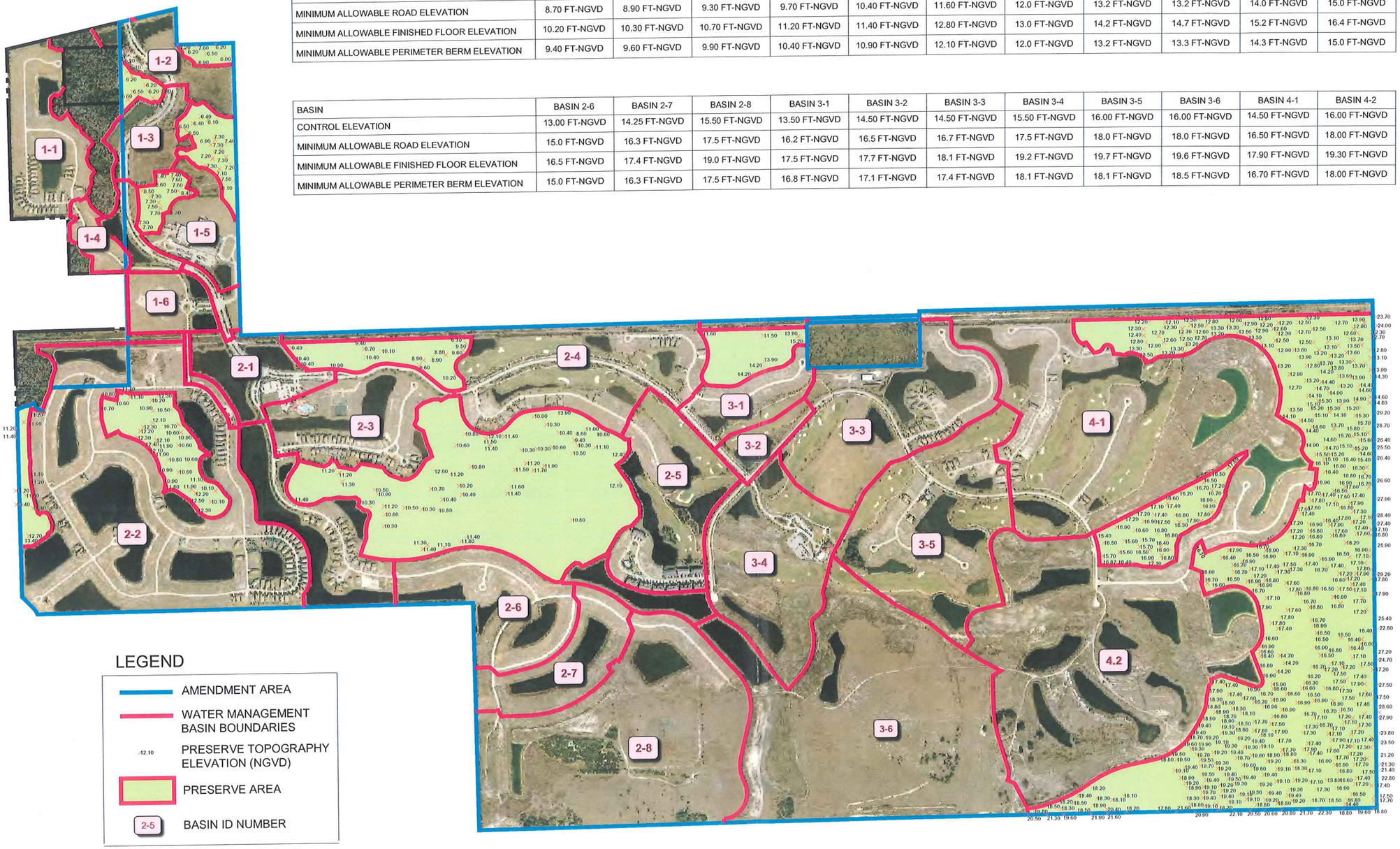
EXHIBIT H

TOPOGRAPHIC MAP



BASIN	BASIN 1-1	BASIN 1-2	BASIN 1-3	BASIN 1-4	BASIN 1-5	BASIN 1-6	BASIN 2-1	BASIN 2-2	BASIN 2-3	BASIN 2-4	BASIN 2-5
CONTROL ELEVATION	6.50 FT-NGVD	6.50 FT-NGVD	7.00 FT-NGVD	7.70 FT-NGVD	7.70 FT-NGVD	9.20 FT-NGVD	10.00 FT-NGVD	11.20 FT-NGVD	11.20 FT-NGVD	11.20 FT-NGVD	13.00 FT-NGVD
MINIMUM ALLOWABLE ROAD ELEVATION	8.70 FT-NGVD	8.90 FT-NGVD	9.30 FT-NGVD	9.70 FT-NGVD	10.40 FT-NGVD	11.60 FT-NGVD	12.0 FT-NGVD	13.2 FT-NGVD	13.2 FT-NGVD	14.0 FT-NGVD	15.0 FT-NGVD
MINIMUM ALLOWABLE FINISHED FLOOR ELEVATION	10.20 FT-NGVD	10.30 FT-NGVD	10.70 FT-NGVD	11.20 FT-NGVD	11.40 FT-NGVD	12.80 FT-NGVD	13.0 FT-NGVD	14.2 FT-NGVD	14.7 FT-NGVD	15.2 FT-NGVD	16.4 FT-NGVD
MINIMUM ALLOWABLE PERIMETER BERM ELEVATION	9.40 FT-NGVD	9.60 FT-NGVD	9.90 FT-NGVD	10.40 FT-NGVD	10.90 FT-NGVD	12.10 FT-NGVD	12.0 FT-NGVD	13.2 FT-NGVD	13.3 FT-NGVD	14.3 FT-NGVD	15.0 FT-NGVD

BASIN	BASIN 2-6	BASIN 2-7	BASIN 2-8	BASIN 3-1	BASIN 3-2	BASIN 3-3	BASIN 3-4	BASIN 3-5	BASIN 3-6	BASIN 4-1	BASIN 4-2
CONTROL ELEVATION	13.00 FT-NGVD	14.25 FT-NGVD	15.50 FT-NGVD	13.50 FT-NGVD	14.50 FT-NGVD	14.50 FT-NGVD	15.50 FT-NGVD	16.00 FT-NGVD	16.00 FT-NGVD	14.50 FT-NGVD	16.00 FT-NGVD
MINIMUM ALLOWABLE ROAD ELEVATION	15.0 FT-NGVD	16.3 FT-NGVD	17.5 FT-NGVD	16.2 FT-NGVD	16.5 FT-NGVD	16.7 FT-NGVD	17.5 FT-NGVD	18.0 FT-NGVD	18.0 FT-NGVD	16.50 FT-NGVD	18.00 FT-NGVD
MINIMUM ALLOWABLE FINISHED FLOOR ELEVATION	16.5 FT-NGVD	17.4 FT-NGVD	19.0 FT-NGVD	17.5 FT-NGVD	17.7 FT-NGVD	18.1 FT-NGVD	19.2 FT-NGVD	19.7 FT-NGVD	19.6 FT-NGVD	17.90 FT-NGVD	19.30 FT-NGVD
MINIMUM ALLOWABLE PERIMETER BERM ELEVATION	15.0 FT-NGVD	16.3 FT-NGVD	17.5 FT-NGVD	16.8 FT-NGVD	17.1 FT-NGVD	17.4 FT-NGVD	18.1 FT-NGVD	18.1 FT-NGVD	18.5 FT-NGVD	16.70 FT-NGVD	18.00 FT-NGVD



LEGEND

- AMENDMENT AREA
- WATER MANAGEMENT BASIN BOUNDARIES
- 12.10 PRESERVE TOPOGRAPHY ELEVATION (NGVD)
- PRESERVE AREA
- 2-5 BASIN ID NUMBER

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2012, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	TOPO.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\ENVIRO\
PLOT DATE	FRI, 12-14-2012 - 12:52 PM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS

EXHIBIT IV.C.C
AND D-7-H

TOPOGRAPHIC MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1

EXHIBIT I

FLOOD INSURANCE RATE MAP

RIVER HALL OVERLAID ON FIRM(S) 12071C0304F, 12071C0308F, 12071C0312F & 12071C0316F, EFFECTIVE DATE: AUGUST 28, 2008.

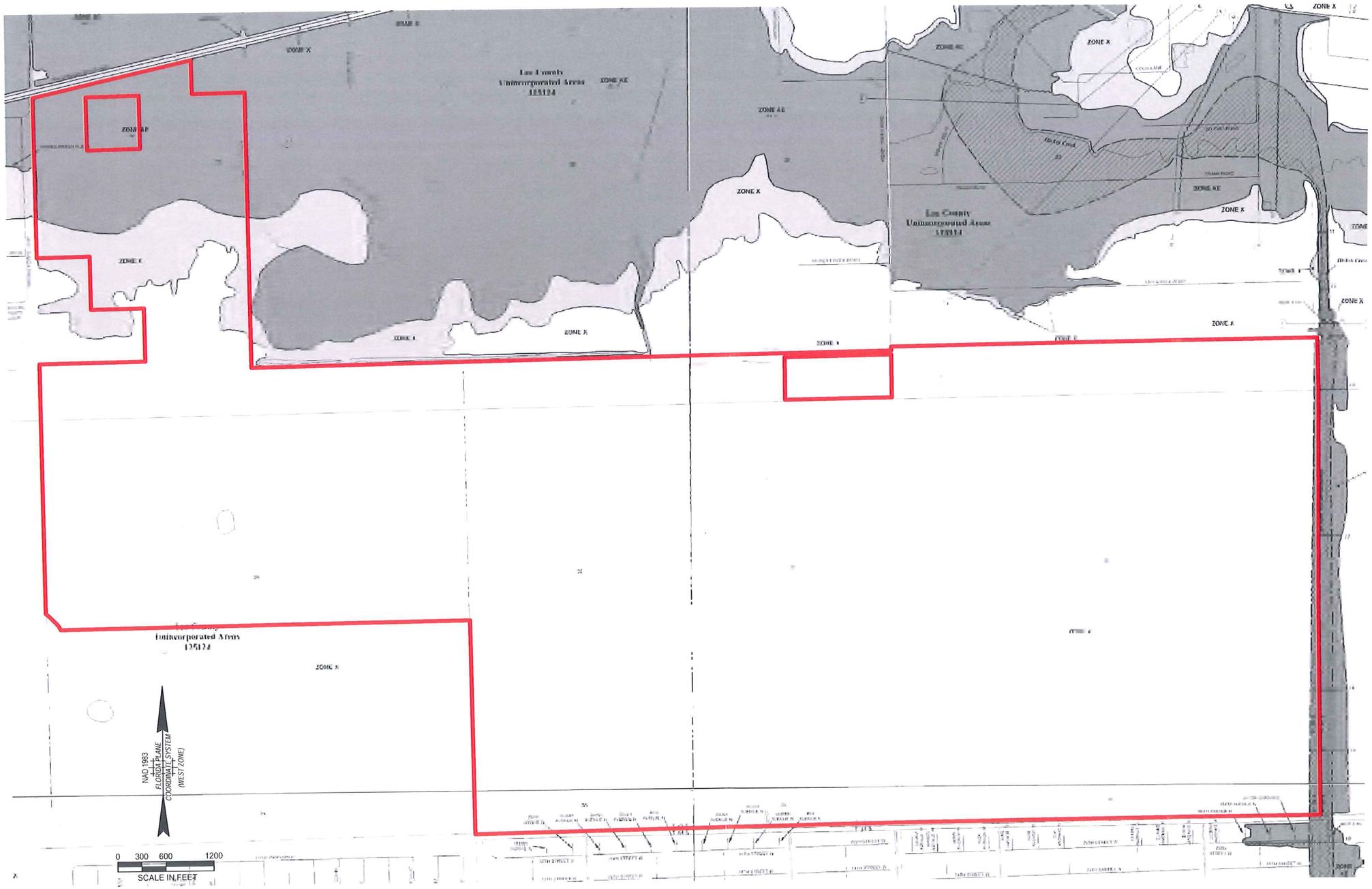

ZONE X
ZONE AE
Lee County
Unincorporated Area
125124
ZONE X
ZONE AE
ZONE X
ZONE AE
Lee County
Unincorporated Area
125124
ZONE X
ZONE X
ZONE X

EXHIBIT J

LEE COUNTY PROTECTED SPECIES SURVEY

RIVER HALL
LEE COUNTY PROTECTED SPECIES SURVEY

January 2013

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Ave, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

Project No. 03PEG931

TABLE OF CONTENTS

Page

Introduction....1

Land Uses and Vegetation Associations....1

Methodology and Discussion....8

Survey Results....9

Abundance of Protected Species Observed....9

Management Plan....12

References....13

LIST OF FIGURES

Page

Figure 1. Project Location Map 2

Figure 2. SFWMD FLUCFCS and Wetlands Map 3

Figure 3. FWCC Bald Eagle Nest Locations Map 10

LIST OF TABLES

Page

Table 1. Vegetation Associations and Land Use Acreages 4

Table 2. Potential Lee County Protected Species by Habitat Type 8

Table 3. Survey Dates and Weather Conditions 8

Table 4. Summary of Habitat Coverage 9

Table 5. Lee County Protected Species Abundance Calculations 9

Table 6. Lee County Protected Species Survey Summary 12

LIST OF APPENDICES

Page

Appendix A. Aerial with FLUCFCS, Wetlands,
Survey Transects, and Protected Species Locations A-1

INTRODUCTION

This report documents the updated Lee County Protected Species Survey (PSS) conducted by Passarella & Associates, Inc. (PAI) for the 1,978.44± acre River Hall (Project). The purpose of the survey was to review the undeveloped portions of the property for Lee County protected species. The updated PSS was limited to disturbed land habitats on the Project site as authorized under Lee County Waiver No. PRE2012-00252 issued on December 12, 2012.

The Project is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The site is located immediately south of State Road (SR) 80, approximately 0.5 mile east of the intersection of SR 80 and Buckingham Road. The surrounding land uses include Lehigh Acres to the south; SR 80, undeveloped, forested land, and residential housing to the north; Hickey's Creek Mitigation Park to the east; and the residential development Hawk's Preserve to the west

PSSs were previously conducted for the Project in 2004. During the previous surveys, a total of five Lee County protected species were identified on the Project site. The protected species identified included gopher tortoises (*Gopherus polyphemus*), burrowing owls (*Athene cunicularia*), Florida sandhill cranes (*Grus canadensis pratensis*), little blue herons (*Egretta caerula*), and wood storks (*Mycteria americana*).

The updated PSS was conducted within the disturbed land habitats on the Project site on December 4, 6, 7, and 11, 2012. This report documents the results of the updated PSS.

LAND USES AND VEGETATION ASSOCIATIONS

The majority of the vegetation associations for the property were originally delineated by Consul-Tech Engineering, Inc. over ten years ago. PAI initially updated the mapping in August 2003 using 2002 rectified color aerials. The updated mapping was based on a nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation (FDOT) 1999). Level IV FLUCFCS was utilized to denote disturbance. Additional parcels were later added to the Project which were subsequently mapped by PAI in 2004 and 2005. In December 2012, PAI updated the FLUCFCS mapping again to reflect the conditions of the site after the majority of the construction activities had occurred and mitigation work had been completed. AutoCAD Map 3D 2011 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map (Figure 2). Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows.

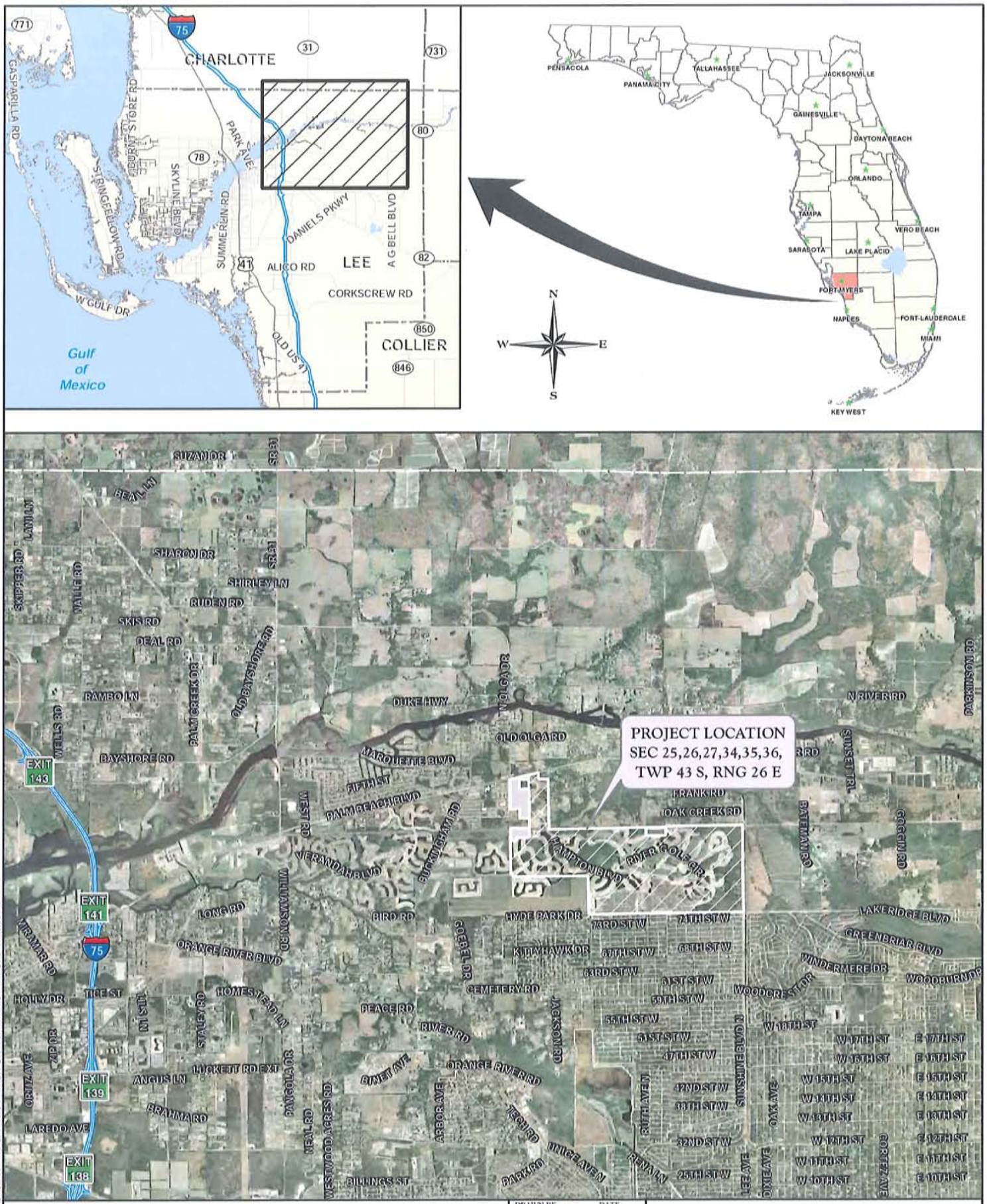


FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

DRAWN BY	DATE
H.H.	12/10/12
REVIEWED BY	DATE
A.D.	12/10/12
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2005\03\PEG\GIS\GIS\2012\PSS\Figures\Figure 1 Project Location Map.mxd - 1/10/2013 @ 1:15:38 PM

SCALE: 1" = 1200'

LEGEND:

- SFWMD AND COE WETLANDS (180.99 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (226.88 Ac.±)
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
100	URBAN/RESIDENTIAL	558.99 Ac.±	28.2%
171	EDUCATIONAL FACILITIES	17.45 Ac.±	0.9%
182	GOLF COURSE	176.86 Ac.±	8.9%
211	IMPROVED PASTURE	0.04 Ac.±	0.0%
320	SHRUB AND BRUSHLAND	7.24 Ac.±	0.4%
321	PALMETTO PRAIRIE	22.39 Ac.±	1.1%
411	PINE FLATWOODS	162.68 Ac.±	8.2%
421	XERIC OAK	15.02 Ac.±	0.8%
427	LIVE OAK	1.73 Ac.±	0.1%
428	CABBAGE PALM	4.70 Ac.±	0.2%
429	WAX-MYRTLE	2.47 Ac.±	0.1%
4291	WAX-MYRTLE, HYDRIC	11.56 Ac.±	0.6%
434	HARDWOOD/CONIFER MIXED	54.60 Ac.±	2.8%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	1.90 Ac.±	0.1%
514	DITCH	0.01 Ac.±	0.0%
520	LAKES	226.87 Ac.±	11.5%
617	MIXED WETLAND HARDWOODS	11.19 Ac.±	0.6%
617C	MIXED WETLAND HARDWOODS (COE WETLAND ONLY)	2.01 Ac.±	0.1%
618	POP ASH AND WILLOW	0.44 Ac.±	0.0%
621	CYPRESS	19.22 Ac.±	1.0%
625	HYDRIC PINE	4.63 Ac.±	0.2%
625C	HYDRIC PINE (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	113.65 Ac.±	5.7%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	5.43 Ac.±	0.3%
643	WET PRAIRIE	12.08 Ac.±	0.7%
740	DISTURBED LAND	490.90 Ac.±	24.0%
832	ELECTRICAL TRANSMISSION LINES	44.05 Ac.±	2.2%
	TOTAL	1,978.44 Ac.±	100.0%

NOTES:

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

FLUCFCS LINES ESTIMATED FROM1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

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

WETLAND LINES ACQUIRED FROM CONSUL-TECH ENGINEERING, INC. DRAWING No.JD LINES.DWG DATED DECEMBER 3, 2002, AND BARRACO AND ASSOCIATES, INC. DRAWING No. DEAN_WETLANDS.DWG DATED MAY 10, 2005.

J:\2005\03PEG931\2012\PSS\FIGURE 2 FLUCFCS AND WETLANDS MAP.DWG TAB: FIGURE 2 -JAN 10, 2013 - 1:17PM PLOTTED BY: FELIPEL

REVISIONS	DATE

DRAWN BY: H.H.	DATE: 12/10/12
DESIGNED BY: A.K.	DATE: 12/10/12
REVIEWED BY: K.C.P.	DATE: 12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC. Consulting Ecologists

RIVER HALL

FLUCFCS AND WETLANDS

DRAWING No. 03PEG931

SHEET No. FIGURE 2

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
100	Urban/Residential	556.99	28.2
171	Educational Facilities	17.45	0.9
182	Golf Course	176.86	8.9
211	Improved Pasture	0.04	<0.1
320	Shrub and Brushland	7.24	0.4
321	Palmetto Prairie	22.39	1.2
411	Pine Flatwoods	162.68	8.2
421	Xeric Oak	15.02	0.8
427	Live Oak	1.73	0.1
428	Cabbage Palm	4.70	0.2
429	Wax-Myrtle	2.47	0.1
4291	Wax-Myrtle/Willow, Hydric	11.56	0.6
434	Hardwood-Conifer Mixed	54.50	2.8
4341	Hardwood-Conifer, Hydric	1.90	0.1
514	Ditch	0.01	<0.1
520	Lakes	226.87	11.5
617	Mixed Wetland Hardwoods	11.19	0.6
617C	Mixed Wetland Hardwoods (COE Wetland Only)	2.01	0.1
618	Pop Ash and Willow	0.44	<0.1
621	Cypress	19.22	1.0
625	Hydric Pine	4.63	0.2
625C	Hydric Pine (COE Wetland Only)	1.15	0.1
630	Mixed Wetland Forest	113.65	5.7
630C	Mixed Wetland Forest (COE Wetland Only)	10.35	0.5
641	Freshwater Marsh	5.43	0.3
643	Wet Prairie	12.98	0.7
740	Disturbed Land	490.93	24.8
832	Utility Easement	44.05	2.2
TOTAL		**1,978.44**	**100.0**

Urban/Residential (FLUCFCS Code 100)
This land use includes numerous development tracts throughout the Project and occupies 556.99± acres or 28.2 percent of the site.

Educational Facilities (FLUCFCS Code 171)
This land use consists of the River Hall Elementary School and occupies 17.45± acres or 0.9 percent of the site.

Golf Course (FLUCFCS Code 182)
This land use consists of the River Hall County Club and associated golf course which occupies 176.86± acres or 8.9 percent of the site.

Improved Pasture (FLUCFCS Code 211)
This upland habitat occupies 0.04± acre or <0.1 percent of the site. The canopy and sub-canopy are open. The ground cover is dominated by bahiagrass (*Paspalum notatum*) with St. Augustine grass (*Stenotaphrum secundatum*), water drop-wort (*Oxypolis* sp.), blackroot (*Pterocaulon virgatum*), caesarweed (*Urena lobata*), five-leaf sneezeweed (*Helenium amarum*), Baldwin flatsedge (*Cyperus globulosus*), pawpaw (*Asimina reticulata*), prickly pear (*Opuntia* sp.), smutgrass (*Sporobolus indicus*), greenbriar (*Smilax* sp.), and grapevine (*Vitis rotundifolia*).

Shrub and Brushland (FLUCFCS Code 320)
This upland habitat occupies 7.24± acres or 0.4 percent of the site. The canopy has widely scattered slash pine (*Pinus elliotii*), cabbage palm (*Sabal palmetto*), and earleaf acacia (*Acacia auriculifomis*). The sub-canopy consists of cabbage palm, Brazilian pepper (*Schinus terebinthifolius*), and slash pine. The ground cover contains greenbriar, bahiagrass, grapevine, Johnson grass (*Sorghum halepense*), and caesarweed.

Palmetto Prairie (FLUCFCS Code 321)
This upland habitat occupies 22.39± acres or 1.2 percent of the site. The canopy contains scattered slash pine, live oak (*Quercus virginiana*), and cabbage palm. The sub-canopy consists of Brazilian pepper, beauty-berry (*Callicarpa americana*), wax myrtle (*Myrica cerifera*), and winged sumac (*Rhus copallina*). The ground cover includes saw palmetto (*Serenoa repens*) and grapevine.

Pine Flatwoods (FLUCFCS Code 411)
This upland habitat occupies 162.68± acres or 8.2 percent of the site. The canopy contains slash pine. The sub-canopy contains wax myrtle, dahoon holly (*Ilex cassine*), and cabbage palm. Ground cover includes saw palmetto, bahiagrass, and staggerbush (*Lyonia fruiticosa*).

Xeric Oak (FLUCFCS Code 421)
This upland habitat occupies 15.02± acres or 0.8 percent of the site. Canopy and sub-canopy contains myrtle oak (*Quercus myrtifolia*), Chapman's oak (*Quercus chapmanii*), sand live oak (*Quercus geminata*), and live oak. Ground cover includes saw palmetto, tarflower (*Bejaria racemosa*), staggerbush, hogplum (*Prunus umbellata*), and greenbriar.

Live Oak (FLUCFCS Code 427)
This upland habitat occupies 1.73± acres or 0.1 percent of the site. The canopy consists of live oak, swamp laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes myrsine (*Rapanea punctata*), saw palmetto, beauty-berry, bracken fern (*Pteridium aquilinum*), grapevine, poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*).

Cabbage Palm (FLUCFCS Code 428)
This upland habitat type occupies 4.70± acres or 0.2 percent of the site. The canopy and sub-canopy contain cabbage palm. The ground cover includes wild coffee and beauty-berry.

Wax Myrtle (FLUCFCS Code 429)
This upland habitat type occupies 2.47± acres or 0.1 percent of the site. The canopy and sub-canopy are open. Ground cover includes wax myrtle, Brazilian pepper, bahiagrass, whitetop sedge (*Rhynchospora colorata*), and asiatic pennywort (*Centella asiatica*).

Wax Myrtle/Willow, Hydric (FLUCFCS Code 4291)
This wetland habitat occupies 11.56± acres or 0.6 percent of the site. 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*), and Brazilian pepper. The ground cover includes peppervine (*Ampelopsis arborea*), grapevine, swamp laurel oak, iris (*Iris* sp.), sawgrass (*Cladium jamaicense*), and asiatic pennywort.

Hardwood-Conifer Mixed (FLUCFCS Code 434)
This upland habitat type occupies 54.50± acres or 2.8 percent of the site. The canopy contains slash pine, live oak, and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes bahiagrass, caesarweed, Brazilian pepper, and cabbage palm.

Hardwood-Conifer, Hydric (FLUCFCS Code 4341)
This wetland habitat occupies 1.90± acres or 0.1 percent of the site. The canopy includes slash pine, laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy includes laurel oak and cabbage palm. The ground cover is mostly open with scattered yellow-eyed grass (*Xyris* spp.), gulfdune paspalum (*Paspalum monostachyum*), and flatsedge (*Cyperus* sp.).

Ditch (FLUCFCS Code 514)
This water area occupies 0.01± acre or <0.1 percent of the site. The canopy and sub-canopy are open. The ground cover contains dotted smartweed (*Polygonum punctatum*) and cattail (*Typha* sp.).

Lakes (FLUCFCS Code 520)
This water area includes storm water management lakes throughout the Project and occupies 226.87± acre or less than 11.5 percent of the site. The canopy and sub-canopy are open. The ground cover is also mostly open but contains littoral plants around the lake edge including pickerelweed (*Pontedaria cordata*), arrowhead (*Sagittaria lancifolia*), and maidencane (*Panicum hemitomon*).

Mixed Wetland Hardwoods (FLUCFCS Codes 617)
This wetland habitat occupies 11.19± acres or 0.6 percent of the site. The canopy contains red maple (*Acer rubrum*), swamp laurel oak, cypress, cabbage palm, pop ash (*Fraxinus caroliniana*), and American elm (*Ulmus americana*). The sub-canopy includes wax myrtle, buttonbush, and cabbage palm. The ground cover includes swamp fern (*Blechnum serrulatum*), sawgrass, smartweed, and yellow-eyed grass.

Mixed Wetland Hardwoods (COE Wetland Only) (FLUCFCS Code 617C)
This area is considered an upland habitat by the South Florida Water Management District (SFWMD) and wetland by the U.S. Army Corps of Engineers (COE). It occupies 2.01± acres or 0.1 percent of the site and is similar to that of FLUCFCS Code 617.

Pop Ash and Willow (FLUCFCS Code 618)
This wetland habitat occupies 0.44± acre or <0.1 percent of the site. The canopy and sub-canopy contain pop ash and willow. The ground cover is mostly open with scattered swamp fern.

Cypress (FLUCFCS Code 621)
This wetland habitat occupies 19.22± acres or 1.0 percent of the site. The canopy is dominated by cypress. The sub-canopy contains cypress, swamp bay (*Persea palustris*), wax myrtle, and pop ash. The ground cover is mostly open with scattered swamp fern and leather fern (*Acrostichium danefolium*).

Hydric Pine (FLUCFCS Code 625)
This wetland habitat occupies 4.63± acres or 0.2 percent of the site. The canopy contains slash pine. The sub-canopy is mostly open with scattered slash pine and cabbage palm. The ground cover includes gulfdune paspalum, wiregrass (*Aristida stricta*), sawgrass, flatsedge, yellow-eyed grass, and beaksedge (*Rhynchospora* sp.)

Hydric Pine (COE Wetland Only) (FLUCFCS Codes 625C)
This area is considered an upland habitat by the SFWMD and wetland by the COE. It occupies 1.15± acres or 0.1 percent of the site and is similar to that of FLUCFCS Code 625.

Mixed Wetland Forest (FLUCFCS Codes 630)
This wetland habitat occupies 113.65± acres or 5.7 percent of the site. The canopy contains cabbage palm, cypress, American elm, swamp laurel oak, and slash pine. The sub-canopy contains swamp laurel oak, cabbage palm, dahoon holly, and Brazilian pepper. The ground cover includes swamp fern, myrsine, wax myrtle, poison ivy, iris, peppervine, greenbriar, asiatic pennywort, and day-flower (*Commelina* sp.).

Mixed Wetland Forest (COE Wetland Only) (FLUCFCS Codes 630C)
This area is considered an upland habitat by the SFWMD and wetland by the COE. It occupies 10.35± acres or 0.5 percent of the site and is similar to that of FLUCFCS Code 630.

Freshwater Marsh (FLUCFCS Code 641)
This wetland habitat occupies 5.43± acres or 0.3 percent of the site. The canopy and sub-canopy are absent. The ground cover includes pickerelweed, arrowhead, buttonbush, and maidencane.

Wet Prairie (FLUCFCS Code 643)
This wetland habitat occupies 12.98± acres or 0.7 percent of the site. The canopy and sub-canopy are absent. Ground cover includes pickerelweed, arrowhead, sand cordgrass (*Spartina bakeri*), corkwood (*Stilingia aquatica*), and little blue maidencane (*Amphicarpum muhlenbergianum*).

Disturbed Land (FLUCFCS Code 740)
This upland habitat occupies 490.93± acres or 24.8 percent of the site. The canopy and sub-canopy are mostly open with scattered live oak and slash pine. The ground cover includes bahiagrass, dogfennel (*Eupatorium capillifolium*), fireweed (*Erechtites hieracifolia*), ragweed (*Ambrosia artemisiifolia*), caesarweed, sweet broom (*Scoparia dulcis*), hairy beggar-ticks (*Bidens pilosa*), sandspur (*Cenchrus* sp.), smutgrass, saw palmetto, peppervine, and wild sensitive plant (*Chamaecrista nictitans*).

Utility Easement (FLUCFCS Code 832)
This land use includes a Florida Power & Light electrical transmission lines and occupies 44.05± acres or 2.2 percent of the site.

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species were conducted within the undeveloped portions of the site mapped as disturbed land. The frequency of transects performed were designed to meet the 80 percent minimum coverage requirement. Based on discussions with Lee County's Division of Environmental Sciences (DES) staff and past knowledge of the site, these areas were reviewed for certain protected species. Table 2 outlines the protected species that may inhabit or utilize the disturbed land areas.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
740	Disturbed Land	Gopher Tortoise (*Gopherus polyphemus*)
		Burrowing owl (*Athene cunicularia*)

The PSS for the 490.93± acre disturbed land survey area was conducted by PAI on December 4, 6, 7, and 11, 2012. Surveys were conducted during the daylight hours. Weather conditions during the survey period are summarized in Table 3. The type of survey utilized for the PSS included meandering pedestrian transects, per Wilson Miller, Inc, previously approved by Lee County.

Table 3. Survey Dates and Weather Conditions

Survey Date	Weather Conditions
December 4, 2012	Mostly cloudy with light winds and temperatures in the mid 80's
December 6, 2012	Mostly cloudy with light winds and temperatures in the mid 80's
December 7, 2012	Partly cloudy with light winds and temperatures in the mid 80's
December 11, 2012	Overcast with light winds and temperatures in the mid 80's

A summary of the limits of visibility, acreage, length of transects walked, and percent of coverage for the Disturbed Land is provided in Table 4.

Table 4. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
740	Disturbed Land	490.93	114,052	75	80

[1]Average visibility to one side of transect

SURVEY RESULTS

During the surveys, a total of three different Lee County protected species were observed within the survey area including the gopher tortoise, burrowing owl, and little blue heron. A total of 61 gopher tortoise burrows, 16 burrowing owl burrows (with 3 burrowing owls at various burrow locations), and 2 little blue herons were identified (Appendix A).

In addition, one bald eagle (*Haliaeetus leucocephalus*) was observed perched in a pine snag near the southern property boundary. However, no bald eagle nests or nesting activity was observed during the surveys. In addition, no bald eagle nests have been documented on or immediately adjacent to the Project. A Florida Fish and Wildlife Conservation Commission (FWCC) bald eagle nest location map is provided as Figure 3.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations are provided for each Lee County protected species documented. The Lee County protected species abundance calculations are provided in Table 5, while Table 6 summarizes the protected species survey findings.

Table 5. Lee County Protected Species Density Calculations

Protected Species Density:

$$= \{n(C)/[L\ (w_1+w_2)]\}\ (43{,}560\ ft.^2/ac)$$

Where n= number of individuals observed or active plus inactive gopher tortoise burrows
L= length of transect
w_1= distance of visibility to the right of transect
w_2= distance of visibility to the left of transect

C= gopher tortoise conversion factor (0.5)*

*Used for gopher tortoise calculation only

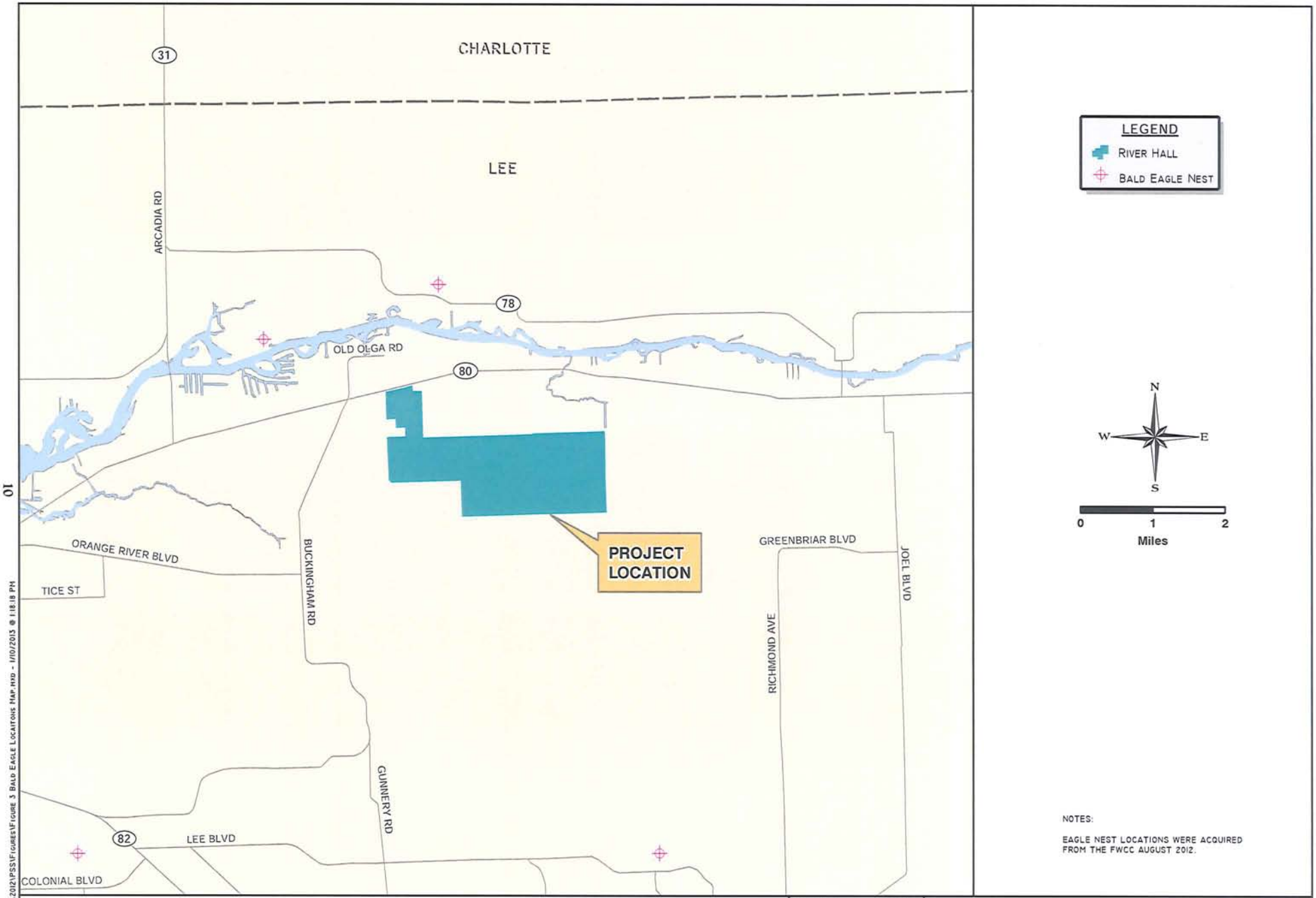


FIGURE 3. BALD EAGEL NEST LOCATIONS MAP
RIVER HALL

DRAWN BY	DATE
H.H.	12/14/12
REVIEWED BY	DATE
A.K.	12/14/12
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2013\3PE093\GIS\2012\PSS\FIGURES\FIGURE 3 BALD EAGLE LOCATIONS MAP.MXD - 1/10/2013 @ 1:18:18 PM

Table 5. (Continued)

Gopher Tortoise (*Gopherus polyphemus*)

FLUCFCS Code 740

= [61GT(0.5)/114,052 ft. (75 ft. + 75 ft.)] (43,560 $ft.^2$/ac)
= [30.5GT/17,107,800] (43,560 $ft.^2$/ac)
= [1.78×10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac)
= 0.08 GT/ac

Burrowing Owl (Burrows) (*Athene cunicularia floridana*)

FLUCFCS Code 740

= {16/[114,052 ft. (75 ft. + 75 ft.)]}(43,560)
= {16/17,107,800}(43,560)
= {9.35×10^{-7}}(43,560)
= 0.04 Burrowing Owl Burrows/Acre

Burrowing Owl (Individuals) (*Athene cunicularia floridana*)

FLUCFCS Code 740

= {3/[114,052 ft. (75 ft. + 75 ft.)]}(43,560)
= {3/17,107,800}(43,560)
= {1.75×10^{-7}}(43,560)
= 0.01 Burrowing Owls/Acre

Table 5. (Continued)

Little Blue Heron (*Egretta caerula*)

FLUCFCS Code 740

= {2/[114,052 ft. (75 ft. + 75 ft.)]}(43,560)
= {2/17,107,800}(43,560)
= {1.17×10^{-7}}(43,560)
= 0.01 Little Blue Herons/Acre

Table 6. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles					
Gopher Tortoise	740	80	X		0.08
Birds					
Burrowing Owl (Burrows)	740	80	X		0.04
Burrowing Owl (Individuals)	740	80	X		0.01
Little Blue Heron	740	80	X		0.01

MANAGEMENT PLAN

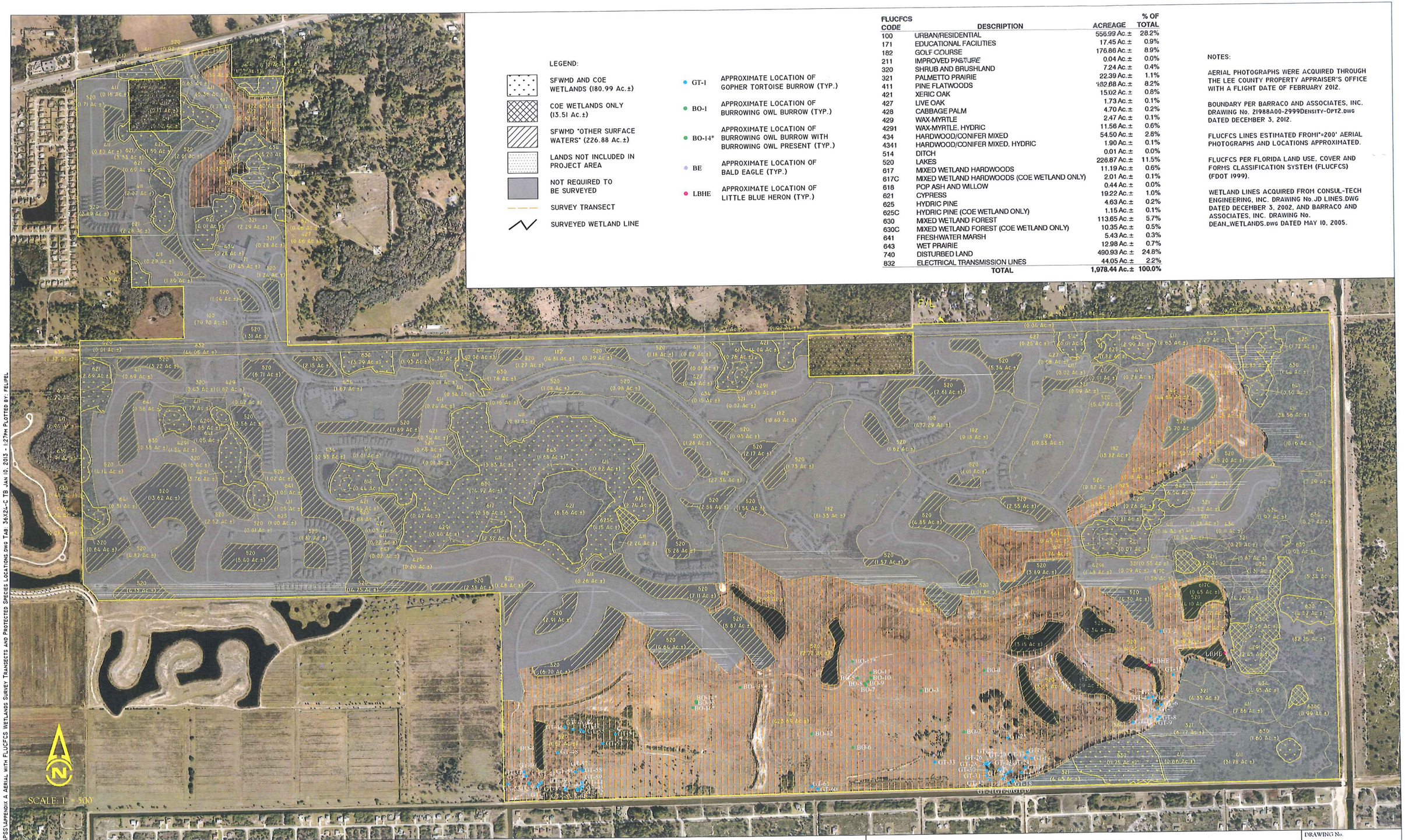
The protection of the gopher tortoises, burrowing owls, and little blue herons recently identified within the development footprint will be addressed per the approved Lee County Protected Species Management Plan dated May 2006. Prior to construction of the undeveloped areas, the gopher tortoise burrows will be excavated as authorized under FWCC Gopher Tortoise Incidental Take Permit (#LEE-58). The captured tortoises will be relocated to the 64.58± acre gopher tortoise preserve in the southeast portion of the site. The applicant will also obtain a nest removal permit from the FWCC for the taking of the burrowing owl burrows. The nest removal will be conducted prior to construction of the undeveloped areas, in the non-nesting season (i.e., July 10 – February 15) while the burrows are inactive and relocation is not necessary. A copy of the nest removal permit will be forwarded to the Lee County DES staff for their records. Habitat protection for the little blue herons, along with other listed wading birds, has been provided through extensive foraging areas throughout the property.

REFERENCES

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

APPENDIX A

AERIAL WITH FLUCFCS, WETLANDS, SURVEY TRANSECTS, AND PROTECTED SPECIES LOCATIONS



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
100	URBAN/RESIDENTIAL	556.99 Ac.±	28.2%
171	EDUCATIONAL FACILITIES	17.45 Ac.±	0.9%
182	GOLF COURSE	176.86 Ac.±	8.9%
211	IMPROVED PASTURE	0.04 Ac.±	0.0%
320	SHRUB AND BRUSHLAND	7.24 Ac.±	0.4%
321	PALMETTO PRAIRIE	22.39 Ac.±	1.1%
411	PINE FLATWOODS	162.68 Ac.±	8.2%
421	XERIC OAK	15.02 Ac.±	0.8%
427	LIVE OAK	1.73 Ac.±	0.1%
428	CABBAGE PALM	4.70 Ac.±	0.2%
429	WAX-MYRTLE	2.47 Ac.±	0.1%
4291	WAX-MYRTLE, HYDRIC	11.56 Ac.±	0.6%
434	HARDWOOD/CONIFER MIXED	54.50 Ac.±	2.8%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	1.90 Ac.±	0.1%
514	DITCH	0.01 Ac.±	0.0%
520	LAKES	226.87 Ac.±	11.5%
617	MIXED WETLAND HARDWOODS	11.19 Ac.±	0.6%
617C	MIXED WETLAND HARDWOODS (COE WETLAND ONLY)	2.01 Ac.±	0.1%
618	POP ASH AND WILLOW	0.44 Ac.±	0.0%
621	CYPRESS	19.22 Ac.±	1.0%
625	HYDRIC PINE	4.63 Ac.±	0.2%
625C	HYDRIC PINE (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	113.65 Ac.±	5.7%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	5.43 Ac.±	0.3%
643	WET PRAIRIE	12.98 Ac.±	0.7%
740	DISTURBED LAND	490.93 Ac.±	24.8%
832	ELECTRICAL TRANSMISSION LINES	44.05 Ac.±	2.2%
	TOTAL	1,978.44 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY 2012.

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

FLUCFCS LINES ESTIMATED FROM1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

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

WETLAND LINES ACQUIRED FROM CONSUL-TECH ENGINEERING, INC. DRAWING No.JD LINES.DWG DATED DECEMBER 3, 2002, AND BARRACO AND SSOCIATES, INC. DRAWING No. DEAN_WETLANDS.DWG DATED MAY 10, 2005.

J:\2003\03PEG931\2012\PSS\APPENDIX A AERIAL WITH FLUCFCS WETLANDS SURVEY TRANSECTS AND PROTECTED SPECIES LOCATIONS.DWG TAB: 36X24-C TB JAN 10, 2013 - 1:27PM PLOTTED BY: FELIPEL

REVISIONS	DATE

DRAWN BY: H.H.	DATE: 12/10/12
DESIGNED BY: A.K.	DATE: 12/10/12
REVIEWED BY: K.C.P.	DATE: 12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

Consulting Ecologists PASSARELLA & ASSOCIATES INC

RIVER HALL

AERIAL WITH FLUCFCS, WETLANDS, SURVEY TRANSECTS AND PROTECTED SPECIES LOCATIONS MAP

DRAWING No. 03PEG931

SHEET No. APPENDIX A

EXHIBIT K

LEE COUNTY PROTECTED SPECIES MANAGEMENT PLAN

RIVER HALL
LEE COUNTY PROTECTED SPECIES MANAGEMENT PLAN

May 2006

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

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

Project No. 03PEG931

TABLE OF CONTENTS

Page

Introduction 1

I. Gopher Tortoise Relocation and Management Plan 5

Introduction 5
Biology 5
On-Site Relocation and Management Plan 7

II. American Alligator Management Plan 8

Introduction 8
Biology 8
Management Plan 9
Educational Materials 9

III. Burrowing Owl Habitat Management Plan 9

Introduction 9
Biology 10
Upland Preservation 12
Pre-Construction Activities 13
Habitat Enhancement 13
Educational Materials 14

IV. Florida Sandhill Crane Management Plan 14

Introduction 14
Biology 14
Management Plan 15

V. Florida Scrub Jay Habitat Management Plan 17

Introduction 17
Florida Scrub Jay Surveys 17
Biology 17
Identification of Preferred Habitat Types 18
Preferred Habitat Types Occurring On-Site 19
Management Plan 19

Table of Contents (Continued)

Page

VI. Wading Bird Management Plan 21

Introduction 21
Management Plan 21

References 23

LIST OF FIGURES

Page

Figure 1. Project Location Map 2

Figure 2. FLUCFCS and Wetlands of Conservation Areas and Indigenous Open Space 3

Figure 3. Gopher Tortoise Preserve and Relocation Area 6

Figure 4. Aerial with Site Plan, Burring Owl Preserve, Burrow Locations, and T-Perch Locations 11

Figure 5. Draw Down Pool Location Map with Cross Section 16

Figure 6. Florida Scrub Jay Management Area and Preferred Habitat Types 20

LIST OF TABLES

Page

Table 1. Protected Species Observed On-Site that could Potentially Inhabit or Utilize Conservation Areas 4

LIST OF EXHIBITS

		Page
Exhibit A.	FLUCFCS Acreage Summary	A-1
Exhibit B.	SFWMD Mitigation and Monitoring Plan	B-1
Exhibit C.	Conservation Easement INSTR # 5245223	C-1
Exhibit D.	Conservation Easement INSTR # 5262661	D-1
Exhibit E.	Gopher Tortoise Incidental Take Permit (#LEE-58)	E-1
Exhibit F.	American Alligator Informational Pamphlet	F-1
Exhibit G.	Burrowing Owl Informational Pamphlet	G-1
Exhibit H.	Florida Scrub Jay Nesting Season Survey	H-1

INTRODUCTION

This report documents the Lee County Protected Species Management Plan prepared by Passarella and Associates, Inc. (PAI) for the River Hall property (Project). The purpose of the management plan is to meet the requirements of the Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) and Zoning Resolution No. Z-05-051. The management plan contained in this report pertains to the gopher tortoise (*Gopherus polyphemus*), American alligator (*Alligator mississippiensis*), burrowing owl (*Athene cunicularia*), Florida sandhill crane (*Grus canadensis pratensis*), Florida scrub jay (*Aphelocoma coerulescens*), as well as listed wading birds.

The Project is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The project's surrounding land uses include Lehigh Acres to the south; State Road 80 to the north; Hickey's Creek Mitigation Park to the east; and the residential development Hawk's Preserve to the west.

The protected species survey for the 1,978.70± acre River Hall property was conducted by PAI on May 25, 2004 (PAI 2004a); September 1, 2, and 7, 2004 (PAI 2004b); September 10, 14, 15, 16, and 22, 2004 (PAI 2004c); and February 1, 2005 (PAI 2005). Surveys were conducted during the daylight hours. The type of survey utilized for the protected species survey included meandering pedestrian transects, per Southern Biomes EIS methodology, previously approved by the county. In addition, a Florida scrub jay survey conducted per Florida Fish and Wildlife Conservation Commission (FWCC) and U.S. Fish and Wildlife Service (USFWS) guidelines was conducted in March 2006.

A total of five Lee County protected species were identified on the Project site. The protected species identified included gopher tortoises, burrowing owls, Florida sandhill cranes, little blue herons (*Egretta caerula*), and wood storks (*Mycteria americana*). PAI identified 236 gopher tortoise burrows, eight burrowing owls, three burrowing owl burrows, two Florida sandhill cranes, three little blue herons, and three wood storks on the property. No Florida scrub jays were observed or heard during the protected species surveys or the March 2006 scrub jay survey.

The majority of the property is currently under construction and most of the site has been cleared with the exception of the conservation areas. A FLUCFCS and wetlands map for the conservation areas and indigenous open space is provided as Figure 2. The FLUCFCS acreage for each conservation area and indigenous open space is summarized in Exhibit A. The property contains 16 conservation areas which will be maintained per the South Florida Water Management District (SFWMD) Mitigation Plan (Exhibit B).

Conservation areas CE-1 through CE-16, totaling 332.49± acres, are recorded under conservation easement INSTR # 5245223 (Exhibit C) deeded to Lee County with third party enforcement rights to the SFWMD. The south 64.58± acres of conservation area CE-15B also has a separate conservation easement INSTR # 5262661 (Exhibit D) deeded to the FWCC with third party enforcement rights to the SFWMD which serves as the gopher tortoise relocation area which includes additional management activities outlined in the conservation easement and this management plan.

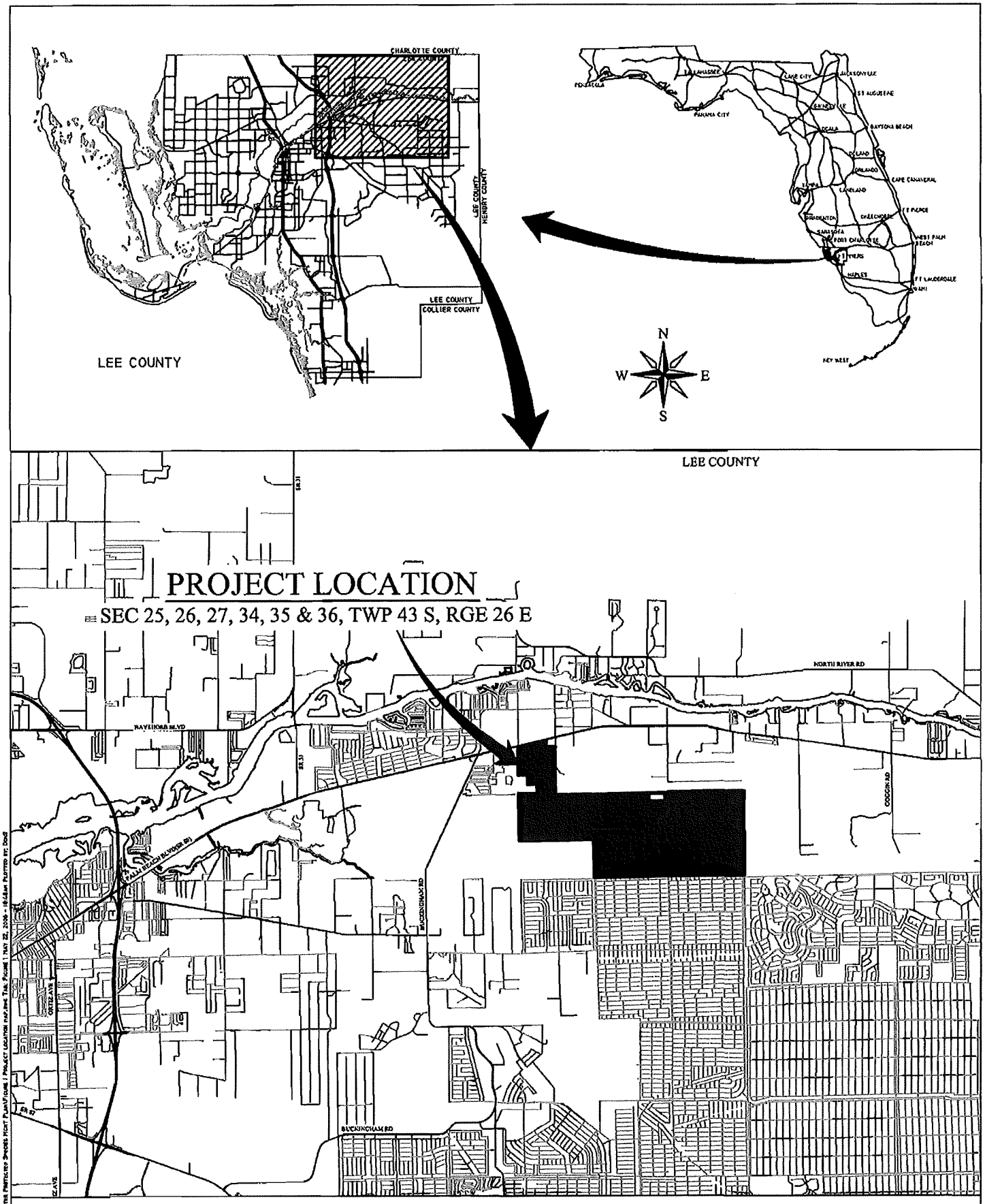
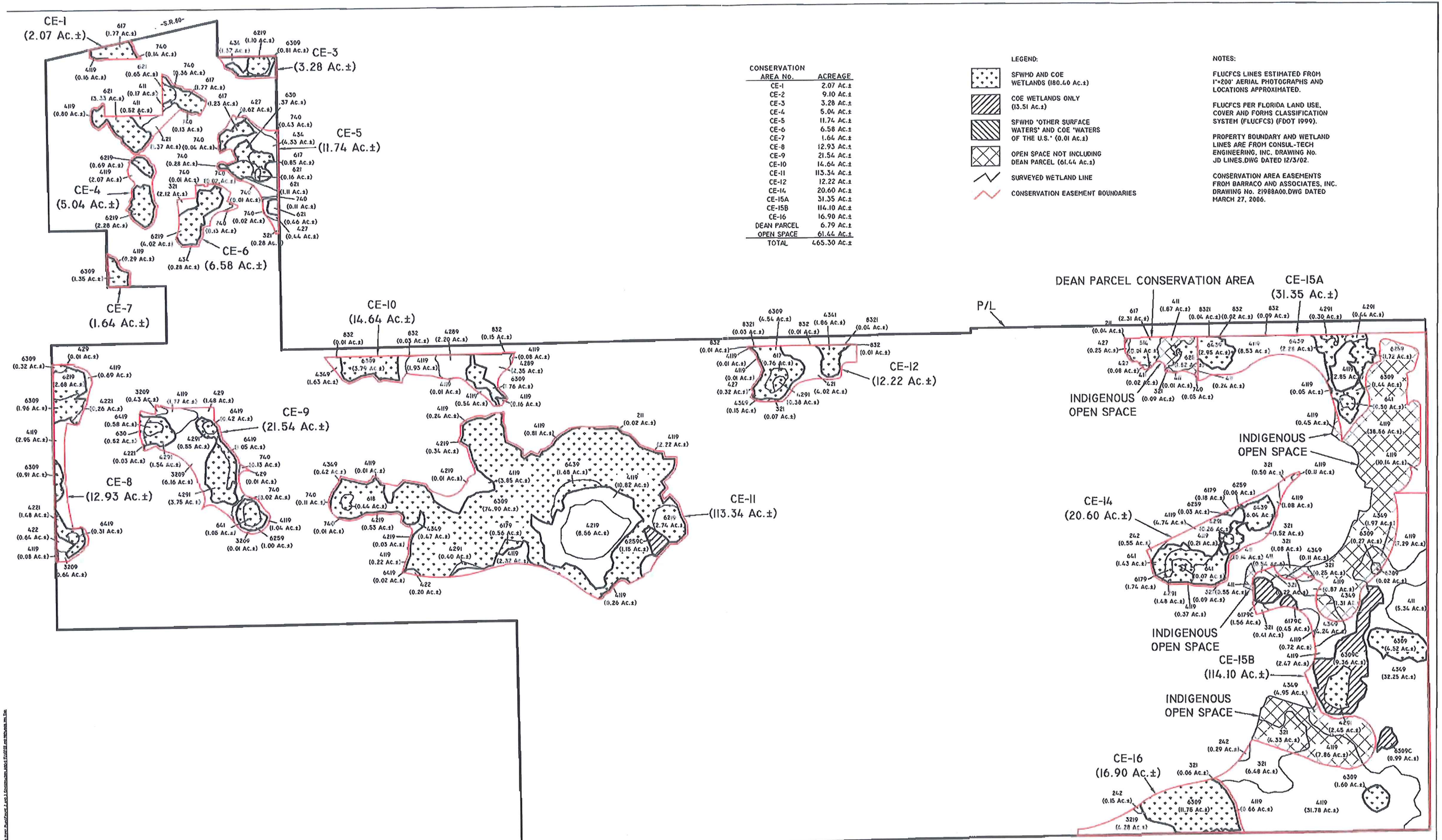


FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: P.F. DATE: 9/16/04



CONSERVATION AREA NO.	ACREAGE
CE-1	2.07 Ac.±
CE-2	9.10 Ac.±
CE-3	3.28 Ac.±
CE-4	5.04 Ac.±
CE-5	11.74 Ac.±
CE-6	6.58 Ac.±
CE-7	1.64 Ac.±
CE-8	12.93 Ac.±
CE-9	21.54 Ac.±
CE-10	14.64 Ac.±
CE-11	113.34 Ac.±
CE-12	12.22 Ac.±
CE-14	20.60 Ac.±
CE-15A	31.35 Ac.±
CE-15B	114.10 Ac.±
CE-16	16.90 Ac.±
DEAN PARCEL	6.79 Ac.±
OPEN SPACE	61.44 Ac.±
TOTAL	465.30 Ac.±

LEGEND:

- SFWMD AND COE WETLANDS (180.40 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (0.01 Ac.±)
- OPEN SPACE NOT INCLUDING DEAN PARCEL (61.44 Ac.±)
- SURVEYED WETLAND LINE
- CONSERVATION EASEMENT BOUNDARIES

NOTES:

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

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

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

CONSERVATION AREA EASEMENTS FROM BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00.DWG DATED MARCH 27, 2006.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	5/9/06	1"=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/9/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/9/06	25,26,27,34,35,36/43/26

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

RIVER HALL

FLUCFCS AND WETLANDS MAP OF CONSERVATION AREAS AND INDIGENOUS OPEN SPACE

DRAWING No.: 03PEG931

SHEET No.: FIGURE 2

In addition, 64.10± acres of indigenous open space will remain on-site which is contiguous with CE-15A and CE-15B and provides additional foraging and nesting habitat for the gopher tortoise population and has potential foraging habitat for the Florida scrub jay.

The Dean parcel is proposing to place 4.13± acres of wetlands under a conservation easement to the SFWMD and 2.66± acres of upland habitats as indigenous open space; although, the conservation easement has not been recorded. These habitats are contiguous with CE-15A and CE-15B which will provide potential habitat for the American alligator and wading birds.

Protected species observed on-site that could potentially inhabit or utilize conservation areas or indigenous open spaces are summarized in Table 1.

Table 1. Protected Species Observed On-site that could Potentially Inhabit or Utilize Conservation Areas

Conservation Area	Gopher Tortoise	American Alligator	Burrowing Owl	Florida Sandhill Crane	Florida Scrub Jay	Wading Bird
CE-1	×	×				×
CE-2	×	×				×
CE-3		×				×
CE-4	×	×				×
CE-5	×	×				×
CE-6	×	×				×
CE-7		×				×
CE-8	×	×		×		×
CE-9	+	×		×		+
CE-10	×	×				×
CE-11	+	×		×	×	×
CE-12	+	×			×	×
CE-14	+	×		×		+
CE-15A	+	×		×	×	×
CE-15B	+	×	×		×	×
CE-16	+	×				×
Indigenous Open Space	+				×	
Dean Parcel		×				×

×Protected species observed on-site that could potentially inhabit or utilize conservation areas
+Protected species observed within conservation areas

I. GOPHER TORTOISE RELOCATION AND MANAGEMENT PLAN

INTRODUCTION

This relocation and management plan has been prepared for the purpose of addressing the conservation of gopher tortoise habitat on the Project. The gopher tortoise is listed as a species of special concern by the FWCC. There is no federal listing for the gopher tortoise in Florida.

The protected species surveys previously described identified 236 gopher tortoise burrows on the property (Figure 3).

The River Hall gopher tortoise relocation and management plan calls for the "taking" of the gopher tortoise habitat and their burrows within the development footprint of the Project and the on-site relocation of the gopher tortoises to the 64.58± acre gopher tortoise preserve and relocation area (Figure 3). The applicant has obtained a FWCC Gopher Tortoise Incidental Take Permit (#LEE-58) (Exhibit E). Prior to construction the tortoises were relocated out of harms way to an on-site preserve area located in the southeast portion of the site. A total of 185 active and inactive gopher tortoise burrows were excavated from November 11 through December 3, 2004. A total of 78 gopher tortoise (48 females, 24 males, and 6 juveniles) were relocated to the on-site relocation area.

BIOLOGY

The following is summarized from Diemer (1992). The gopher tortoise is a large, terrestrial turtle averaging 23 to 28 cm (9 to 11 inches) in shell length. Maximum length is around 38 cm (15 inches). The gopher tortoise is characterized by stumpy, elephantine hind feet and flattened, shovel-like forelimbs adapted for digging. The tan, brown, or gray carapace (top portion of shell) is domed and oblong. The plastron (bottom portion of shell) is somewhat concave in males. Growth annuli may be conspicuous, particularly in juveniles. Hatchlings are approximately 4.4 cm (1.7 inches) in length and are yellowish-orange in color. Gopher tortoises excavate burrows averaging 4.5 m (14.8 feet) in length and 2 m (6.6 feet) in depth and wide enough to allow them to turn around at any point.

These burrows provide protection from temperature extremes, desiccation, and predators and serve as refuges for a variety of other animals. The placement and depth of burrows vary with the soil type, geographic location, and ground water levels. An individual tortoise may use more than one burrow and may excavate new burrows at any time during its life. The gopher tortoise exhibits deferred sexual maturity, low reproductive potential, and a long life span. Females mature sexually at 10 to 20 years of age, depending on latitude. The breeding season is usually from April to June, but males may attempt to mate throughout the activity season. Eggs are usually deposited in the burrow mounds from mid-May to mid-June. Only one clutch of eggs is produced annually. Clutch size usually ranges from 3 to 12, with an average of 6; however, a clutch of 25 eggs has been reported. The incubation period varies from about 80 to 110 days. Predation on eggs and hatchlings is heavy. Predators include

LEGEND:

- CONSERVATION AREA (397.07 Ac.±)
- GOPHER TORTOISE PRESERVE AREA (64.58 Ac.±)
- INDIGENOUS OPEN SPACE (61.44± Ac.)
- DEAN PARCEL CONSERVATION AREA (6.79± Ac.)
- GOPHER TORTOISE FENCING

CONSERVATION AREA No.	ACREAGE
CE-1	2.07 Ac.±
CE-2	9.10 Ac.±
CE-3	3.28 Ac.±
CE-4	5.04 Ac.±
CE-5	11.74 Ac.±
CE-6	6.58 Ac.±
CE-7	1.64 Ac.±
CE-8	12.93 Ac.±
CE-9	21.54 Ac.±
CE-10	14.64 Ac.±
CE-11	113.34 Ac.±
CE-12	12.22 Ac.±
CE-14	20.60 Ac.±
CE-15A	31.35 Ac.±
CE-15B	114.10 Ac.±
CE-16	16.90 Ac.±
DEAN PARCEL	6.79 Ac.±
OPEN SPACE	61.44 Ac.±
TOTAL	465.30 Ac.±

NOTES:

PROPERTY BOUNDARY PER CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

SITE PLAN PER BARRACO & ASSOCIATES, INC. DRAWING NO.21988A00.DWG DATED MARCH 27, 2006.

N

SCALE: 1" = 1000'

DEAN PARCEL CONSERVATION AREA

GOPHER TORTOISE FENCING

GOPHER TORTOISE PRESERVE

P/L

P/L

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	4/5/06	1"=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	4/5/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	4/5/06	25,26,27,34,35,36/43/26

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

RIVER HALL
GOPHER TORTOISE PRESERVE AND RELOCATION AREA

DRAWING No.: 03PEG931
SHEET No.: FIGURE 3

J:\2003\03PEG931\2006\MASTER PROTECTED SPECIES MGMT PLAN\FIGURE 3 GOPHER TORTOISE PRESERVE AND RELOCATION MAP.DWG TAB: FIGURE 4 MAY 22, 2006 - 9:35AM PLOTTED BY: DonB

raccoons, foxes, skunks, armadillos, snakes, and various raptors. Although some hatchlings immediately construct burrows, others may use burrows of adults or merely shelter opportunistically under sand or litter. Estimated life expectancy is 40 to 60 years.

Three environmental conditions are especially important for gopher tortoises: well-drained, loose soil in which to burrow; adequate low-growing herbs for food; and open sunlit sites for nesting. The gopher tortoise is primarily associated with longleaf pine-scrub oak woodlands (sandhills), but it is also found in sand pine scrub, coastal strands, live oak hammocks, dry prairies, pine flatwoods, and mixed hardwood-pine communities. Disturbed habitats, such as roadsides, fencerows, clearings, and old fields often support relatively high tortoise densities (Diemer 1992).

Gopher tortoise densities and movements are affected by the amount of herbaceous ground cover present. Generally, feeding activity is confined to within 50 m (164 feet) of the burrow. Principal foods include grasses, legumes, and grasslike plants of the sedge and aster families. Legumes appear to be particularly important in the diet of juveniles. Fruits such as blackberries, pawpaws, gopher apples, and saw palmetto berries are also consumed (Diemer 1992).

ON-SITE RELOCATION AND MANAGEMENT PLAN

Habitat Management

Conservation areas CE-9, CE-11, CE-12, CE-14, CE-15A, CE-15B, CE-16, and indigenous open space areas contain active gopher tortoise populations and will be maintained per the SFWMD Mitigation Plan to enhance gopher tortoise habitat. To comply with the requirements of Conservation Easement (INSTR # 5262661) Habitat Management Plan, controlled burns of the gopher tortoise preserve and relocation area will be conducted to remove excess vegetative growth and nuisance vegetation and promote the growth of herbaceous groundcover plants suitable for gopher tortoise foraging. Fire management shall consist of 1) a fuel reduction burn between the months of June and February; 2) a second controlled burn between the months of June and September, one or two years following the initial fuel reduction burn. A summer burn (July and August) is preferred to encourage the sustained growth of wire grass (*Aristida stricta*) for the gopher tortoises; and 3) subsequent management shall consist of spring or summer burning at five year intervals and/or periodic annual mowing or brush-hogging during the winter months. Any controlled burning shall be conducted by a state certified burn manager to maintain a suitable habitat for the gopher tortoise. Also, selective falling of mid-story hardwood trees may also be implemented at any time within the relocation area to stimulate the growth of herbaceous groundcover vegetation.

Pre-Site Development

The applicant has obtained a FWCC Gopher Tortoise Incidental Take Permit (#LEE-58). The designated gopher tortoise relocation area was survey located and staked in the field. The preserve was enclosed with silt fencing per typical industry standards, which include burying the bottom of the fence 12 to 18 inches below the existing grade and angling the

fence back towards the relocation area. Installation of the fence was approved and inspected by county staff.

Within the limits of construction for the Project, all active and inactive burrows were excavated. Removal of the vegetation and heavier overburden material was removed by a backhoe. The finer digging around the burrow was done by hand with a shovel. All excavation activities were overseen by a qualified ecologist.

Prior to construction gopher tortoises and their commensals were relocated out of harms way to a 64.58± acre on-site preserve area located in the southeast portion of the site. A total of 185 active and inactive gopher tortoise burrows were excavated from November 11 through December 3, 2004. A total of 78 gopher tortoise (48 females, 24 males, and 6 juveniles) were relocated to the on-site relocation area.

Post-Site Development

The gopher tortoise fence will remain in place until all construction activities have been completed. During this period, fence maintenance will be the responsibility of LandMar Group, LLC. The conservation areas will be maintained per the SFWMD Mitigation Plan and Conservation Easement (INSTR # 5262661) Habitat Management Plan.

LandMar Group, LLC will be responsible for the exotic maintenance within the relocation area, which will occur annually, at a minimum, until such time that the homeowner's association takes over the development. The homeowner's association will then be responsible for maintenance of the relocation area. The gopher tortoise preserve area will be maintained in perpetuity.

II. AMERICAN ALLIGATOR MANAGEMENT PLAN

INTRODUCTION

The following plan outlines the protection guidelines that will be implemented for the American alligator during and after construction of the Project. The plan identifies the procedures taken, such as the use of signage to avoid feeding or harassing of American alligators located on the property. The American alligator is listed as a species of special concern by the FWCC and threatened by similarity of appearance by the USFWS.

BIOLOGY

The American alligator is a reptile with an elongated, armored, lizard-like body with a muscular flat tail. Adult alligators are dark with a pale underside while juveniles have bright yellow stripes and blotches. The average size for adults is 8.2 feet for females and 11.2 feet for males. The body weight can reach up to one half of a ton.

American alligators inhabit all counties in the State of Florida and are most common in the major river drainage basins and large lakes in the central and southern portions of the state. They also can be found in marshes, swamps, ponds, drainage canals, phosphate-mine settling ponds, and ditches. Alligators are tolerant of poor water-quality and occasionally inhabit brackish marshes along the coast. A few even venture into salt water. Individuals are wide ranging and some males may utilize an area of two square miles or more. Individuals of both sexes are most likely to become more active and extend their ranges during the April to May courtship and breeding season. Prey may include frogs, snakes, birds, and small mammals, although alligators are opportunistic feeders and may prey on what is readily available. Larger individuals often prefer carrion to fresh meat.

MANAGEMENT PLAN

Extensive habitat will be provided throughout the property through wetland preservation and enhancement and the creation of lakes. The conservation areas will be maintained per the SFWMD Mitigation Plan. All conservation areas contain wetlands that will serve as potential foraging and nesting habitats for the American alligator.

EDUCATIONAL MATERIALS

Signs will be posted on the subject property to instruct construction workers and residents not to feed or harass the American alligator. The sign will indicate that the offense is punishable by law.

Informational pamphlets providing background information on identification, habits, and protection of the American alligator will be made available to homeowner's and construction/maintenance personnel (Exhibit F). The pamphlet states if there is a problem with a persistent nuisance alligator, they will need to contact the FWCC, as they are the only agency empowered to handle nuisance alligators.

III. BURROWING OWL HABITAT MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential burrowing owl habitat on the Project. The burrowing owl is listed as a species of special concern by the FWCC. There is no federal listing for the burrowing owl.

The River Hall burrowing owl habitat management plan calls for the "taking" of the burrowing owl habitat and their burrows within the development footprint of the Project and the on-site preservation of burrowing owl habitat. Prior to initiation of construction, the applicant will obtain the appropriate nest removal permit from the FWCC. The nest removal will be conducted in the non-nesting season (i.e., July 10 – February 15) while the burrows

are inactive and relocation is not necessary. A copy of the nest removal permit will be forwarded to the Lee County Division of Environmental Sciences for their records.

Lee County protected species surveys conducted on-site by PAI identified three burrowing owl burrows in the southern portion of the property (Figure 4). An updated survey for burrowing owls was conducted on August 23, 2005. The updated survey revealed that Burrow Nos. 1 and 2 were inactive (old) and Burrow No. 3 was active with two adult burrowing owls observed at the burrow.

Additional burrowing owl monitoring was conducted on March 15, 27, 28, and 29, 2006 and April 19, 2006 to determine habitat use by the burrowing owls during the 2006 nesting season, per Lee County Division of Environmental Sciences requests. The March monitoring events revealed a new primary burrow had been excavated along with numerous secondary burrows (Figure 4) and two burrowing owls were observed flying among the burrows. The April 19, 2006 monitoring event revealed the primary burrow had been preyed upon with four broken burrowing owl egg shells observed near the burrow cavity. Recent signs of armadillo rutting were observed around the burrow and armadillo tracks were observed on the burrow apron.

BIOLOGY

The burrowing owl lives and breeds in varied habitats throughout the Florida peninsula with the primary natural habitat occurring in dry prairie and during the dry season the edges of depressional marshes. Presently, the burrowing owl inhabits several ruderal areas including pastures, golf courses, airports, athletic fields, school campuses, vacant areas in residential or industrial neighborhoods, and road right-of-ways (Hipes *et al* 2001). One of the largest subpopulations of burrowing owls is located on the Cape Coral peninsula in Lee County.

Burrowing owls nest and inhabit underground burrows that they excavate or adopt from other burrowing animals, such as gopher tortoises. Culverts, PVC pipes, and spaces underneath sidewalks and roofs also serve as nesting locations for the burrowing owl. Predominately, the burrowing owl is non-migratory and resides within the vicinity of the burrow. They are mostly monogamous and territorial around their burrows. During the nesting season, burrows are adorned with various materials such as grasses and palm fronds before egg laying. Subsequent to the laying of eggs, the entrance to the burrow is decorated with highly visible non-natural objects, such as tinfoil and plastics.

In Southern Florida, the burrowing owl feeds primarily on the brown anole (*Anolis sagrei*), marine toad (*Bufo marinus*), and Cuban treefrog (*Osteopilus septentrionalis*). To a lesser extent, other amphibians, small rodents, insects, arachnids, and crayfish provide supplemental sustenance. The majority of foraging occurs at dusk, but they also will hunt from perches or burrow entrances during the day. Fence posts serve as a main source for perching (Wood 2001).

LEGEND:

- CONSERVATION AREA (397.07± Ac.)
- INDIGENOUS OPEN SPACE (61.44± Ac.)
- BURROWING OWL PRESERVE WITHIN CE-15B (43.69± Ac.)
- DEAN PARCEL CONSERVATION AREA (6.79± Ac.)

NOTES:

PROPERTY BOUNDARY PER CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

SITE PLAN PER BARRACO & ASSOCIATES, INC. DRAWING NO.21988A00.DWG DATED MARCH 27, 2006.

CONSERVATION AREA No.	ACREAGE
CE-1	2.07 Ac.±
CE-2	9.10 Ac.±
CE-3	3.28 Ac.±
CE-4	5.04 Ac.±
CE-5	11.74 Ac.±
CE-6	6.58 Ac.±
CE-7	1.64 Ac.±
CE-8	12.93 Ac.±
CE-9	21.54 Ac.±
CE-10	16.64 Ac.±
CE-11	113.34 Ac.±
CE-12	12.22 Ac.±
CE-14	20.60 Ac.±
CE-15A	31.35 Ac.±
CE-15B	114.10 Ac.±
CE-16	16.90 Ac.±
DEAN PARCEL	6.79 Ac.±
OPEN SPACE	61.44 Ac.±
TOTAL	465.30 Ac.±

BURROWING OWL BURROW NUMBER & STATUS

BO-1 (O)	BO-4 (P)	BO-7 (S)
BO-2 (O)	BO-5 (S)	BO-8 (S)
BO-3 (S)	BO-6 (S)	BO-9 (O)

- ● APPROXIMATE BURROWING OWL NEST LOCATION
- ✻ APPROXIMATE T-PERCH LOCATION
- (P) PRIMARY BURROW
- (S) SECONDARY BURROW
- (O) OLD BURROW

N

SCALE: 1" = 1000'

DEAN PARCEL CONSERVATION AREA

HABITAT CREATION AREA (1.50 Ac.±)

BURROWING OWL PRESERVE

BO BURROW No.1
BO BURROW No.2
BO BURROW No.3
BO BURROW No.4
BO BURROW No.5
BO BURROW No.6
BO BURROW No.7
BO BURROW No.8
BO BURROW No.9

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	5/12/06	1"=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/12/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/12/06	25,26,27,34,35,36/43/26

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

RIVER HALL

AERIAL WITH SITE PLAN, BURROWING OWL PRESERVE, BURROW LOCATIONS, AND T-PERCH LOCATIONS

DRAWING No.: 03PEG931

SHEET No.: FIGURE 4

UPLAND PRESERVATION

A total of 43.69± acres will be enhanced and preserved on the Project site for burrowing owls (Figure 4). Approximately 0.29± acre of Sod Farm (FLUCFCS Code 242); 6.63± acres of Palmetto Prairie (FLUCFCS Code 321); 31.85± acres of Pine Flatwoods (FLUCFCS Code 411); 3.32± acres of Hardwood/Conifer Mixed (FLUCFCS Code 434); and 1.60± acres of Mixed Wetland Forest (FLUCFCS Code 6309) will be preserved in the burrowing owl preserve under Conservation Easement INSTR # 5262661.

The following habitat types are located within the south portion of CE-15B designated for burrowing owls.

Upland Habitats

Sod Farm (FLUCFCS Code 242)
This area is occupied by abandoned agricultural operations which provide suitable habitat for burrowing owls.

Palmetto Prairie (FLUCFCS Code 321)
The canopy contains scattered slash pine (*Pinus elliottii*), live oak (*Quercus virginiana*), and cabbage palm (*Sabal palmetto*). The sub-canopy consists of Brazilian pepper (*Schinus terebinthifolius*), beauty-berry (*Callicarpa americana*), wax-myrtle (*Myrica cerifera*), and winged sumac (*Rhus copallina*). The ground cover includes saw palmetto (*Serenoa repens*) and grapevine (*Vitis rotundifolia*). The saw palmetto is low growing allowing open areas for the burrowing owls to nest. Also, many gopher tortoise burrows exist in this FLUCFCS code, which provides existing burrows for burrowing owls to occupy.

Pine Flatwoods (FLUCFCS Code 411)
The canopy contains low density slash pine. The sub-canopy contains scattered wax-myrtle, dahoon holly (*Ilex cassine*), and cabbage palm. Ground cover includes saw palmetto, bahiagrass (*Paspalum notatum*), and staggerbush (*Lyonia fruiticosa*). Also, many gopher tortoise burrows exist in this FLUCFCS code, which provides existing burrows for burrowing owls to occupy.

Hardwood-Conifer Mixed (FLUCFCS Code 434)
The canopy contains slash pine, live oak, and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes bahiagrass, caesarweed (*Urena lobata*), Brazilian pepper, and cabbage palm. Open pockets of bahiagrass exist among this FLUCFCS code for burrowing owls to nest and forage.

Wetland Habitat

Mixed Wetland Forest (FLUCFCS Code 6309)
The canopy contains cabbage palm, cypress (*Taxodium distichum*), American elm (*Ulmus americana*), swamp laurel oak (*Quercus laurifolia*), and slash pine. The sub-canopy contains

swamp laurel oak, cabbage palm, dahoon holly, and Brazilian pepper. The ground cover includes swamp fern (*Blechnum serrulatum*), myrsine (*Rapanea punctata*), wax-myrtle, poison ivy (*Toxicodendron radicans*), iris (*Iris* sp.), peppervine (*Ampelopsis arborea*), greenbriar (*Smilax* sp.), asiatic pennywort (*Centella asiatica*), and day-flower (*Commelina* sp.). This wetland provides additional foraging areas for the burrowing owls to collect lizards, amphibians, insects, and crayfish.

PRE-CONSTRUCTION ACTIVITIES

A qualified ecologist will be on-site to supervise burrowing owl management activities as detailed in this plan. Prior to commencement of construction activities, the preserve area will be staked in the field and clearly identified with orange tape on the existing gopher tortoise fencing. The flagging will be inspected by Lee County staff prior to clearing activities. The operation and storage of construction equipment and the stockpiling of fill and construction material will be prohibited within the fenced preserve area. The fencing identifying the limits of the preserve will be maintained for the duration of construction activities.

On August 23, 2005 a site review revealed that Burrowing Owl Burrows Nos. 1 and 2 were inactive and that Burrowing Owl Burrow No. 3 was active with two adult burrowing owls observed at the burrow (Figure 4). As recommended by the FWCC, Burrow No. 3 was staked and roped off with a ten foot buffer around the burrow entrance to prevent human entry and disturbance prior to construction. Five T-perches, approximately three to four feet in height, were constructed in the 43.69± acre burrowing owl preserve area prior to commencement of construction activities on February 15, 2006 (Figure 4). The T-perches were installed in open areas in sod farm, palmetto prairie, and pine flatwoods. Starter burrows near the T-perches were added to help induce nesting and encourage burrow excavation.

Pre-construction monitoring of the burrowing owl burrows was conducted in March 2006 and April 2006 to determine habitat use by the burrowing owls during the 2006 nesting season.

HABITAT ENHANCMENT

During the construction phase of the Project, exotic nuisance vegetation, including but not limited to, Brazilian pepper, melaleuca (*Melaleuca quinquenervia*), Australian pine (*Casuarina equisetifolia*), and downy rose-myrtle (*Rhodomyrtus tomentosus*) will be removed and/or treated with herbicide within the designated preserves. Precautions will be taken when applying herbicides around live oak, cabbage palm, or slash pine. Herbicides that contain label warnings indicating potential damage or kill to live oak, cabbage palm, or pines are prohibited. The conservation areas will be maintained per the SFWMD Mitigation Plan.

Additional management activities in the burrowing owl preserve will include habitat creation and enhancement through the mechanical clearing of approximately 1.21 acre of existing saw

palmetto and oak (*Quercus* sp.) along the northwestern fringe of the preserve to open ground cover to attract the burrowing owls (Figure 4). The mechanical clearing will be performed with small machinery that does not disturb the soil or existing gopher tortoise burrows within the preserve, and will be conducted in the winter months when the gopher tortoises are less active. Supplemental planting of bahiagrass will be installed in clusters within the mechanically cleared area leaving open sandy pockets to provide foraging habitat. Ground cover will be opened by removing plugs of sod in the existing sod farm located within the habitat creation area.

Limited mowing will be conducted in the burrowing owl preserve area in order to sustain low ground cover. During these management activities, a qualified ecologist will be present and supervise these activities.

EDUCATIONAL MATERIALS

Signs will be posted around the burrowing owl preserve to instruct construction workers, residents, and golfers not to harass the burrowing owl. Informational pamphlets will be made available to homeowners and individuals in charge of the clearing operation for distribution to all construction crew and is enclosed as Exhibit G. All homeowners with properties adjacent to the large eastern preserve should receive a copy of the burrowing owl informational pamphlet upon the closing of the property. The pamphlet provides background information on identification, habits, and protection of the burrowing owl. The pamphlet states actions to take if a burrowing owl is sighted or if a burrow is excavated, and the names and numbers of contact persons.

IV. FLORIDA SANDHILL CRANE MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential Florida sandhill crane habitat on the Project. The Florida sandhill crane is listed as threatened by the FWCC and endangered by the USFWS.

BIOLOGY

It is a heavy bodied bird with a long neck and legs (Nesbit 1996). It stands almost four feet tall and is uniformly gray-brown with bustle-like tail feathers and a distinctive reddish colored unfeathered crown. Vocalizations are a very loud trumpeting rattle. Unlike herons and egrets, sandhill cranes fly with both their legs and neck extended. The young can swim and run at one day old and will accompany the adults on long foraging trips well before they can fly (Stys 1997).

Sandhill cranes typically nest in shallow, open wetlands. The most important nesting criteria are habitat availability and water levels. Water levels are critical and must not be too shallow or too deep if nesting is to be successful. Mean water depths at nest sites range from 5.3 to 12.8 inches. Preferred nesting sites are in shallow freshwater marshes and wet prairies. Nest productivity is typically better in wet winters and dry springs. Wet winters provide suitable water depths for nesting and foraging, but wet springs can cause nest flooding and abandonment (Stys 1997). Sandhill cranes have been known to nest in wetlands in developed urban settings if urban disturbances are in place when they choose the nest site.

The foraging diet includes a variety of foods such as plants, insects, worms, seeds, grains, berries, aquatic invertebrates, small mammals, and even birds. Some agricultural crops such as corn and peanuts are utilized in the northern parts of Florida where they are grown on large scale (Stys 1997).

Sandhill cranes are usually found foraging in large, open upland areas and herbaceous emergent wetlands with shallow water. They roost in shallow herbaceous wetlands with water that is four to12 inches deep. Roost sites are often surrounded by deeper water or open marsh. Improved pasture, sod farms, open pine forest, and woodland pasture are typical habitats utilized for foraging. Sandhill cranes have been documented foraging in golf course roughs, airports, and other open types of developments that have large grassed areas. They are adaptive birds that are increasingly utilizing suburban and urban areas (Stys 1997).

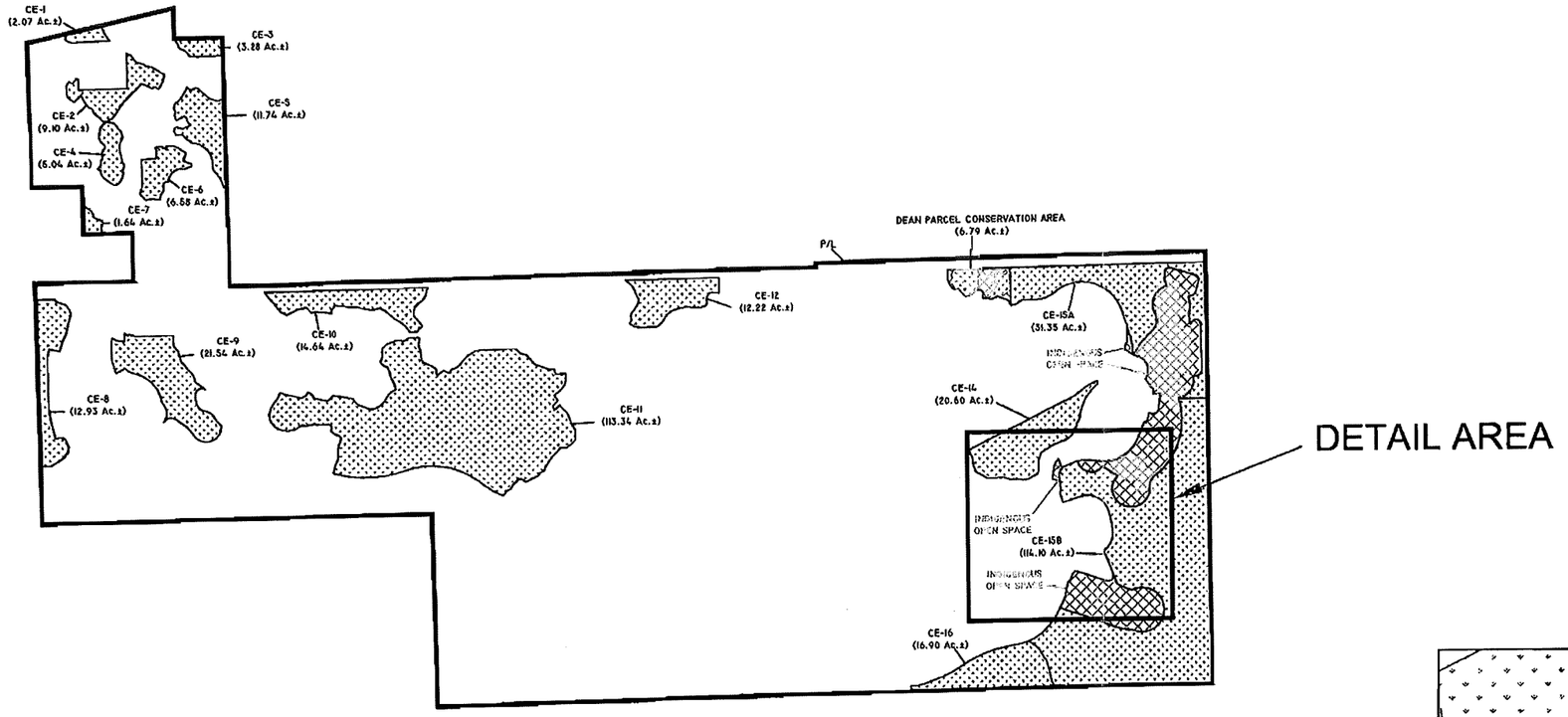
MANAGEMENT PLAN

The two sandhill cranes observed on the property were foraging. No active nests were located, nor were any unfledged birds observed. Because there were no active nests sites on the property, there are no habitat buffers required.

However, extensive foraging areas will be provided throughout the property in golf course roughs and upland/wetland preserves. Conservation areas CE-8, CE-9, CE-11, CE-14, and CE-15A will provide potential foraging areas for sandhill cranes. The conservation areas will be maintained per the SFWMD Mitigation Plan.

Emergent wetland acres will be increased through the planting of littoral zones in the lakes created as part of the development. Expanded littoral zones will be provided in two draw down pools by adding a ten foot shelf, two feet below control elevation, around the perimeter of the lakes (Figure 5). Invasive exotic removal will result in upland and wetland preserves that are more suitable as foraging habitats, as well as making the wetlands better for roosting.

An additional measure to encourage the continued use of River Hall by sandhill cranes includes the prohibition of free roaming pets. Free roaming dogs and cats are prohibited by the River Hall homeowner's documents. These prohibitions will initially be enforced by the developer and ultimately by the homeowner's association.



DETAIL AREA

LEGEND:

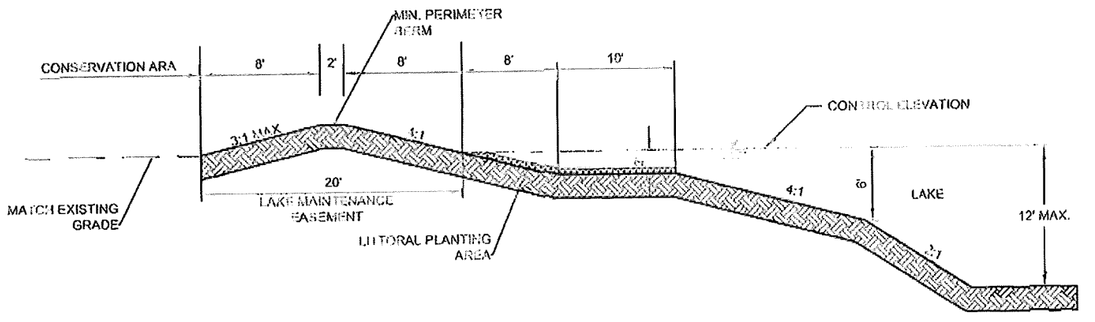
CONSERVATION AREA

INDIGENOUS OPEN SPACE

NOTES:

SITE PLAN PER BARRACO & ASSOCIATES, INC.
DRAWING No. 22060GC2-11.DWG DATED APRIL 24, 2006.

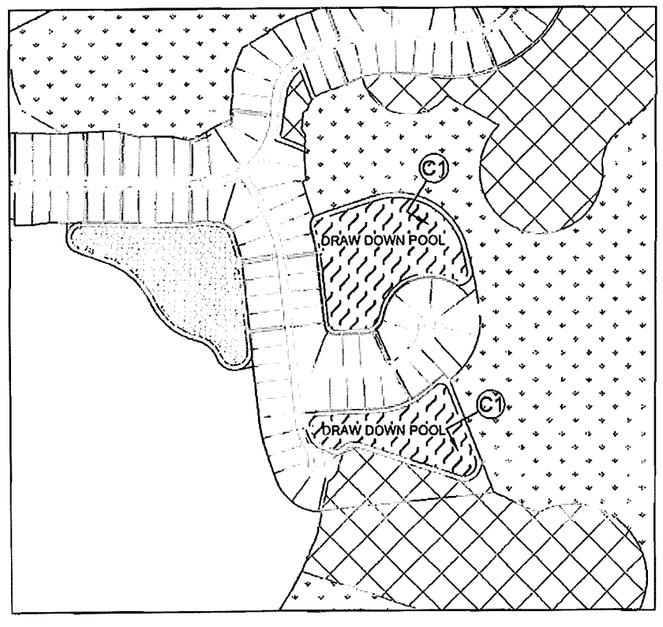
CROSS SECTION PER BARRACO & ASSOCIATES, INC.
DRAWING No. 22060GC2-18A.DWG DATED APRIL 24, 2006.



C1 CROSS SECTION OF DRAW DOWN POOL

NOT TO SCALE

DETAIL



REVISIONS		DESIGNED BY A.K.	DATE 5/10/06	HORIZONTAL SCALE N.T.S.
		CHECKED BY K.C.P.	DATE 5/10/06	VERTICAL SCALE N/A
		DRAWN BY D.B.	DATE 5/10/06	SEC./TWP./RNG. 26,26,27,34,35,36/43/26

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

RIVER HALL
DRAW DOWN POOL LOCATION MAP WITH CROSS SECTION

DRAWING No.: 03PEG931
SHEET No.: FIGURE 5

V. FLORIDA SCRUB JAY HABITAT MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential Florida scrub jay habitat on the Project. The Florida scrub jay is listed as threatened by the FWCC and USFWS.

FLORIDA SCRUB JAY SURVEYS

Florida scrub jay nesting season surveys were conducted in March 2006 by PAI for the Project (Exhibit H). The surveys were conducted per the USFWS guidelines in the Draft Standard Local Operating Procedures for Endangered Species (SLOPES) (USFWS 2002) for the Florida scrub jay and per the FWCC guidelines in Ecology and Development Related Habitat Requirements of the Florida Scrub Jay, Non-Game Wildlife Program Technical Report No. 8 (Fitzpatrick *et al.* 1991). No Florida scrub jays were observed or heard during the March 2006 surveys and only marginal scrub jay habitat was present. The nearest documented scrub jay colony is located approximately one quarter mile east of the Project on Hickey's Creek Mitigation Park.

BIOLOGY

The Florida scrub jay is about 9.8 to 11.8 inches long and weighs about 2.7 ounces. They are similar in size and shape to the blue jay (*Cyanocitta cristata*) but differ significantly in coloration (Woolfenden and Fitzpatrick 1996a). Unlike the blue jay, the scrub jay does not have a crest. It also lacks the conspicuous white-tipped wing and tail feathers, black barring, and bridle of the blue jay. The Florida scrub jay's head, nape, wings, and Eastern cottontail are pale, blue while its back and belly are pale grey. The sexes are similar in appearance (Woolfenden 1978).

The Florida scrub jay is an isolated, relict population of a species with a wide geographic range in western North America. It occurs only in the botanically distinct Florida oak scrub, a rare, scattered habitat whose island-like distribution is being reduced further by man (Woolfenden and Fitzpatrick 1984). Historically, the Florida scrub jay was distributed throughout the Florida peninsula in suitable scrub habitat in 39 of the 40 counties south of, and including, Levy, Gilchrist, Alachua, Clay, and Duval Counties. Today, they have been extirpated from Broward, Dade, Gilchrist, Hendry, Pinellas, and St. Johns counties (Figzpatrick *et al.* 1991).

The Florida scrub jay shows obligatory reliance on oaks, especially those growing in short, open scrub maintained by periodic fire (Woolfenden and Fitzpatrick 1984). Optimal habitats include xeric oak scrub, open sand pine scrub, open scrubby flatwoods with slash pine (*Pinus elliottii*), and rosemary (*Ceratiola ericoides*) scrub (Fitzpatrick *et al.* 1991).

Age at first breeding in the Florida scrub jay varies from one to seven years, although most individuals become breeders between two and four years of age (Fitzpatrick and Woolfenden 1998). The Florida scrub jay is permanently monogamous (Woolfenden and Fitzpatrick 1984). The pair retain ownership and sole breeding privileges in their particular territory year after year.

Nesting is synchronous, normally occurring from March 1st through June 30th each year (Woolfenden and Fitzpatrick 1990). In suburban habitats, nesting is consistently initiated earlier in the season (March and April) than in natural scrub habitats (Fleischer 1996). The nest is a open cup constructed of course twigs from oaks and other vegetation, and the inside is lined with tightly wound palmetto or cabbage palm fibers (Woolfenden and Fitzpatrick 1996b). Clutch size ranges from one to five eages but three to four eggs is typical (Fleisher 1996). Eggs are incubated for 17 to 18 days, and fledging occurs 16 to 21 days after hatching (Woolfenden 1974). Average production of young is two fledglings per pair per year (Woolfenden and Fitzpatrick 1990), and the presence of helpers improves fledging success (Mumme 1992).

About 30 to 40 percent of the Florida scrub jays at the onset of a nesting season are not breeders but helpers. Predominantly yearlings, the helpers are adult plumaged prebreeders, mostly living in their natal territory where they assist the breeders, usually their parents, with all daily activities. Male helpers may remain nonbreeders for up to five years, while female helpers generally disperse after on or two years (Fitzpatrick *et al.* 1991).

Various snakes, mammals, and birds prey on the Florida scrub jay adults, yearlings, nestlings and eggs. Some noted predators include bobcat (*Felis rufus*), raccoon, cotton rats (*Sigmodon hispidus*), domestic cats (*Felis cattus*), Eastern indigo snake (*Drymarchon corais couperi*), coachwhip (*Masticophis flagellum*), great horned owl (*Bubo virginianus*), screech-owl (*Otus asio*), and fish crow (*Corvus ossifragus*) (Fitzpatrick *et al.* 1991). The scrub jay's average life expectancy is five to six years; however, some have been recorded to live as long as 20+ years (Woolfenden and Fitzpatrick 1984).

IDENTIFICATION OF PREFERRED HABITAT TYPES

The Project's vegetation associations were reviewed to identify potential habitat types for Florida scrub jays using the type definitions found in Fitzpatrick *et al.* 1991. The three preferred habitat types are defined as follows:

> Type I Habitat - any upland plant community, in which percent cover of the substrate by scrub oak species is 15 percent or more. Scrub oak species include Chapman's oak (*Quercus chapmanii*), sand live oak (*Q. geminata*), scrub oak (*Q. inopina*), myrtle oak (*Q. myrtifolia*), and dwarf live oak (*Q. minima*). Type I habitat may be characterized as xeric oak scrub, scrubby pine flatwoods, scrubby coastal strand, or sand pine scrub.

Type II Habitat - any plant community not meeting the definition of Type I Habitat, in which one or more scrub oak species is greater than zero but less than 15 percent cover. Presence of scrub oaks is a key indicator.

Type III Habitat - any upland or seasonally dry wetland within one quarter mile of any area designated as Type I or Type II Habitat.

PREFERRED HABITAT TYPES OCCURING ON SITE

The Lee County Zoning Resolution (Z-05-051) contains language stating 80± acres of Type I habitat exists on the southeastern portion of the Project site. However, the habitats occurring in this area contain minimal occurrence of scrub oak species and are extensively overgrown which do not appear to provide suitable habitat at present for Florida scrub jays. On March 27, 2006 the preserve areas were mapped for Florida scrub jay preferred habitat types (Figure 6). Type I xeric oak habitats on site are too small, isolated, and overgrown to provide nesting or foraging areas for the Florida scrub jay. Two small areas mapped as Palmetto Prairie and Pine Flatwoods, Disturbed contained less than 15 percent cover of the substrate by scrub oak species therefore these areas are categorized as Type II. Surrounding uplands and seasonal dry wetlands within one quarter mile of Type I or II habitats were mapped as Type III.

Existing Types I and II habitats occurring on-site are extensively overgrown and do not appear to provide any suitable habitat at present for Florida scrub jays. These areas are considered marginal Florida scrub jay habitat because presence of scrub oak is very minimal, the majority of existing oaks are live oak and swamp laurel oak; existing scrub oak species are very overgrown, averaging approximately 20 feet in height; the ground cover is densely covered with saw palmetto lacking herbaceous ground cover and open sandy areas for foraging; dense slash pine canopy exists in some areas; and these habitats are too small and isolated to provide appropriate Florida scrub jay habitat. On-site habitat is not suitable for nesting and is marginal for foraging at present. However, existing Types II and III habitats located on the eastern portion of the property could potentially serve as foraging areas for the Florida scrub jays occurring at Hickey's Creek Mitigation Park after habitat management activities have taken place, per the Lee County River Hall Protected Species Management Plan.

MANAGEMENT PLAN

To offset potential impacts to the Florida scrub jay, 12.59± acres of Type I, 28.59± acres of Type II and 259.76± acres of Type III scrub jay habitat has been recorded under Conservation Easement INSTR # 5245223 and Conservation Easement INSTR # 5262661 (CE-11, CE-12, CE-15A, and CE-15B) or set aside as indigenous open space (Figure 6). The conservation areas located along the eastern border of the property are adjacent to the Hickey's Creek Mitigation Park to serve as a buffer to development and to provide potential foraging areas for the Florida scrub jay.

FLUCFCS CODE	DESCRIPTIONS	TYPE I	TYPE II	TYPE III	TOTAL
211	IMPROVED PASTURE	-	-	0.02 Ac.±	0.02 Ac.±
242	SOD FARM	-	-	0.38 Ac.±	0.38 Ac.±
321	PALMETTO PRAIRIE	-	9.47 Ac.±	4.47 Ac.±	13.94 Ac.±
3219	PALMETTO PRAIRIE, DISTURBED	-	-	1.21 Ac.±	1.21 Ac.±
411	PINE FLATWOODS	-	-	5.57 Ac.±	5.57 Ac.±
4119	PINE FLATWOODS, DISTURBED	-	19.12 Ac.±	95.31 Ac.±	114.43 Ac.±
421	XERIC OAK	4.02 Ac.±	-	-	4.02 Ac.±
4219	XERIC OAK, DISTURBED	8.57 Ac.±	-	0.12 Ac.±	8.69 Ac.±
427	LIVE OAK	-	-	0.32 Ac.±	0.32 Ac.±
4291	WAX MYRTLE, HYDRIC	-	-	3.22 Ac.±	3.22 Ac.±
4341	HARDWOOD/CONIFER MIXED, HYDRIC	-	-	1.86 Ac.±	1.86 Ac.±
4349	HARDWOOD/CONIFER MIXED, DISTURBED	-	-	44.90 Ac.±	44.90 Ac.±
617	MIXED WETLAND HARDWOODS	-	-	0.76 Ac.±	0.76 Ac.±
6179	MIXED WETLAND HARDWOODS, DISTURBED	-	-	0.56 Ac.±	0.56 Ac.±
6179 C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	-	-	0.98 Ac.±	0.98 Ac.±
6219	CYPRESS, DISTURBED	-	-	2.74 Ac.±	2.74 Ac.±
6259	HYDRIC PINE, DISTURBED	-	-	0.09 Ac.±	0.09 Ac.±
6259 C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	-	-	1.15 Ac.±	1.15 Ac.±
6309	MIXED WETLAND FOREST, DISTURBED	-	-	81.39 Ac.±	81.39 Ac.±
6309 C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	-	-	10.35 Ac.±	10.35 Ac.±
641	FRESWATER MARSH	-	-	0.50 Ac.±	0.50 Ac.±
6439	WET PRAIRIE, DISTURBED	-	-	3.76 Ac.±	5.23 Ac.±
832	ELECTRICAL TRANSMISSION LINES	-	-	0.03 Ac.±	0.03 Ac.±
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	-	-	0.07 Ac.±	0.07 Ac.±
	TOTAL	12.59 Ac.±	28.59 Ac.±	259.76 Ac.±	300.94 Ac.±

LEGEND:

- LIMITS OF FLORIDA SCRUB JAY TYPE I HABITATS
- LIMITS OF FLORIDA SCRUB JAY TYPE II HABITATS
- LIMITS OF FLORIDA SCRUB JAY TYPE III HABITATS
- FLORIDA SCRUB JAY MANAGEMENT AREA (64.58 Ac.±)

NOTES:

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

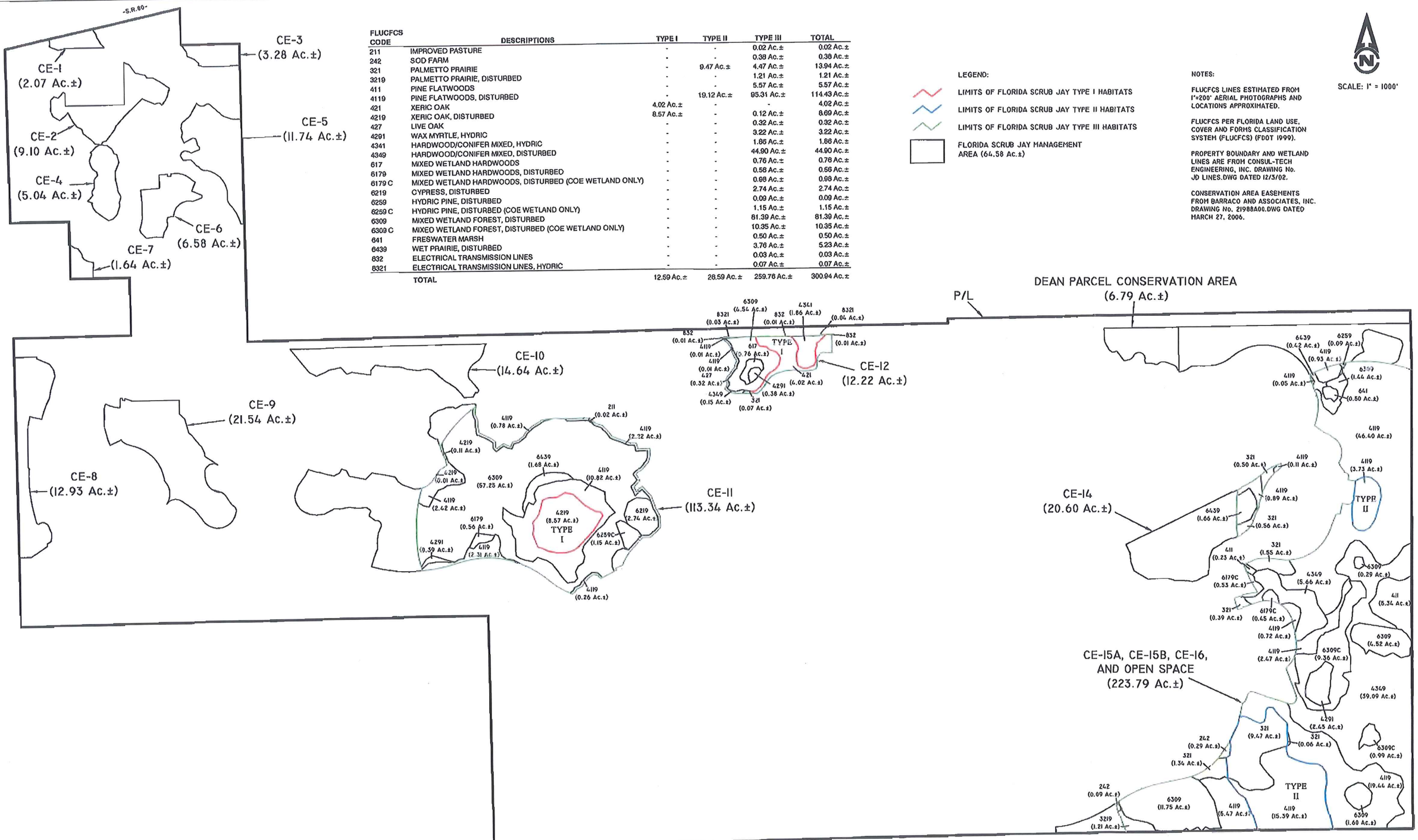
FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/5/02.

CONSERVATION AREA EASEMENTS FROM BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00.DWG DATED MARCH 27, 2006.

N

SCALE: 1" = 1000'



REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	5/10/06	1'=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/10/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/10/06	28,26,27,34,35,36/43/26

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

RIVER HALL
FLORIDA SCRUB JAY MANAGEMENT AREA AND PREFERRED HABITAT TYPES

DRAWING No.: 03PEG931

SHEET No.: FIGURE 6

Conservation areas CE-11, CE-12, CE-15A, and CE-15B will be managed and enhanced per the SFWMD Mitigation Plan and Conservation Easement (INSTR # 5262661) Habitat Management Plan. Additional management activities within the gopher tortoise relocation area will also be managed for the Florida scrub jay (Figure 6). Controlled burns will be conducted to remove excess vegetative growth and nuisance vegetation to open groundcover for scrub jay foraging. Fire management shall consist of 1) a fuel reduction burn between the months of June and February, outside the scrub jay nesting season; 2) a second controlled burn between the months of June and September, one or two years following the initial fuel reduction burn (a summer burn (July and August) is preferred); and 3) subsequent management shall consist of spring or summer burning at five year intervals and/or periodic annual mowing or brush-hogging during the winter months. Any controlled burning shall be conducted by a state certified burn manager to maintain a suitable habitat for the scrub jay and gopher tortoise. Also, selective felling of mid-story hardwood trees may also be implemented at any time within the 64.58± acre preserve to sustain low growing oaks and open ground cover. These habitat management activities will provide suitable Florida scrub jay foraging habitat for existing scrub jay colonies located at the Hickey's Creek Mitigation Park. In addition, indigenous open space contiguous with CE-15A and CE-15B will provide additional foraging grounds.

LandMar Group, LLC will be responsible for the exotic maintenance within the conservation area, which will occur annually, at a minimum, until such time that the homeowner's association takes over the development. The homeowner's association will then be responsible for maintenance of the conservation area. The Florida scrub jay conservation area will be maintained in perpetuity.

VI. WADING BIRD MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential wading bird habitat on the Project.

MANAGEMENT PLAN

Extensive foraging areas will be provided throughout the property through wetland preservation and enhancement. The conservation areas will be maintained per the SFWMD Mitigation Plan. All conservation areas contain wetlands that will serve as potential foraging and nesting habitats for wading birds.

Emergent wetland acres will be increased through the planting of littoral zones in the lakes created as part of the development. Expanded littoral zones will be provided in two draw down pools by adding a ten foot shelf, two feet below control elevation, around the perimeter of the lakes (Figure 5). Invasive exotic removal will result in upland and wetland preserves that are more suitable as foraging habitats, as well as making the wetlands better for roosting.

An additional measure to encourage the continued use of Project by wading birds includes the prohibition of free roaming pets. Free roaming dogs and cats are prohibited by the River Hall homeowner's documents. These prohibitions will initially be enforced by the developer and ultimately by the homeowner's association.

REFERENCES

Diemer, Joan E. 1992. Gopher Tortoise. Pp. 123-127 *in* Rare and Endangered Biota of Florida Amphibians and Reptiles Volume III. (Paul E. Moler, ed.).

Fitzpatrick, J.W., and G.E. Woolfenden. 1998 Components of lifetime reproductive success in the Florida scrub-jay. Pages 305-320 in. T.H. Clutton-Brock, ed. Reproductive success. University of Chicago Press; Chicago, Illinois.

Fitzpatrick, J.W., G.E. Woolfenden.and M.T. Kopeny. 1991. Ecology and development-related habitat requirements of the Florida scurb-jay (Aphelocoma coerulescens coerulescens). Florida Game and Freshwater Fish Comm. Nongame Wildlife Program Technical Report Number 8. Tallahassee, Florida.

Fleischer, A.L., Jr. 1996. Pre-breeding time budgets of female Florida scrub-jays in natural and surburban habitats. Abstract, Archbold biological Station 1996 Symposium. 12 September, 1996. Lake Placed, Florida.

Hipes, Dave *et al.* 2001. Field Guide to the Rare Animals of Florida. Florida Natural Areas Inventory. Tallahassee, FL.

Mumme, R.L. 1992. Do helpers increase reproductive success? An experimental analysis in the Florida scrub-jay. Behavioral Ecology and Sociobiology 31:319-328.

Nesbit, Stephen A. 1996. Florida Sandhill Crane. Pp. 219-229 *in* Rare and Endangered Biota of Florida Birds Volume V. (James A. Rodgers, Jr., Herbert W. Kale II, and Henry T. Smith, eds.).

Passarella and Associates, Inc. 2004a. Hawk's Haven 140± Acre and 7.5± Acre Addition Lee County Protected Species Survey.

Passarella and Associates, Inc. 2004b. Hawk's Haven Phase 1 Lee County Protected Species Survey.

Passarella and Associates, Inc. 2004c. Hawk's Haven Lee County Protected Species Survey.

References (Continued)

Passarella and Associates, Inc. 2005. 30± Acre Dean Parcel Lee County Protected Species Survey.

Stys, Beth. 1997. Ecology of the Florida Sandhill Crane. Florida Game and Fresh Water Fish Commission, Nongame Wildlife Program Technical Report No. 15. Tallahassee, FL. 20 pp.

U.S. Fish and Wildlife Service. 2002. Draft Standard Local Operating Procedures for Endangered Species Florida Scrub Jay. South Florida Ecological Services Office.

Wood, Don A. 2001. Florida's Fragile Wildlife Conservation and Management. University Press of Florida. Gainesville, FL.

Woolfenden, G.E. 1974. Nesting and survival in a population of Florida scrub-jays. Living Brid 12:25-49.

Woolfenden, G.E. 1978. Growth and survival of young Florida scrub-jays. Wilson Bulletin 90"1-18.

Woolfenden, G.E. and J.W. Fitzpatrick. 1984. The Florida scrub-jays. Demography of a cooperative-breeding bird. Princeton University Press, Princeton, New Jersey.

Woolfenden, G.E., and J.W. Fitzpatrick. 1990. Florida scrub-jays: A synopsis after 18 years of study. Pages 241-266 in P.B. Stacey, and W.B. Koenig, cds. Cooerative breeding in birds. Cambridge University Press.

Woolfenden and Fitzpatrick 1996a. Florida scrub-jay. Pages 267-280 in J.A. Rodgers, H.W. Kale, and H.T. Smith, eds. Rare and Endangered Biota of Florida, Volume V. Birds. University Presses of Florida; Gainseville, Florida.

Woolfenden and Fitzpatrick. 1996b. Florida scrub-jay. Pages 1-27 in A. Poole and F. Gill, eds. The birds of North America, No. 228. The academy of Natural Sciences, Philadelphia, and The American Ornithologists' Union; Washington, D.C.

EXHIBIT A

FLUCFCS ACREAGE SUMMARY

EXHIBIT A. FLUCFCS Acreage Summary

FLUCFCS Code	Description	CE-1	CE-2	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8	CE-9	CE-10	CE-11	CE-12	CE-14	CE-15A	CE-15B	CE-16	Dean Parcel Wetlands	Indigenous Open Space	Total
211	Improved Pasture											0.02							0.04	0.06
242	Sod Farm													0.55		0.29	0.15			0.99
3209	Shrub and Brushland, Disturbed								0.64	6.60										7.24
321	Palmetto Prairie					0.28	2.12						0.07	2.11		7.36	0.06		5.50	17.50
3219	Palmetto Prairie, Disturbed																4.28			4.28
411	Pine Flatwoods		0.69											0.14		5.88			2.69	9.40
4119	Pine Flatwoods, Disturbed	0.16	0.80		2.07			0.29	3.72	2.81	2.72	20.75	0.02	6.51	21.57	43.13	0.66		46.87	152.08
421	Xeric Oak		1.37										4.02							5.39
4219	Xeric Oak, Disturbed											9.47								9.47
422	Brazilian Pepper								0.64			0.20								0.84
4221	Brazilian Pepper, Hydric								1.74	0.03										1.77
427	Live Oak					1.06							0.32						0.33	1.71
4289	Cabbage Palm, Disturbed										4.55									4.55
429	Wax Myrtle								0.01	1.49										1.50
4291	Wax Myrtle, Hydric									5.84		0.40	0.38	1.74	0.74	2.45				11.55
434	Hardwood/Conifer Mixed			1.37		4.33	0.28													5.98
4341	Hardwood/Conifer Mixed, Hydric												1.86							1.86
4349	Hardwood/Conifer Mixed, Disturbed										1.63	0.89	0.15			36.49			8.34	47.50
514	Ditch																	0.01		0.01
617	Mixed Wetland Hardwoods	1.77	1.77			2.08							0.76					2.31		8.69
6179	Mixed Wetland Hardwoods, Disturbed											0.56		1.92						2.48
6179 C	Mixed Wetland Hardwoods, Disturbed (Coe Wetland Only)															2.01				2.01
618	Popash and Willow											0.44								0.44
621	Cypress		3.98			1.73														5.71
6219	Cypress, Disturbed			1.10	2.97		4.02		2.68			2.74								13.51
625	Hydric Pine																	1.82		1.82
6259	Hydric Pine, Disturbed									1.00				0.09	1.72					2.81
6259 C	Hydric Pine, Disturbed (Coe Wetland Only)											1.15								1.15
630	Mixed Wetland Forest					1.37				0.52										1.89
6309	Mixed Wetland Forest, Disturbed			0.81				1.35	3.19		5.55	74.90	4.54		1.44	6.14	11.75		0.27	109.94
6309 C	Mixed Wetland Forest, Disturbed (Coe Wetland Only)															10.35				10.35
641	Freswater Marsh									1.05				1.50	0.50					3.05
6419	Freswater Marsh, Disturbed								0.31	2.05		0.02								2.38
6439	Wet Prairie, Disturbed											1.68		6.04	5.23					5.23
740	Disturbed Land	0.14	0.49			0.89	0.16			0.15		0.12							0.05	2.00
832	Electrical Transmission Lines										0.19		0.03		0.11					0.33
8321	Electrical Transmission Lines, Hydric												0.07		0.04					0.11
TOTAL		**2.07**	**9.10**	**3.28**	**5.04**	**11.74**	**6.58**	**1.64**	**12.93**	**21.54**	**14.64**	**113.34**	**12.22**	**20.60**	**31.35**	**114.10**	**16.90**	**4.14**	**64.09**	**465.30**

EXHIBIT B

SFWMD MITIGATION AND MONITORING PLAN

Mitigation Plan

(Revised 5/17/01)

Upland and Wetland Enhancement and Preservation

Management and monitoring of upland and wetland preserve areas will follow the same general criteria for exotic species control and monitoring as provided in the Wetland Enhancement and Preservation Specifications enclosed herein. Protected Management Plans approved by Lee County and the Florida Fish and Wildlife Conservation Commission (FWC) will be implemented, where appropriate. The gopher tortoise preserve and other upland conservation areas will be managed in accordance with the guidelines provided in Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations Found on Lands Slated For Large-Scale Development In Florida, Nongame Wildlife Program Technical Report No. 4, FGFWFC, 1987 and Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay (*Aphelocoma coerulescens coerulescens,),* Nongame Wildlife Program Technical Report No. 8, FGFWFC, 1991.

Conservation easements will be provided for all upland and wetland preservation areas, granted either to Lee County or to the FWC, with third party enforcement rights granted to the South Florida Water Management District.

Monitoring And Maintenance Schedule

Mitigation monitoring and maintenance schedule is based on an anticipated permit issuance date of June 14, 2001. It is acknowledged that a permit modification is required to revise this activity schedule.

	Completion Date	Activity
	August 1, 2001	Baseline Monitoring Report
	July 1, 2002	Exotic eradication, planting, and earthwork
	July 15, 2002	As-built Survey (at earthwork locations)
1st Year	August 1, 2002	Time Zero Monitoring Report & Submittal
	November 1, 2002	First Quarterly Monitoring
	February 1, 2003	Second Quarterly Monitoring
	May 1, 2003	Third Quarterly Monitoring
	August 1, 2003	Fourth Quarterly Monitoring Report & Submittal
2nd Year	November 1, 2003	Fifth Quarterly Monitoring
	February 1, 2004	Sixth Quarterly Monitoring
	May 1, 2004	Seventh Quarterly Monitoring
	August 1, 2004	Eight Quarterly Monitoring Report & Submittal
3rd Year	February 1, 2005	First Bi-Annual Monitoring
	August 1, 2005	Second Bi-Annual Monitoring & Submittal
4th Year	February 1, 2006	First Bi-Annual Monitoring
	August 1, 2006	Fourth Bi-Annual Monitoring & Submittal
5th Year	February 1, 2007	Sixth Bi-Annual Monitoring
	August 1, 2007	Seventh Bi-Annual Monitoring & Submittal

APPLICATION NUMBER

991012-3

ADMINISTRATIVE REVIEW

EXHIBIT 25A

Wetland Enhancement and Preservation Specifications

1. The objective of the mitigation effort is to establish and maintain a diversity of native floral species. The potential establishment of a monoculture will be monitored and controlled, as needed. Therefore, the applicant will ensure 80% coverage by desirable species for the herbaceous marsh, mixed hardwood, and cypress communities, to include the three stratum combined, through the duration of the monitoring period. The coverage success criteria will be achieved within 2 years of project completion and will be evaluated each year as follows: (a) first year - 30 percent coverage required; (b) second year - 80 percent coverage required. Eighty percent coverage will be present at the end of the 2-year period except where species composition, density of planted and recruited species and overall wetland condition, growth rates, and viability of the area are of higher quality, as determined by the regulatory agency. Planting to achieve 80-percent coverage of desirable plant species will be undertaken as necessary.

2. All exotic vegetation, as currently defined in the Florida Exotic Pest Council, shall be removed during maintenance events throughout the five year monitoring program and nuisance vegetation coverage will not exceed 5-percent coverage. Exotic and undesirable species include:

Scientific Name	Common Name
Typha spp.	Cattail
Ludwigia peruviana	Primrose willow
Panicum repens	Torpedograss
Bishofia javanica	Bishofia
Cestrum diurmum	Day jasmine
Hisbiscus tiliaceus	Mahoe
Colocasia esculenta	Elephant, wild taro
Phragmites ausiralis	Common reed

Scientific Name	Common Name
Malalecua quinquenervia	Malaleuca
Casuarina equiselifolla	Australian pine
Schinus terebinthifolius	Brazilian pepper

ADDL/REVISED SUBMITTAL
MAY 2 1 2001
FORT MYERS SERVICE CENTER

3. A maintenance program for the mitigation area will be implemented by the property owner to ensure its perpetual ecological integrity and viability subsequent to the successful completion of the initial five year monitoring program. Maintenance shall be conducted in perpetuity to ensure that the areas are free from exotic vegetation (as currently defined by the Florida Exotic Pest Plant Council). Exotic /nuisance species shall constitute no more than five (5) percent of the total vegetative cover between maintenance activities.

4. Monitoring and maintenance specifications are outlined in paragraphs a-d below:

   a. Upon completion of the mitigation construction, the following documentation shall be submitted to the regulatory agency: (a.) certification of elevations in relation to design, and (b) the time zero monitoring report. This documentation will be submitted within 30 days of completion of the improvements. Staff gauge readings will be taken every two weeks for the first year of monitoring and taken every month for years 2 through 5.

   b. Narrative reports will also be submitted for five years and shall include the data, time, exact locations of monitoring, person responsible for monitoring results, photographs taken for the same permanent stations (photography shall be sufficient to reflect the entire restoration area), and a description of problems encountered and solutions undertaken. Photographs will be taken at each station marked on the plans.

APPLICATION NUMBER
991012-3

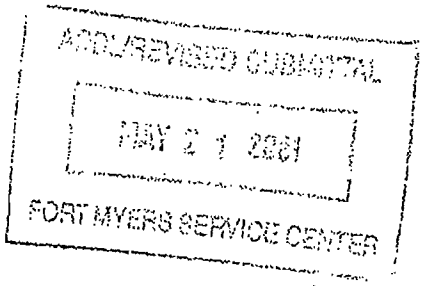
EXHIBIT 25B

Quarterly monitoring will be performed for the first year. Bi-annual monitoring (i.e. twice per year) will occur for the third, fourth, and fifth years.

c. Vegetation quadrat analysis by visual inspection will be performed at sampling stations. Date collected at each station and provided in each report will include dominant, subdominant, and frequently occurring plant species and their associated percent (%) aerial coverage (including Nuisance and exotic species), approximate water depth (staff gauge readings at appropriate stations, and wildlife observations.

d. Water level monitoring within wetlands will occur monthly, except for July, August, and September, in which it will occur twice a month.

5. Slit screens, hay bales or other such sediment control measures shall be utilized during construction of the mitigation area (s). The selected sediment control measures shall be installed landward of the wetland mitigation area (s). Construction areas shall be stabilized and vegetated immediately after completion to prevent erosion into the wetlands.



APPLICATION NUMBER
991012-3

EXHIBIT 25C

EXHIBIT C

CONSERVATION EASEMENT INSTR # 5245223

INSTR # 5245223
OR BK 03492 PG 0568
RECORDED 09/27/01 03:40 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 289.50
DOC TAX PD(F.S.201.02) 0.70
DEPUTY CLERK C Keller

This Instrument Prepared By:
George L. Consoer, Jr., Esq.
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, FL 33901

CONSERVATION EASEMENT
(Passive with Third Party Enforcement Rights)

(64)

THIS DEED OF CONSERVATION EASEMENT is given this 24 day of September, 2001, by FC Hawks Haven, Inc., a Florida Corporation, whose address is 5307 Fox Hunt, Wesley Chapel, Florida 33543, ("Grantor") to Lee County, a Political Subdivision, ("Grantee"), whose address is P.O. Box 398, Fort Myers, Florida 33902-0398, with third party enforcement rights to the South Florida Water Management District ("District"), whose address is 2301 McGregor Boulevard, Fort Myers, Florida 33901. As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as herinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in Lee County, Florida, and more specifically described in composite Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct a residential subdivision ("Project") at a site in Lee County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

WHEREAS, District Permit No. 36-04006-P ("Permit") authorizes certain activities which affect surface waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve and/or mitigate wetlands under the District's jurisdiction; and

WHEREAS, the Grantor has developed and proposed as part of the permit conditions a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes (2001), over the Property which includes third party enforcement rights for the District.

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to District in issuing the Permit, together with other good and valuable consideration, the adequacy and receipt which is hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual non-exclusive Conservation Easement for and in favor of the Grantee upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature and character of this Conservation Easement shall be as follows:

1. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the Conservation Easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the

Permit.

To carry out this purpose, the following rights are conveyed to the Grantee and the District by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

2. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, which are permitted or required by the Permit, the following activities are prohibited in or on the Property:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

3. Passive Recreational Facilities. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the District.

a. The Grantor may conduct limited land cleaning for the purpose of construction such pervious facilities as docks, boardwalks or mulched walking trails. Grantor shall submit plans for the construction of the proposed facilities to the District for review and written approval prior to construction.

b. The construction and use of the approved passive recreational facilities

shall be subject to the following conditions:

i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement Area and shall avoid materially diverting the direction of the natural surface water flow in such area;

ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;

iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;

iv. This Conservation Easement shall not constitute permit authorization for the constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.

4. No right to access by the general public to any portion of the Property is conveyed by this Conservation Easement.

5. Neither the Grantee nor the District shall be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Property.

7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this Conservation Easement shall be borne by and recoverable against the non-prevailing party in such proceedings.

8. The District shall have third party enforcement rights of the terms, provisions and restrictions of this Conservation Easement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the discretion of Grantee, or the District, and any forbearance on behalf of Grantee or the District to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's or Districts rights hereunder.

9. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not hold assign its rights and obligations under this Conservation Easement except to another organization determined in advance by the District to be qualified to hold such interests under the applicable state laws. No assignment or conveyance of the Conservation Easement shall be made unless prior written approval is given by the District to the Grantee.

10. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

12. The terms, conditions, restrictions and purpose of this Conservation Easement shall

be referred to by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement and the third party enforcement rights of the south Florida Water Management District.

13. Any amendments or modifications to the terms, conditions, restrictions, or purpose of this Conservation Easement, or any release or termination thereof, shall be subject to prior review and written approval by the District. The District shall be provided no less than 90 days advanced notice in the manner described herein of any such proposed amendment, modification, termination or release. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto and the District or their heirs, assigns or successors in interest, which shall be filed in the Public Records of Lee County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purpose imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement and all mortgages and liens have been subordinated to this Conservation Easement; that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and defends the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set its authorized hand this 24 day of September, 2001.

Signed, Sealed and Delivered
in our presence as witnesses:

GRANTOR

Janice L. Patsolic
1st Witness
JANICE L. PATSOLIC
Printed Name

Darcy Oas
2nd Witness
DARCY OAS
Printed Name

FC HAWKS HAVEN, INC.,
a Florida Corporation

By: Robert F. Monchein
Its VICE President
Printed Name: ROBERT F. MONCHEIN

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

On this 24TH day of SEPTEMBER, 2001, before me, the undersigned notary public, personally appeared ROBERT F. MONCHEIN, VICE President of FC Hawks Haven, Inc., who is personally known to me ~~or who has produced~~ _____ ~~as identification.~~

MY COMMISSION EXPIRES:

Janice L. Patsolic
Notary Public
Print Name: JANICE L. PATSOLIC, Notary Public
STATE OF OHIO
My Commission Expires Jan. 27, 2005
(Recorded in Cuyahoga County)

G:\GLC\Hawks Haven\passive easement 32901.wpd

Exhibit A

OR BK 03492 PG 0573

CONSUL-TECH ENGINEERING, INC.

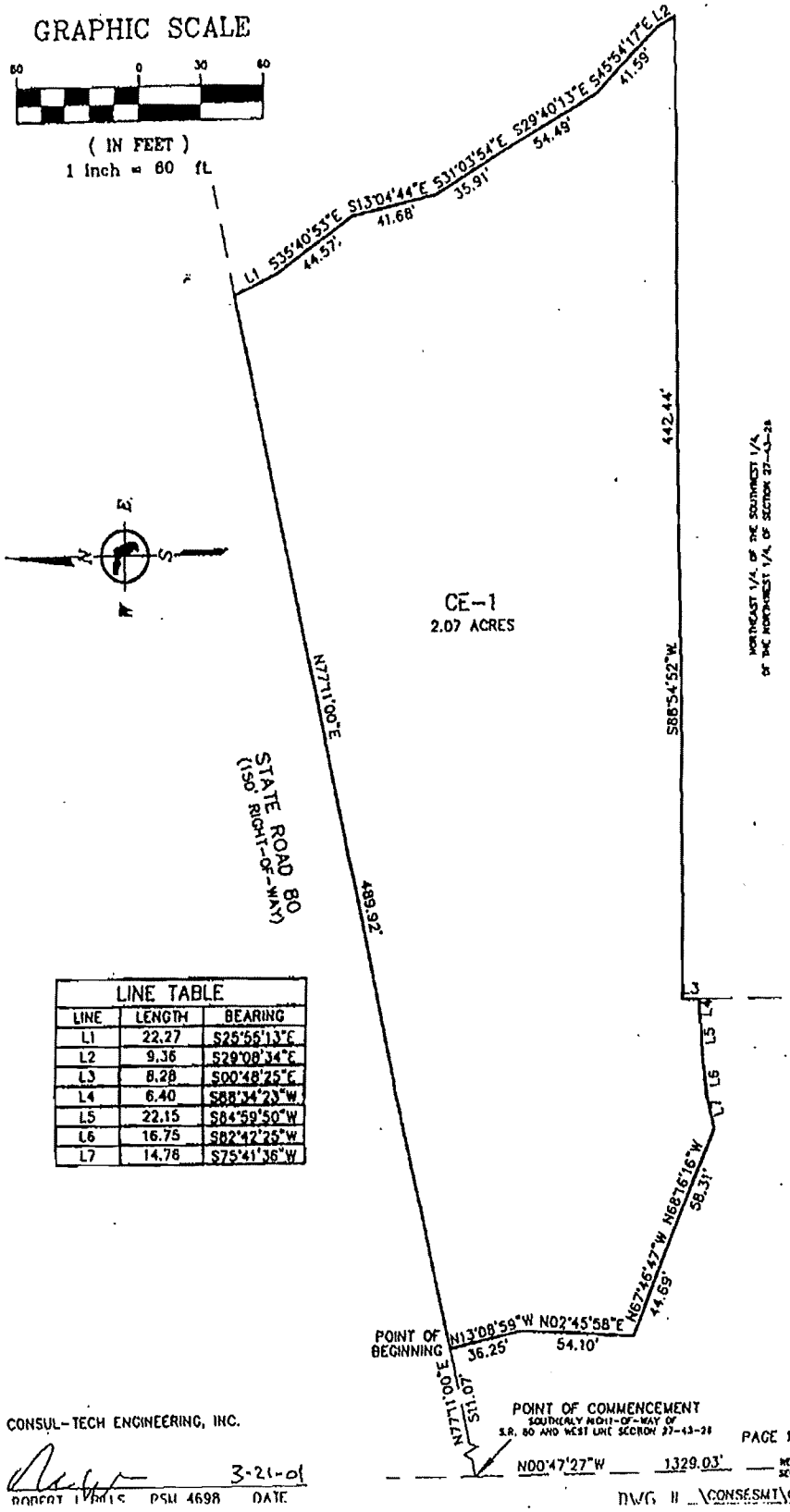
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

GRAPHIC SCALE

60 0 30 60

(IN FEET)
1 inch = 60 ft.



LINE TABLE		
LINE	LENGTH	BEARING
L1	22.27	S25°55'13"E
L2	9.36	S29°08'34"E
L3	8.28	S00°48'25"E
L4	6.40	S88°34'23"W
L5	22.15	S84°59'50"W
L6	16.75	S82°42'25"W
L7	14.78	S75°41'36"W

CONSUL-TECH ENGINEERING, INC.

3-21-01
ROBERT L. PHILLIPS PSM 4698 DATE

DWG # \CONSE\MT\CE-01.DWG

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4100
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE NORTHWEST ¼ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #1)

Commencing at the intersection of the south right-of-way line of S.R. 80 and the west line of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along said south right-of-way line, North 77°11'00"East 511.07 feet to the Point of Beginning of the easement herein described:

Thence continuing along said south right-of-way line, North 77°11'00" East 489.92 feet;
Thence leaving said right-of-way line, South 25°55'13" East 22.27 feet;
Thence South 35°40'53" East 44.57 feet;
Thence South 13°04'44" East 41.68 feet;
Thence South 31°03'54" East 35.91 feet;
Thence South 29°40'13" East 54.49 feet;
Thence South 45°54'17" East 41.59 feet;
Thence South 29°08'34" East 9.36 feet;
Thence South 88°54'52" West 442.44 feet;
Thence South 00°48'25" East 8.28 feet;
Thence South 88°34'23" West 6.40 feet;
Thence South 84°59'50" West 22.15 feet;
Thence South 82°42'25" West 16.75 feet;
Thence South 75°41'36" West 14.76 feet;
Thence North 68°16'16" West 58.31 feet;
Thence North 67°46'47" West 44.69 feet;
Thence North 02°45'58" East 54.10 feet;
Thence North 13°08'59" West 36.25 feet to the south right-of-way line of SR 80 and the Point of Beginning;

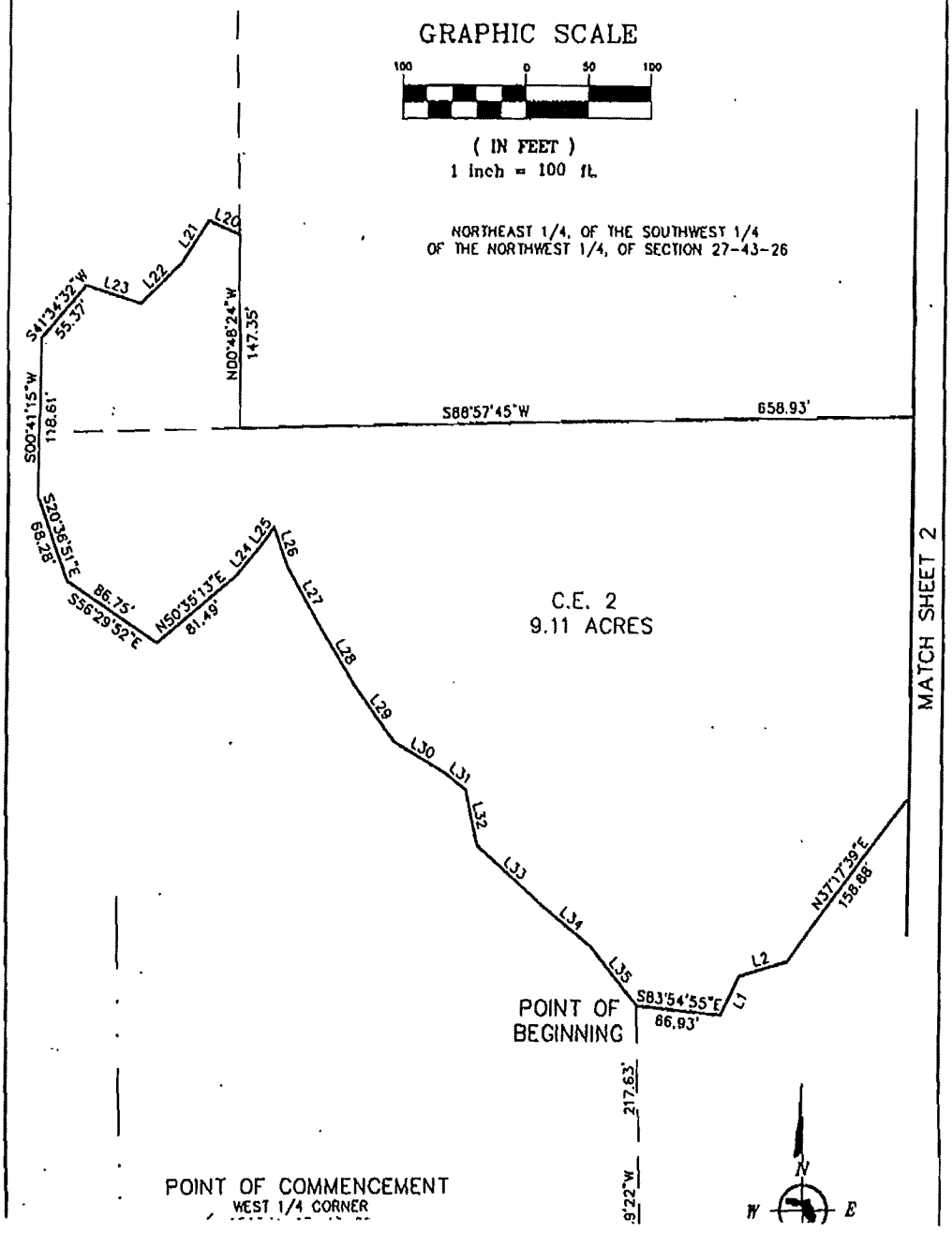
Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 2.07 acres more or less.

Date: August 10, 1999

OR BK 03492 PG 0574

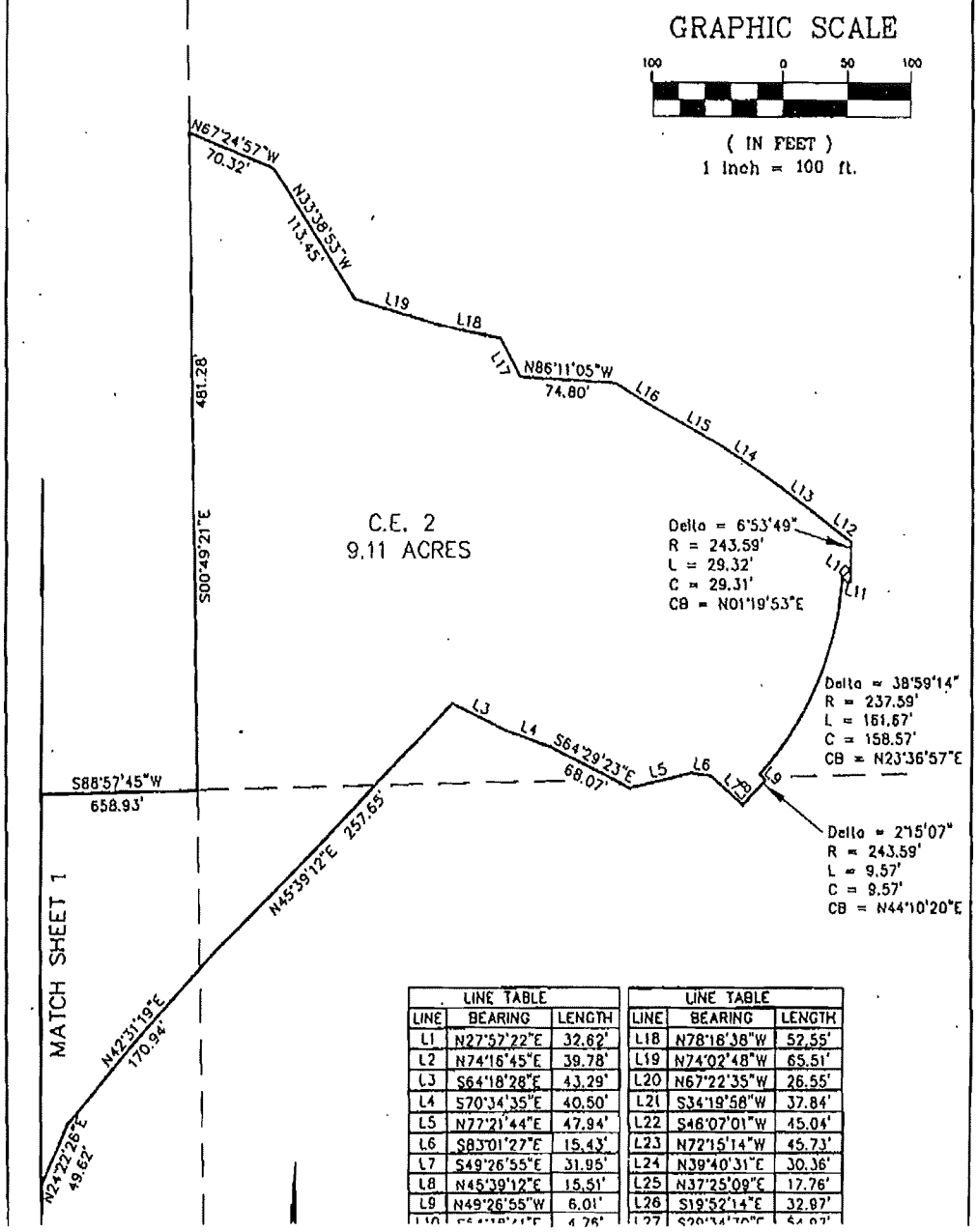
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



LINE TABLE		
LINE	BEARING	LENGTH
L1	N27°52'22"E	32.62'
L2	N74°16'45"E	39.78'
L3	S64°18'28"E	43.29'
L4	S70°34'35"E	40.50'
L5	N77°21'44"E	47.94'
L6	S83°01'27"E	15.43'
L7	S49°26'55"E	31.95'
L8	N45°39'12"E	15.51'
L9	N49°26'55"W	6.01'
L10	[illegible]	4.76'

LINE TABLE		
LINE	BEARING	LENGTH
L18	N78°16'38"W	52.55'
L19	N74°02'48"W	65.51'
L20	N67°22'35"W	26.55'
L21	S34°19'58"W	37.84'
L22	S46°07'01"W	45.04'
L23	N72°15'14"W	45.73'
L24	N39°40'31"E	30.36'
L25	N37°25'09"E	17.76'
L26	S19°52'14"E	32.97'
L27	S29°34'20"E	54.97'

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE NORTH ½ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #2)

Commencing at the west ¼ corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the east-west ¼ section line, North 89°00'38" East 973.56 feet; thence leaving said ¼ section line, North 00°59'22" West 217.63 feet to the Point of Beginning of the easement herein described:

Thence South 83°54'55" East 66.93 feet;
Thence North 27°57'22" East 32.62 feet;
Thence North 74°16'45" East 39.78 feet;
Thence North 37°17'39" East 158.88 feet;
Thence North 24°22'26" East 49.62 feet;
Thence North 42°31'19" East 170.94 feet;
Thence North 45°39'12" East 257.65 feet;
Thence South 64°18'28" East 43.29 feet;
Thence South 70°34'35" East 40.50 feet;
Thence South 64°29'23" East 68.07 feet;
Thence North 77°21'44" East 47.94 feet;
Thence South 83°01' 27" East 15.43 feet;
Thence South 49°26'55" East 31.95 feet;
Thence North 45°39'12" East 15.51 feet;
Thence 9.57 feet along the arc of a circular curve concave northwesterly, having a radius of 243.59 feet, through a central angle of 02°15'07" and being subtended by a chord which bears North 44°10'20" East 9.57 feet;
Thence North 49°26'55" West 6.01 feet;
Thence 161.67 feet along the arc of a circular curve concave northwesterly, having a radius of 237.59 feet, through a central angle of 38°59'14" and being subtended by a chord which bears North 23°36'57" East 158.57 feet;
Thence South 54°38'41" East 4.76 feet;
Thence South 76°07'03" East 1.94 feet;
Thence 29.32 feet along the arc of a circular curve concave northwesterly, having a radius of 243.59 feet, through a central angle of 06°53'49" and being subtended by a chord which bears North 01°19'53" East 29.31 feet;
Thence North 54°38'41" West 20.18 feet;
Thence North 54°38'38" West 62.62 feet;
Thence North 56°19'52" West 41.82 feet;
Thence North 60°57'39" West 41.20 feet;

OR BK 03452 PG 0577

Thence North 58°35'30" West 49.86 feet;
Thence North 86°11'05" West 74.80 feet;
Thence North 28°14'11" West 31.90 feet;
Thence North 78°18'38" West 52.55 feet;
Thence North 74°02'48" West 65.51 feet;
Thence North 33°38'53" West 113.45 feet;
Thence North 67°24'57" West 70.32 feet;
Thence South 00°49'21" East 481.28 feet;
Thence South 88°57'45" West 658.93 feet;
Thence North 00°48'24" West 147.35 feet;
Thence North 67°22'35" West 26.55 feet;
Thence South 34°19'58" West 37.84 feet;
Thence South 46°07'01" West 45.04 feet;
Thence North 72°15'14" West 45.73 feet;
Thence South 41°34'32" West 55.37 feet;
Thence South 00°41'15" West 118.61 feet;
Thence South 20°36'51" East 68.28 feet;
Thence South 56°29'52" East 86.75 feet;
Thence North 50°35'13" East 81.49 feet;
Thence North 39°40'31" East 30.36 feet;
Thence North 37°25'09" East 17.76 feet;
Thence South 19°52'14" East 32.97 feet;
Thence South 29°34'30" East 54.97 feet;
Thence South 31°01'52" East 50.46 feet;
Thence South 37°43'38" East 52.46 feet;
Thence South 61°10'34" East 46.11 feet;
Thence South 53°32'15" East 22.35 feet;
Thence South 12°38'56" East 43.78 feet;
Thence South 48°01'20" East 70.47 feet;
Thence South 51°29'30" East 50.40 feet;
Thence South 40°22'30" East 56.04 feet to the Point of Beginning of the easement herein described;

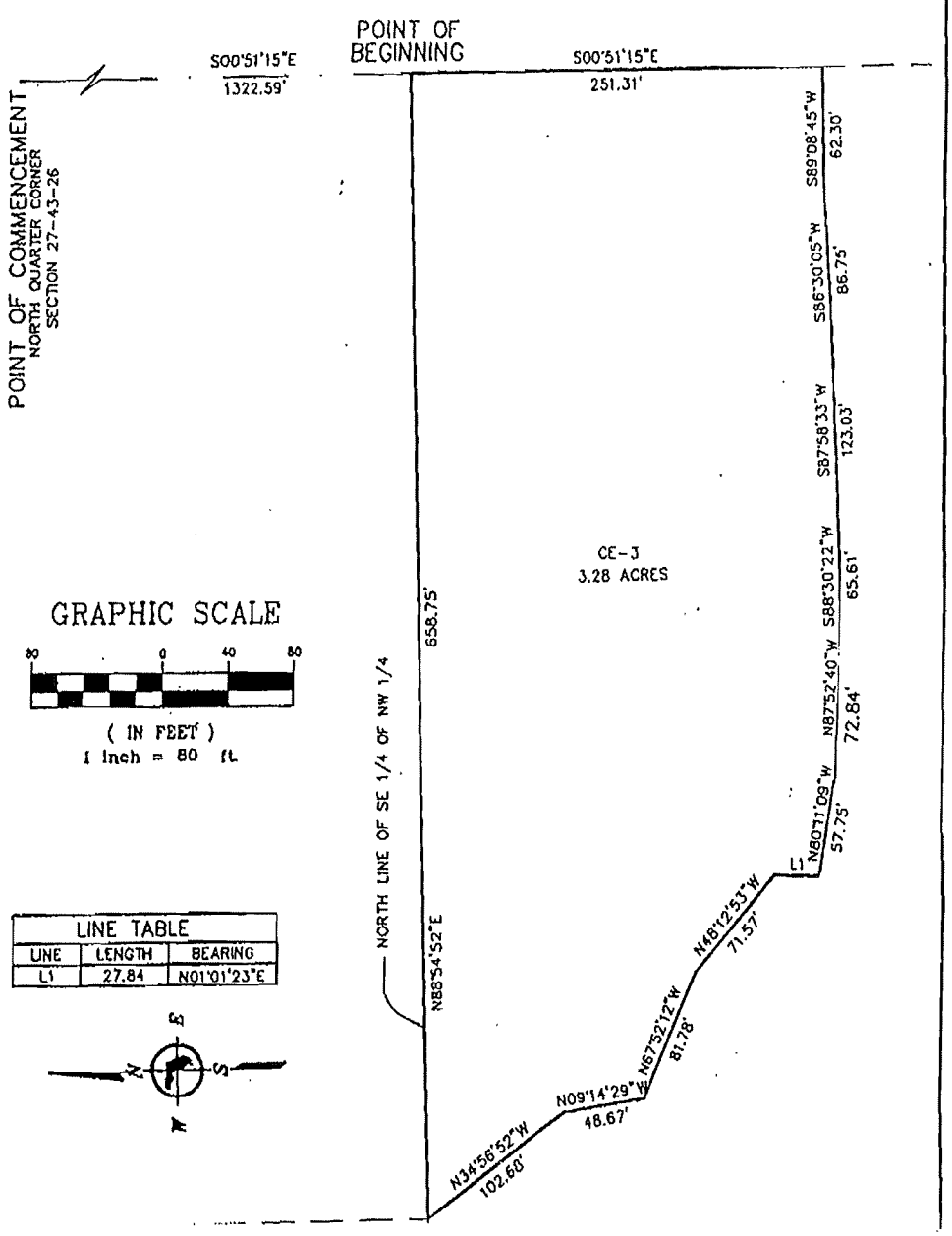
Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 9.11 acres more or less.

Date: March 21, 2001

CONSUL-TECH ENGINEERING, INC.

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE NORTHWEST ¼ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #3)

Commencing at the north ¼ corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north-south ¼ section line, South 00°51'15" East 1322.59 feet to the northeast corner of the southeast ¼ of the northwest ¼ of said Section 27 and the Point of Beginning of the easement herein described:

Thence continuing along said north-south ¼ section line, South 00°51'15" East 251.31 feet;
Thence leaving said north-south ¼ section line, South 89°08'45" West 62.30 feet;
Thence South 86°30'05" West 86.75 feet;
Thence South 87°58'33" West 123.03 feet;
Thence South 88°30'22" West 65.61 feet;
Thence North 87°52'40" West 72.84 feet;
Thence North 80°11'09" West 57.75 feet;
Thence North 01°01'23" East 27.84 feet;
Thence North 48°12'53" West 71.57 feet;
Thence North 67°52'12" West 81.78 feet;
Thence North 09°14'29" West 48.67 feet;
Thence North 34°56'52" West 102.68 feet to the north line of the southeast ¼ of the northwest ¼ of said Section 27;
Thence along said north line, North 88°54'52" East 658.75 feet to the northeast corner of the southeast ¼ of the northwest ¼ of said Section 27 and the Point of Beginning;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 3.28 acres more or less.

Date: March 21, 2001

OR BK 03492 PG 0590

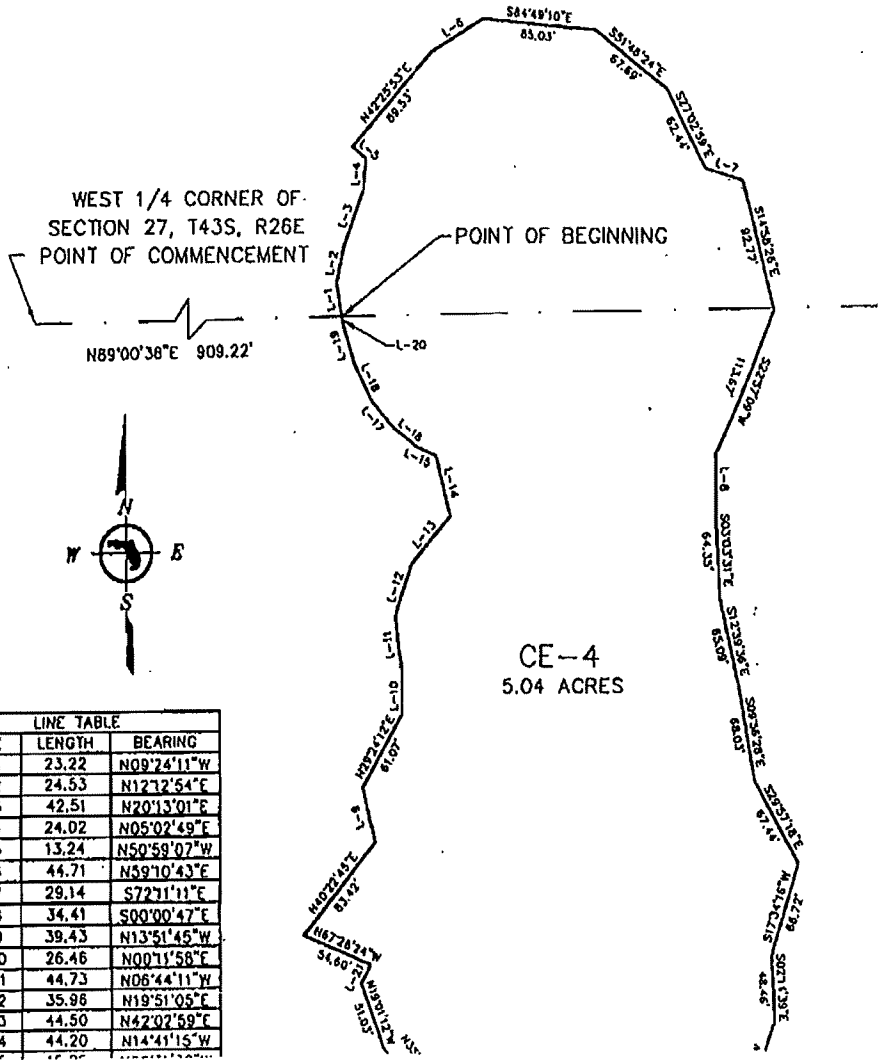
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.



LINE TABLE		
LINE	LENGTH	BEARING
L-1	23.22	N09°24'11"W
L-2	24.53	N12°12'54"E
L-3	42.51	N20°13'01"E
L-4	24.02	N05°02'49"E
L-5	13.24	N50°59'07"W
L-6	44.71	N59°10'43"E
L-7	29.14	S72°11'11"E
L-8	34.41	S00°00'47"E
L-9	39.43	N13°51'45"W
L-10	26.46	N00°11'58"E
L-11	44.73	N06°44'11"W
L-12	35.98	N19°51'05"E
L-13	44.50	N42°02'59"E
L-14	44.20	N14°41'15"W

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4100
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF
SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #4)

Commencing at the west ¼ corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the east-west ¼ section line of said Section 27, North 89°00'38" East 909.22 feet to the Point of Beginning of the easement herein described:

Thence North 09°24'11" West 23.22 feet;
Thence North 12°12'54" East 24.53 feet;
Thence North 20°13'01" East 42.51 feet;
Thence North 05°02'49" East 24.02 feet;
Thence North 50°59'07" West 13.24 feet;
Thence North 42°25'53" East 89.53 feet;
Thence North 59°10'43" East 44.71 feet;
Thence South 84°49'10" East 85.03 feet;
Thence South 51°46'24" East 67.69 feet;
Thence South 27°02'59" East 62.44 feet;
Thence South 72°11'11" East 29.14 feet;
Thence South 14°58'26" East 92.77 feet;
Thence South 22°57'09" West 113.67 feet;
Thence South 00°00'47" East 34.41 feet;
Thence South 03°03'31" East 64.35 feet;
Thence South 12°39'36" East 65.09 feet;
Thence South 09°56'28" East 68.03 feet;
Thence South 29°57'18" East 67.44 feet;
Thence South 17°34'16" West 66.72 feet;
Thence South 02°14'39" East 48.46 feet;
Thence South 17°44'34" West 93.09 feet;
Thence South 41°23'45" West 68.91 feet;
Thence South 71°02'11" West 56.33 feet;
Thence North 56°03'31" West 81.29 feet;
Thence North 51°58'34" West 88.69 feet;
Thence North 35°55'44" West 50.30 feet;
Thence North 19°01'12" West 51.03 feet;
Thence North 28°08'50" East 15.14 feet;
Thence North 67°28'24" West 54.60 feet;
Thence North 40°22'45" East 83.42 feet;
Thence North 13°51'45" West 39.43 feet;
Thence North 29°24'12" East 61.07 feet;

OR BK 03492 PG 0582

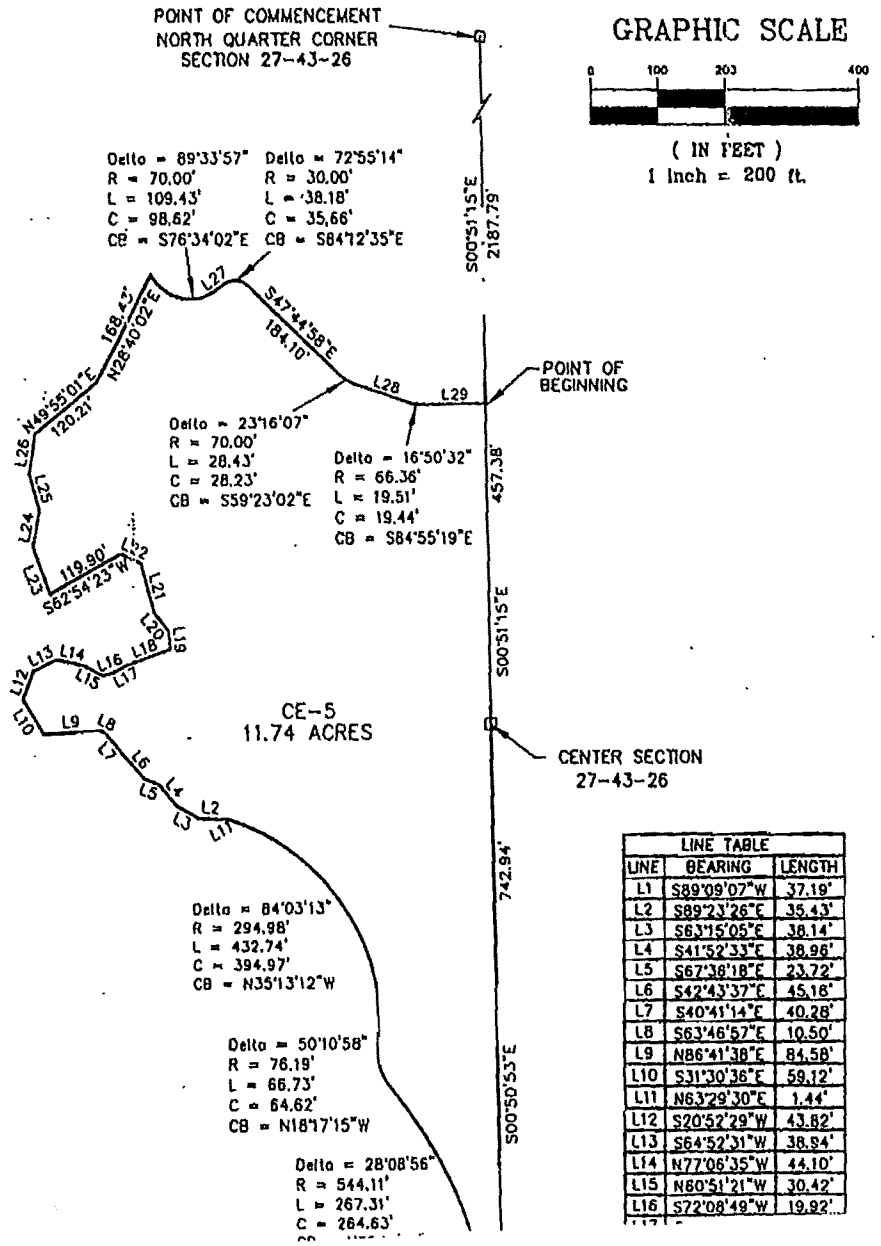
Thence North 00°11'58" East 26.46 feet;
Thence North 06°44'11" West 44.73 feet;
Thence North 19°51'05" East 35.96 feet;
Thence North 42°02'59" East 44.50 feet;
Thence North 14°41'15" West 44.20 feet;
Thence North 66°31'38" West 15.06 feet;
Thence North 51°22'28" West 24.25 feet;
Thence North 39°19'27" West 25.82 feet;
Thence North 26°06'11" West 29.75 feet;
Thence North 17°07'21" West 29.53 feet;
Thence North 09°24'11" West 3.86 feet the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 5.04 acres more or less.

Date: March 23, 2001

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°09'07"W	37.19'
L2	S89°23'26"E	35.43'
L3	S63°15'05"E	38.14'
L4	S41°52'33"E	38.96'
L5	S67°38'18"E	23.72'
L6	S42°43'37"E	45.16'
L7	S40°41'14"E	40.28'
L8	S63°46'57"E	10.50'
L9	N86°41'38"E	84.58'
L10	S31°30'36"E	59.12'
L11	N63°29'30"E	1.44'
L12	S20°52'29"W	43.82'
L13	S64°52'31"W	38.84'
L14	N77°06'35"W	44.10'
L15	N60°51'21"W	30.42'
L16	S72°08'49"W	19.92'

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE WEST ½ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #5)

Commencing at the north ¼ corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north-south ¼ section line, South 00°51'15" East 2187.79 feet to the Point of Beginning of the easement herein described:

Thence continuing along said north-south ¼ section line, South 00°51'15" East 457.38 feet to the center of said Section 27;

Thence continuing along said north-south ¼ section line, South 00°50'53" East 742.94 feet;

Thence leaving said north-south ¼ section line, South 89°09'07" West 37.19 feet;

Thence 267.31 feet along the arc of a circular curve concave southwesterly, having a radius of 544.11 feet, through a central angle of 28°08'56" and being subtended by a chord which bears North 29°19'41" West 264.63 feet;

Thence 66.73 feet along the arc of a circular curve concave northeasterly, having a radius of 76.19 feet, through a central angle of 50°10'58" and being subtended by a chord which bears North 18°17'15" West 64.62 feet;

Thence 432.74 feet along the arc of a circular curve concave southwesterly, having a radius of 294.98 feet, through a central angle of 84°03'13" and being subtended by a chord which bears North 35°13'12" West 394.97 feet;

Thence South 63°29'30" West 1.44 feet;
Thence North 89°23'26" West 35.43 feet;
Thence North 63°15'05" West 38.14 feet;
Thence North 41°52'33" West 38.96 feet;
Thence North 67°36'18" West 23.72 feet;
Thence North 42°43'37" West 45.16 feet;
Thence North 40°41'14" West 40.28 feet;
Thence North 63°46'57" West 10.50 feet;
Thence South 86°41'38" West 84.58 feet;
Thence North 31°30'36" West 59.12 feet;
Thence North 20°52'29" East 43.82 feet;
Thence North 64°52'31" East 38.94 feet;
Thence South 77°06'35" East 44.10 feet;
Thence South 60°51'21" East 30.42 feet;

OR BK 03492 PG 0595

Thence North 72°08'49" East 19.92 feet;
Thence North 61°26'31" East 17.36 feet;
Thence North 70°07'14" East 69.86 feet;
Thence North 03°40'49" West 25.26 feet;
Thence North 40° 08'02" West 34.02 feet;
Thence North 15°30'04" West 72.37 feet;
Thence North 66°05'25" West 32.67 feet;
Thence South 62°54'22" West 119.90 feet;
Thence North 21°20'29" West 68.84 feet;
Thence North 10°53'08" East 52.02 feet;
Thence North 16°25'16" West 53.01 feet;
Thence North 08°34'32" East 59.47 feet;
Thence North 49°55'01" East 120.21 feet;
Thence North 28°40'02" East 168.43 feet;
Thence 109.43 feet along the arc of a circular curve concave northerly, having a radius of 70.00 feet, through a central angle of 89°33'57" and being subtended by a chord which bears South 76°34'02" West 98.62 feet;
Thence 2.66 feet along the arc of a circular curve concave northwesterly, having a radius of 26.40 feet, through a central angle of 05°46'39" and being subtended by a chord which bears North 56°05'55" East 2.66 feet;
Thence North 55°56'07" East 16.37 feet;
Thence 38.18 feet along the arc of a circular curve concave southerly, having a radius of 30.00 feet, through a central angle of 72°55'14" and being subtended by a chord which bears South 84°12'35" East 35.66 feet;
Thence South 47°44'58" East 184.10 feet;
Thence 28.43 feet along the arc of a circular curve concave northeasterly, having a radius of 70.00 feet, through a central angle of 23°16'07" and being subtended by a chord which bears South 59°23'02" West 28.23 feet;
Thence South 71°01'05" East 89.50 feet;
Thence 19.51 feet along the arc of a circular curve concave northerly, having a radius of 66.36 feet, through a central angle of 16°50'32" and being subtended by a chord which bears South 84°55'19" East 19.44 feet;
Thence North 89°08'45" East 93.44 feet to the north-south ¼ section line of said Section 27 and the Point of Beginning of the herein described easement.

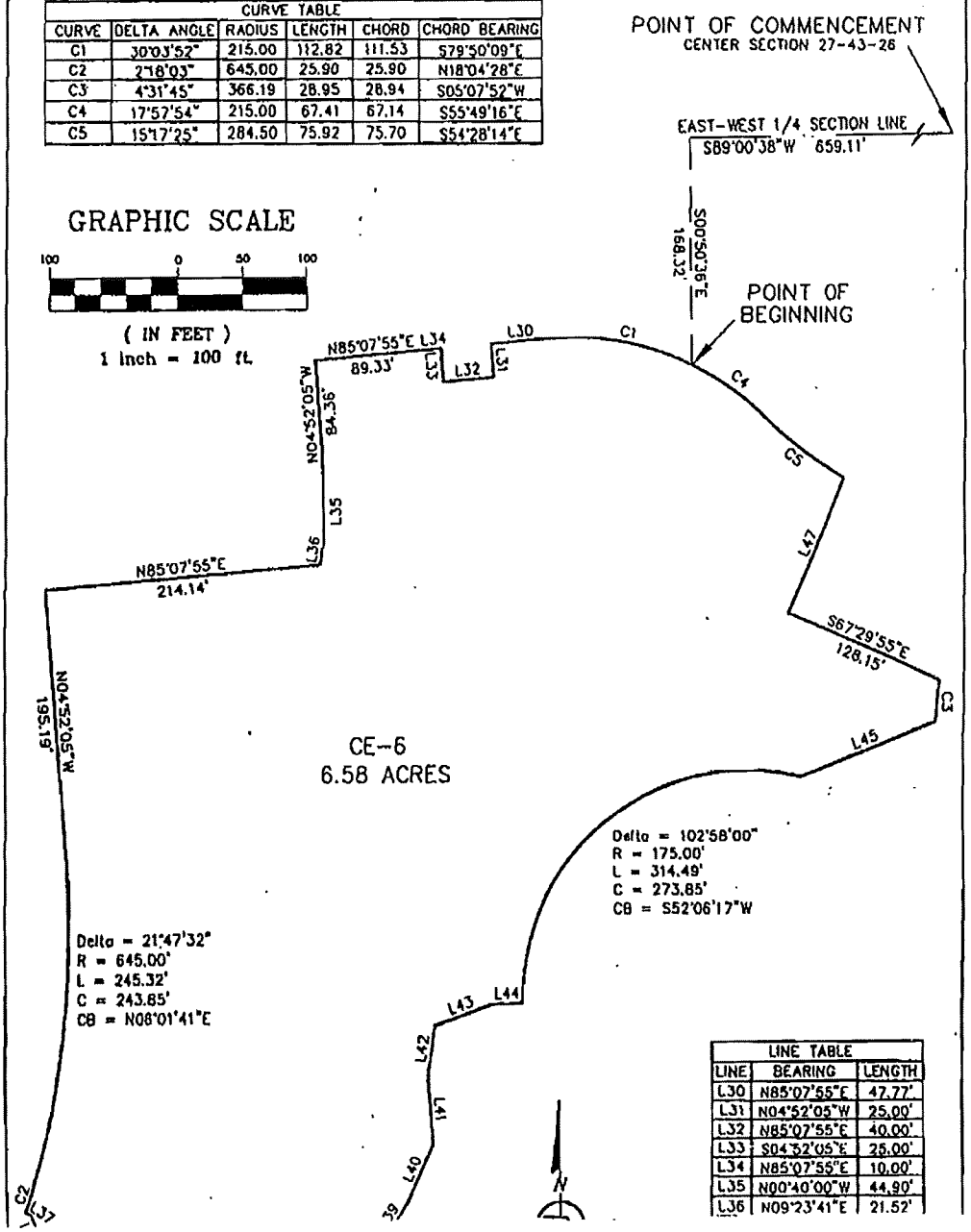
Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 11.74 acres more or less.

Date: March 26, 2001

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	30°03'52"	215.00	112.82	111.53	S79°50'09"E
C2	2°18'03"	645.00	25.90	25.90	N18°04'28"E
C3	4°31'45"	366.19	28.95	28.94	S05°07'52"W
C4	17°57'54"	215.00	67.41	67.14	S55°49'16"E
C5	15°17'25"	284.50	75.92	75.70	S54°28'14"E



LINE TABLE		
LINE	BEARING	LENGTH
L30	N85°07'55"E	47.77'
L31	N04°52'05"W	25.00'
L32	N85°07'55"E	40.00'
L33	S04°52'05"E	25.00'
L34	N85°07'55"E	10.00'
L35	N00°40'00"W	44.90'
L36	N09°23'41"E	21.52'

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #6)

Commencing at the center of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the east-west ¼ section line, South 89°00'38" West 659.11 feet; Thence South 00°50'36" East 168.32 feet to the Point of Beginning of the easement herein described:

Thence 67.41 feet along the arc of a circular curve concave southwesterly, having a radius of 215.00 feet, through a central angle of 17°57'54" and being subtended by a chord which bears South 55°49'16" East 67.14 feet;

Thence 75.92 feet along the arc of a circular curve concave northeasterly, having a radius of 284.50 feet, through a central angle of 15°17'25" and being subtended by a chord which bears South 54°28'14" East 75.70 feet;

Thence South 22°30'05" West 111.26 feet;

Thence South 67°29'55" East 128.15 feet;

Thence 28.95 along the arc of a circular curve concave easterly, having a radius of 366.19 feet, through a central angle of 04°31'45" and being subtended by a chord which bears South 05°07'52" West 28.94 feet;

Thence South 69°32'25" West 112.75 feet;

Thence 314.49 along the arc of a circular curve concave southeasterly, having a radius of 175.00 feet, through a central angle of 102°58'00" and being subtended by a chord which bears South 52°06'17" West 273.85 feet;

Thence South 88°44'37" West 23.42 feet;

Thence South 71°48'10" West 48.67 feet;

Thence South 07°58'14" West 35.55 feet;

Thence South 03°55'00" East 56.03 feet;

Thence South 23°33'09" West 47.94 feet;

Thence South 33°25'28" West 36.18 feet;

Thence South 12°59'12" West 61.88 feet;

Thence North 86°33'39" West 89.92 feet;

Thence South 82°52'59" West 49.35 feet;

Thence South 84°08'01" West 52.11 feet;

OR BK 03492 PG 0588

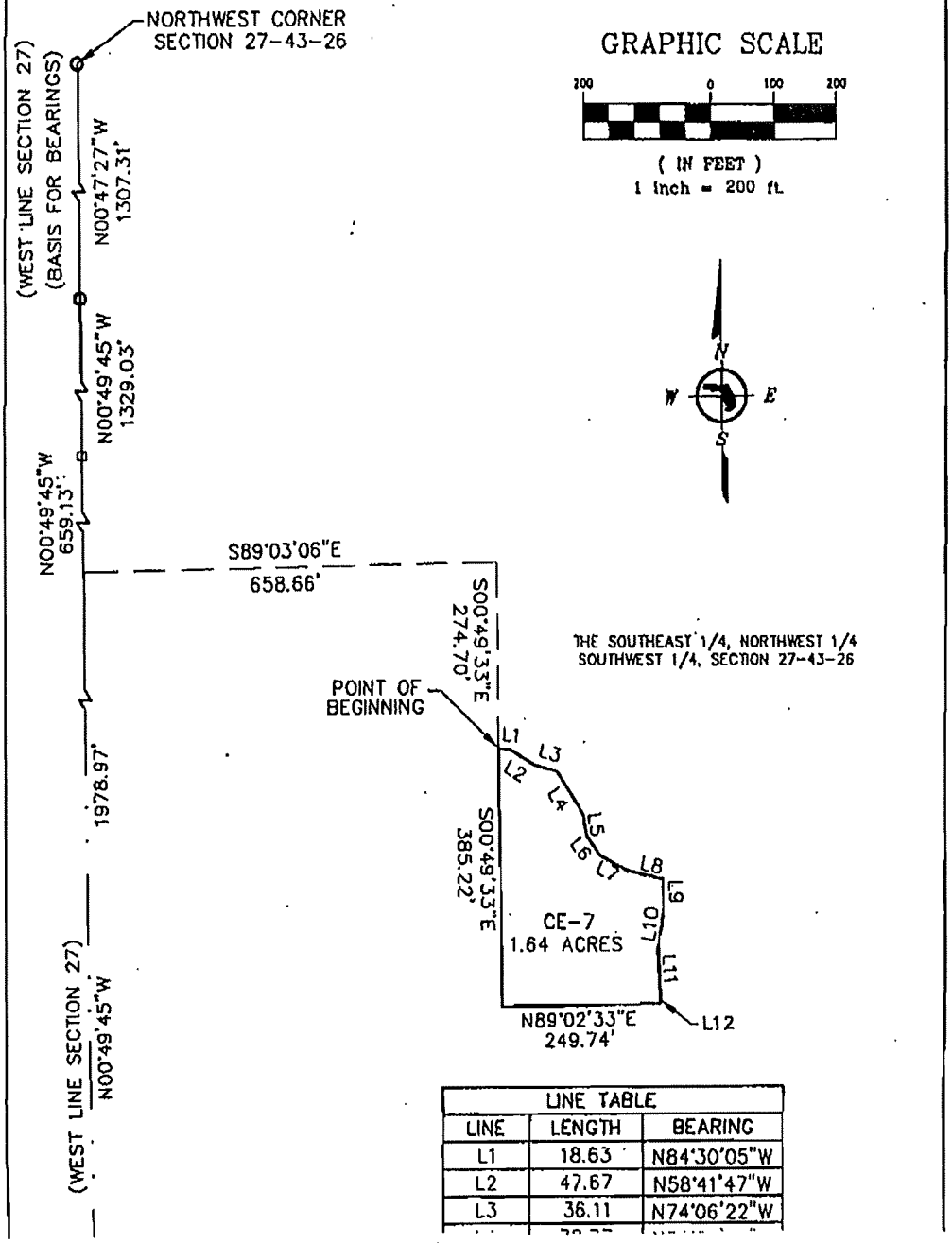
Thence North 44°22'03" West 89.18 feet;
Thence North 22°03'25" West 26.30 feet;
Thence North 56°46'20" West 5.45 feet;
Thence 25.90 feet along the arc of a circular curve concave southeasterly, having a radius of 645.00 feet, through a central angle of 02°18'03" and being subtended by a chord which bears North 18°04'28" East 25.90 feet;
Thence 245.32 feet along the arc of a circular curve concave westerly, having a radius of 645.00 feet, through a central angle of 21°47'32" and being subtended by a chord which bears North 06°01'41" East 243.85 feet;
Thence North 04°52'05" West 195.19 feet;
Thence North 85°07'55" East 214.14 feet;
Thence North 09°23'41" East 21.52 feet;
Thence North 00°40'00" West 44.90 feet;
Thence North 04°52'05" West 84.36 feet;
Thence North 85°07'55" East 89.33 feet;
Thence North 85°07'55" East 10.00 feet;
Thence South 04°52'05" East 25.00 feet;
Thence North 85°07'55" East 40.00 feet;
Thence North 04°52'05" West 25.00 feet;
Thence North 85°07'55" East 47.77 feet;
Thence 112.82 feet along the arc of a curve concave southwesterly, having a radius of 215.00 feet, through a central angle of 30°03'52" and being subtended by a chord which bears South 79°50'09" East 111.53 feet to the Point of Beginning;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 6.58 acres more or less.

Date: March 26, 2001

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



LINE TABLE		
LINE	LENGTH	BEARING
L1	18.63	N84°30'05"W
L2	47.67	N58°41'47"W
L3	36.11	N74°06'22"W

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #7)

Commencing at the southwest corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the west line of said Section 27, North 00°49'45" West 1978.97 feet; Thence South 89°03'06" East 658.66 feet; Thence South 00°49'33" East 274.70 feet to the Point of Beginning of the easement herein described:

Thence continuing South 00°49'33" East 358.22 feet;
Thence North 89°02'33" East 249.74 feet;
Thence North 02°04'30" East 13.01 feet;
Thence North 03°11'36" West 66.67 feet;
Thence North 07°58'47" East 65.91 feet;
Thence North 01°37'20" West 38.84 feet;
Thence North 76°55'06" West 57.16 feet;
Thence North 62°14'59" West 47.74 feet;
Thence North 36°11'55" West 35.47 feet;
Thence North 08°44'08" West 31.13 feet;
Thence North 32°37'28" West 78.77 feet;
Thence North 74°06'22" West 36.11 feet;
Thence North 58°41'47" West 47.67 feet;
Thence North 84°30'05" West 18.63 feet to the Point of Beginning of the easement herein described;

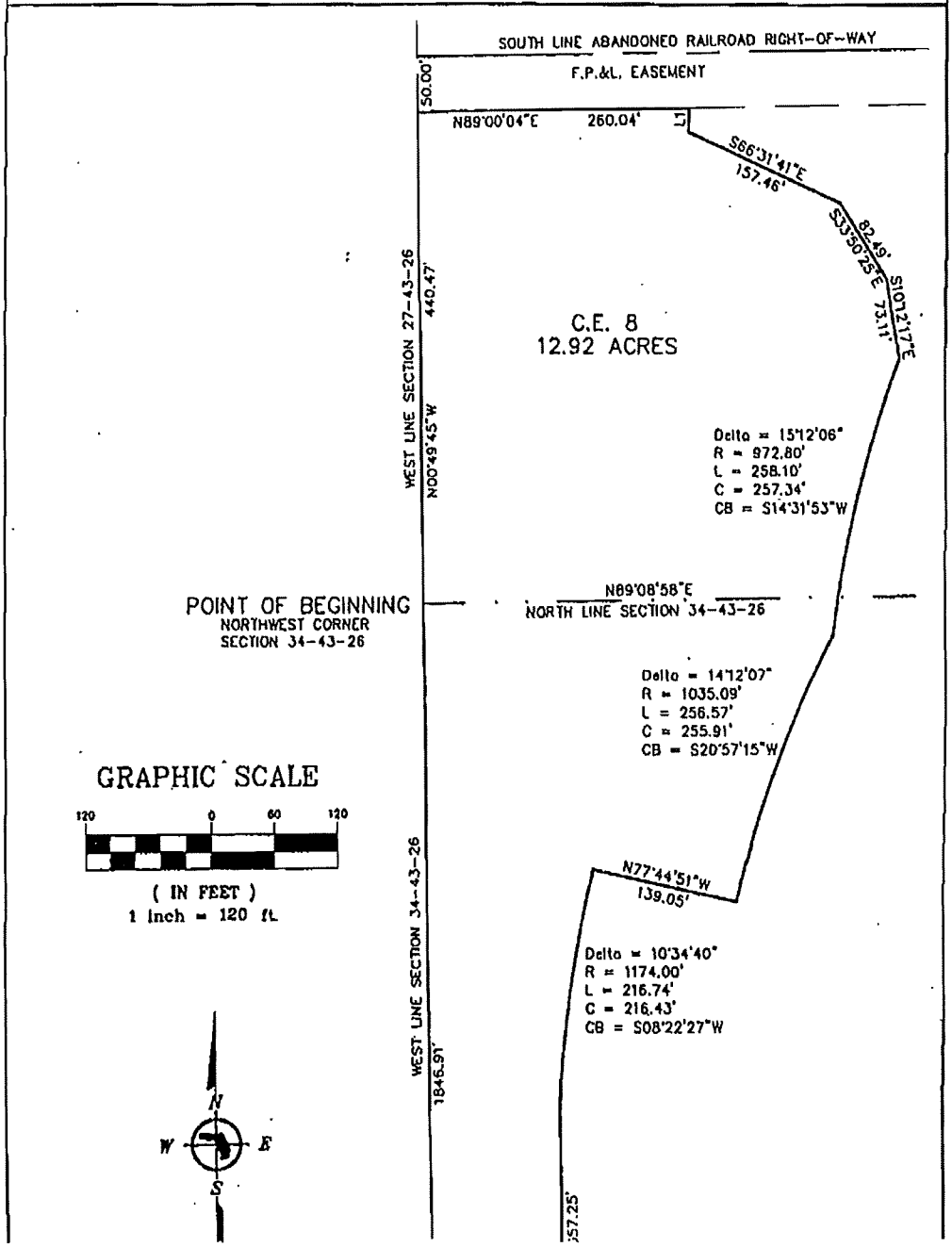
Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 1.64 acres more or less.

Date: March 26, 2001

OR BK 02492 PG 0591

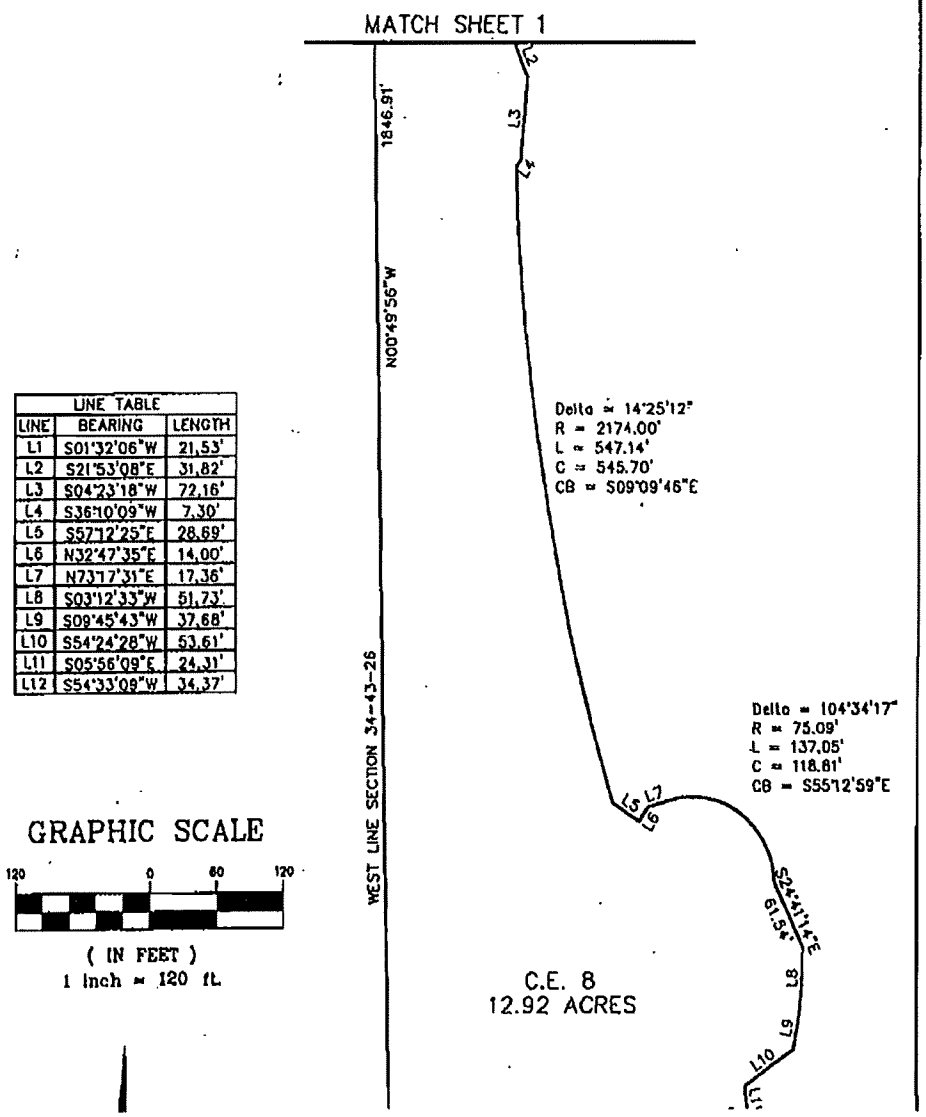
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



LINE TABLE		
LINE	BEARING	LENGTH
L1	S01°32'06"W	21.53'
L2	S21°53'08"E	31.82'
L3	S04°23'18"W	72.16'
L4	S36°10'09"W	7.30'
L5	S57°12'25"E	28.69'
L6	N32°47'35"E	14.00'
L7	N73°17'31"E	17.36'
L8	S03°12'33"W	51.73'
L9	S09°45'43"W	37.68'
L10	S54°24'28"W	53.61'
L11	S05°56'09"E	24.31'
L12	S54°33'09"W	34.37'

GRAPHIC SCALE

120 0 60 120

(IN FEET)
1 inch = 120 ft.

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE WEST ½ OF SECTIONS 27 AND 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #8)

Beginning at the northwest corner of Section 34, Township 43 South, Range 26 East, Lee County, Florida;

Thence along the west line of Section 27, Township 43 South Range 26 East, North 00°49'45" East 440.47 feet;
Thence leaving said section line, North 89°00'04" East 260.04 feet along the south line of an FPL easement;
Thence leaving said easement line, South 01°32'06" West 21.53 feet;
Thence South 66°31'41" East 157.46 feet;
Thence South 33°50'25" East 82.49 feet;
Thence South 10°12'17" East 73.11 feet;
Thence 258.10 feet along the arc of a circular curve concave southeasterly, having a radius of 972.80 feet, through a central angle of 15°12'06" and being subtended by a chord which bears South 14°31'53" West 257.34 feet;
Thence 256.57 feet along the arc of a circular curve concave southeasterly, having a radius of 1035.09 feet, through a central angle of 14°12'07" and being subtended by a chord which bears South 20°57'15" West 255.91 feet;
Thence North 77°44'51" West 139.05 feet;
Thence 216.74 feet along the arc of a circular curve concave southeasterly, having a radius of 1174.00 feet, through a central angle of 10°34'40" and being subtended by a chord which bears South 08°22'27" West 216.43 feet;
Thence South 01°00'21" East 357.25 feet;
Thence South 21°53'08" East 31.82 feet;
Thence South 04°23'18" West 72.16 feet;
Thence South 36°10'09" West 7.30 feet;
Thence 547.14 feet along the arc of a circular curve concave northeasterly, having a radius of 2174.00 feet, through a central angle of 14°25'12" and being subtended by a chord which bears South 09°09'46" West 545.70 feet;
Thence South 57°12'25" East 28.69 feet;
Thence North 32°47'35" East 14.00 feet;
Thence North 73°17'31" East 17.36 feet;
Thence 137.05 feet along the arc of a circular curve concave southwesterly, having a radius of 75.09 feet, through a central angle of 104°34'17" and being subtended by a chord which bears South 55°12'59" East 118.81 feet;

OR BK 03492 PG 0594

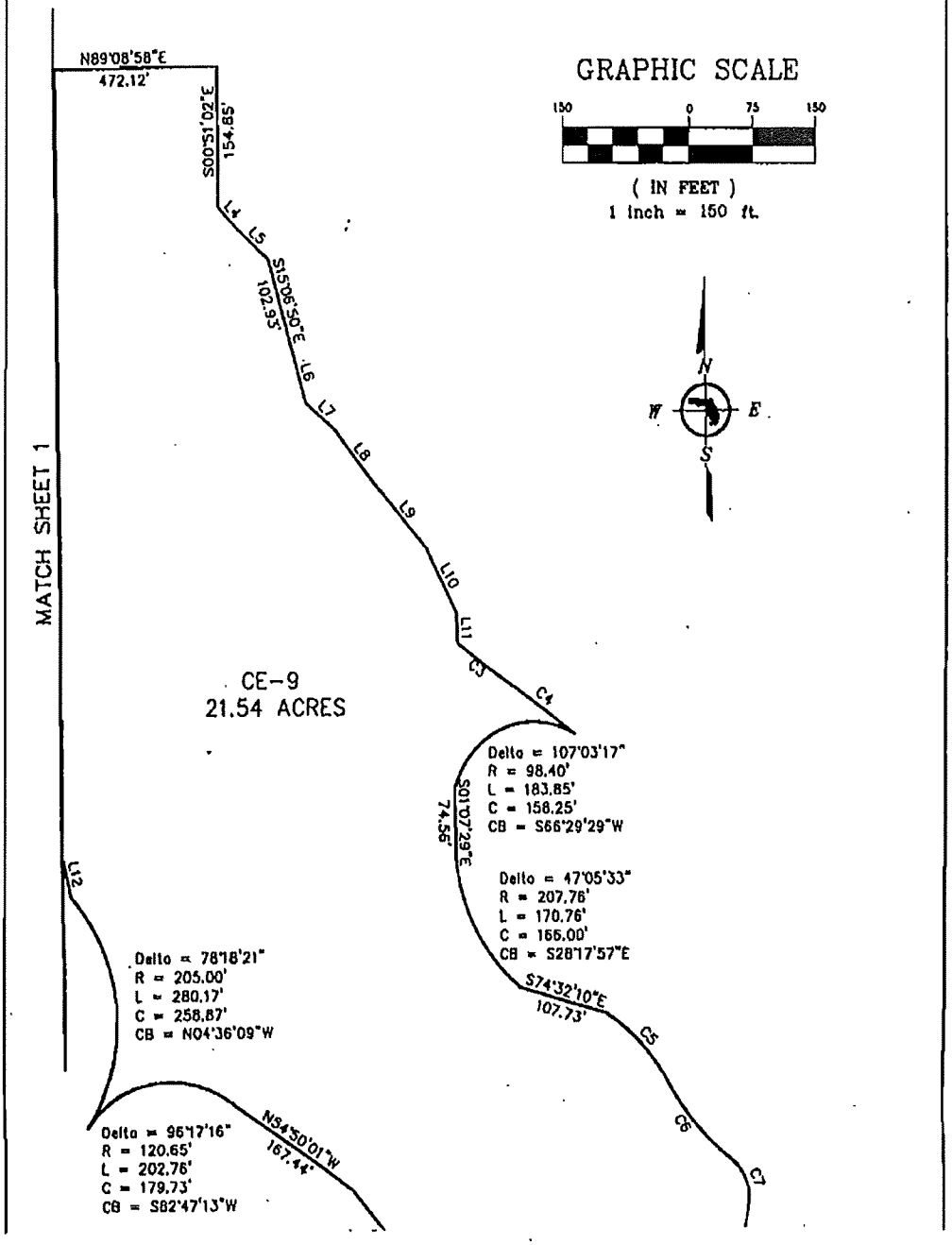
Thence South 24°41'14" East 61.54 feet;
Thence South 03°12'33" West 51.73 feet;
Thence South 09°45'43" West 37.68 feet;
Thence South 54°24'28" West 53.61 feet;
Thence South 05°56'09" East 24.31 feet;
Thence South 54°33'09" West 34.37 feet;
Thence South 56°42'28" West 188.42 feet;
Thence South 89°35'39" West 137.00 feet to the west line of said section 34;
Thence along said west line, North 00°49'56" West 1846.91 feet to the northwest corner of said Section 34 and the Point of Beginning of the herein described easement.

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 12.92 acres more or less.

Date: March 26, 2001

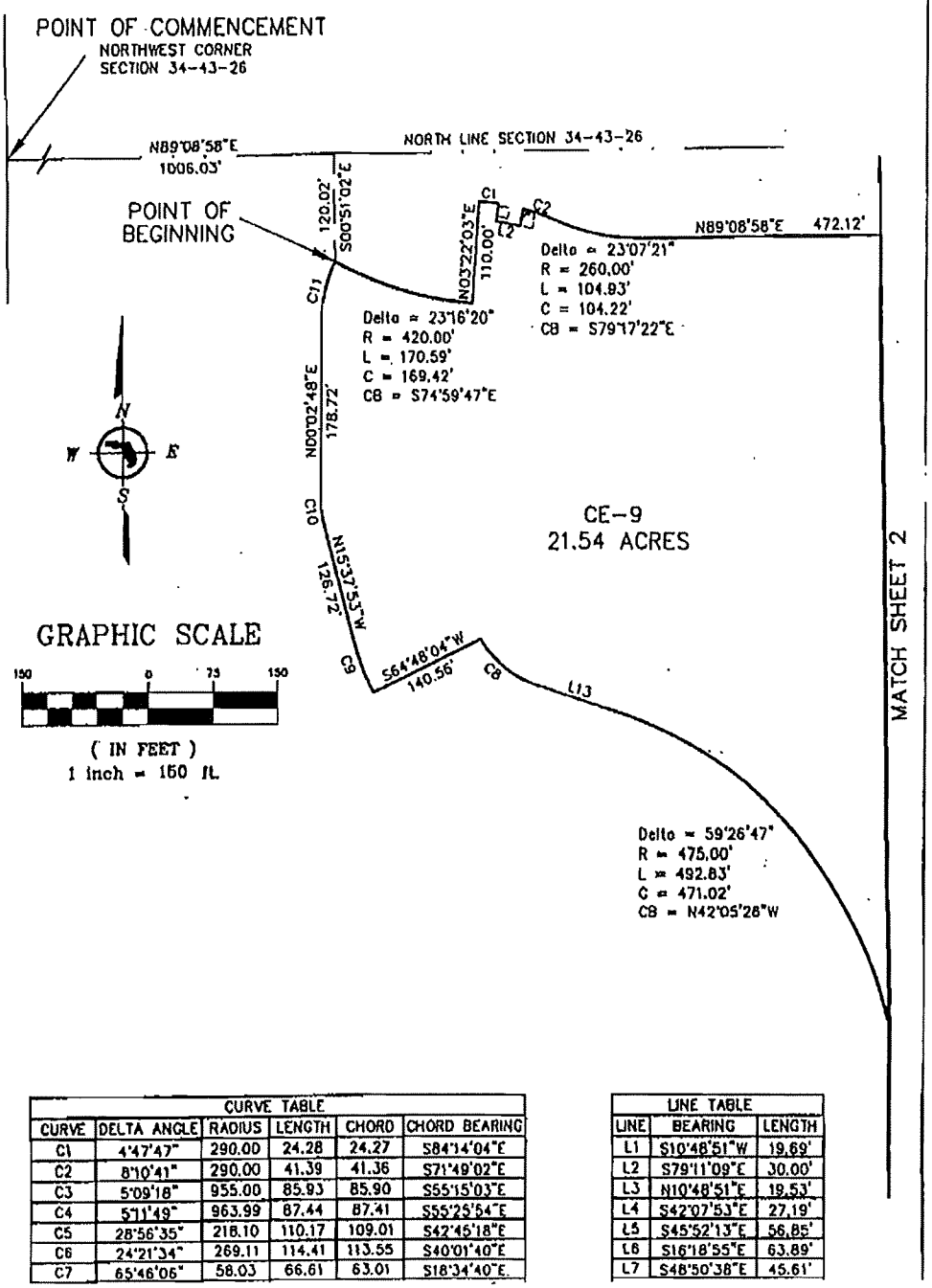
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY.



CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	4°47'47"	290.00	24.28	24.27	S84°14'04"E
C2	8°10'41"	290.00	41.39	41.36	S71°49'02"E
C3	5°09'18"	955.00	85.93	85.90	S55°15'03"E
C4	5°11'49"	963.99	87.44	87.41	S55°25'54"E
C5	28°56'35"	218.10	110.17	109.01	S42°45'18"E
C6	24°21'34"	269.11	114.41	113.55	S40°01'40"E
C7	65°46'06"	58.03	66.61	63.01	S18°34'40"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S10°48'51"W	19.69'
L2	S79°11'09"E	30.00'
L3	N10°48'51"E	19.53'
L4	S42°07'53"E	27.19'
L5	S45°52'13"E	56.85'
L6	S16°18'55"E	63.89'
L7	S48°50'38"E	45.61'

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE NORTHWEST ¼ OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #9)

Commencing at the northwest corner of Section 34, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north line of said Section 34, North 89°08'58" East 1006.03 feet; Thence leaving said section line, South 00°51'02" East 120.02 feet to the Point of Beginning of the easement herein described:

Thence 170.59 feet along the arc of a circular curve concave northeasterly, having a radius of 420.00 feet, through a central angle of 23°16'20", and being subtended by a chord which bears South 74°59'47" East 169.42 feet;
Thence North 03°22'03" East 110.00 feet;
Thence 24.28 feet along the arc of a circular curve concave southwesterly, having a radius of 290.00 feet, through a central angle of 04°47'47", and being subtended by a chord which bears South 84°14'04" East 24.27 feet;
Thence South 10°48'51" West 19.69 feet;
Thence South 79°11'09" East 30.00 feet;
Thence North 10°48'51" East 19.53 feet;
Thence 41.39 feet along the arc of a circular curve concave southwesterly, having a radius of 290.00 feet, through a central angle of 08°10'41", and being subtended by a chord which bears South 71°49'02" East 41.36 feet;
Thence 104.93 feet along the arc of a circular curve concave northeasterly, having a radius of 260.00 feet, through a central angle of 23°07'21", and being subtended by a chord which bears South 79°17'22" East 104.22 feet;
Thence North 89°08'58" East 472.12 feet;
Thence South 00°51'02" East 154.85 feet;
Thence South 42°07'53" East 27.19 feet;
Thence South 45°52'13" East 56.85 feet;
Thence South 15°06'50" East 102.93 feet;
Thence South 16°18'55" East 63.89 feet;
Thence South 48°50'38" East 45.61 feet;

OR BK 03492 PG 0598

Thence South 37°49'01" East 79.85 feet;
Thence South 40°50'17" East 93.15 feet;
Thence South 26°28'50" East 81.82 feet;
Thence South 02°42'45" East 34.51 feet;
Thence 85.93 feet along the arc of a circular curve concave northeasterly, having a radius of 955.00 feet, through a central angle of 05°09'18" and being subtended by a chord which bears South 55°15'03" East 85.90 feet;
Thence 87.44 feet along the arc of a circular curve concave southwesterly, having a radius of 963.99 feet, through a central angle of 05°11'49" and being subtended by a chord which bears South 55°25'54" East 87.41 feet;
Thence 183.85 feet along the arc of a circular curve concave southeasterly, having a radius of 98.40 feet, through a central angle of 107°03'17" and being subtended by a chord which bears South 66°29'29" West 158.25 feet;
Thence South 01°07'29" East 74.56 feet;
Thence 170.76 feet along the arc of a circular curve concave easterly, having a radius of 207.76 feet, through a central angle of 47°05'33" and being subtended by a chord which bears South 28°17'57" East 166.00 feet;
Thence South 74°32'10" East 107.73 feet;
Thence 110.17 feet along the arc of a circular curve concave southwesterly, having a radius of 218.10 feet, through a central angle of 28°56'35" and being subtended by a chord which bears South 42°45'18" East 109.01 feet;
Thence 114.41 feet along the arc of a circular curve concave northeasterly, having a radius of 269.11 feet, through a central angle of 24°21'34" and being subtended by a chord which bears South 40°01'40" East 113.55 feet;
Thence 66.61 feet along the arc of a circular curve concave southwesterly, having a radius of 58.03 feet, through a central angle of 65°46'06" and being subtended by a chord which bears South 18°34'40" East 63.01 feet;
Thence 534.34 feet along the arc of a circular curve concave northwesterly, having a radius of 208.95 feet, through a central angle of 146°31'07" and being subtended by a chord which bears South 79°54'00" East 400.19 feet;
Thence 124.17 feet along the arc of a circular curve concave southwesterly, having a radius of 8625.66 feet, through a central angle of 00°49'29" and being subtended by a chord which bears North 39°23'24" West 124.16 feet;
Thence North 54°50'01" West 167.44 feet;
Thence 202.76 feet along the arc of a circular curve concave southerly, having a radius of 120.65 feet, through a central angle of 96°17'16" and being subtended by a chord which bears South 82°47'13" West 179.73 feet;
Thence 280.17 feet along the arc of a circular curve concave southwesterly, having a radius of 205.00 feet, through a central angle of 78°18'21" and being subtended by a chord which bears North 04°36'09" West 258.87 feet;
Thence North 12°22'02" West 49.75 feet;

Thence 492.83 feet along the arc of a circular curve concave southwesterly, having a radius of 475.00 feet, through a central angle of 59°26'47" and being subtended by a chord which bears North 42°05'26" West 471.02 feet;
Thence North 71°48'49" West 104.30 feet;
Thence 85.43 feet along the arc of a circular curve concave northeasterly, having a radius of 125.00 feet, through a central angle of 39°09'22" and being subtended by a chord which bears North 52°14'08" West 83.77 feet;
Thence South 64°48'04" West 140.56 feet;
Thence 60.49 feet along the arc of a circular curve concave northeasterly, having a radius of 265.00 feet, through a central angle of 13°04'41" and being subtended by a chord which bears North 22°10'13" West 60.36 feet;
Thence North 15°37'53" West 126.72 feet;
Thence 45.15 feet along the arc of a circular curve concave easterly, having a radius of 165.00 feet, through a central angle of 15°40'40" and being subtended by a chord which bears North 07°47'32" West 45.01 feet;
Thence North 00°02'48" East 178.72 feet;
Thence 73.25 feet along the arc of a circular curve concave southeasterly, having a radius of 165.00 feet, through a central angle of 25°26'05" and being subtended by a chord which bears North 12°45'50" East 72.65 feet to the Point of Beginning of the easement herein described;

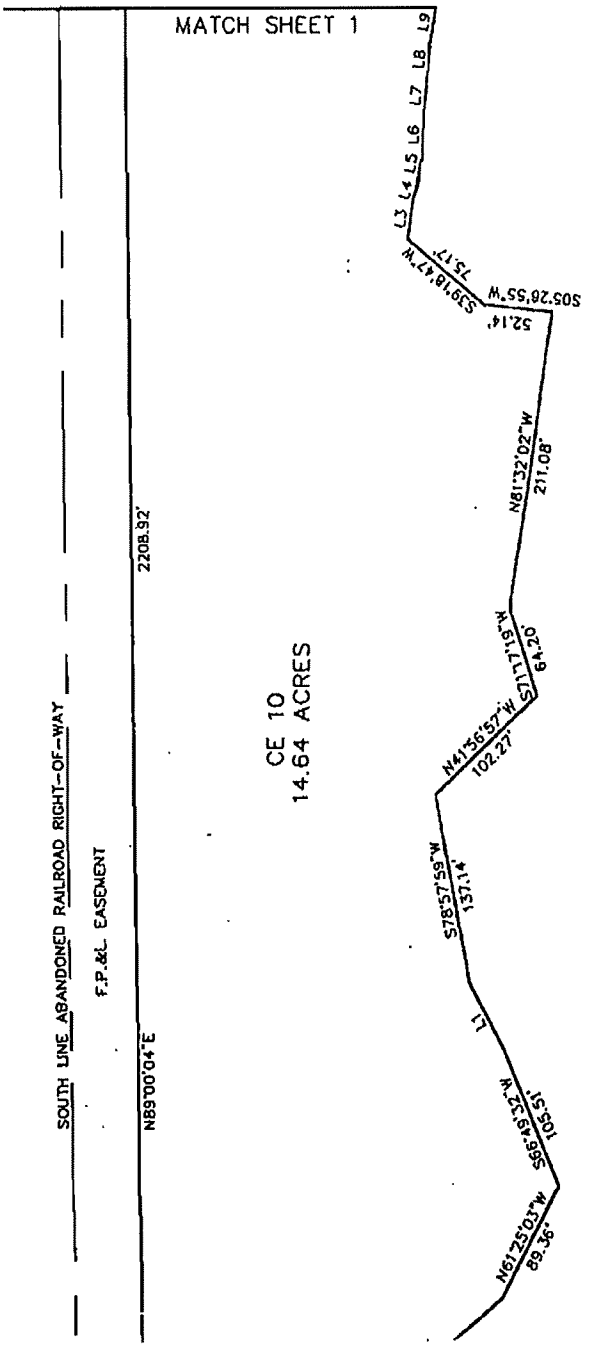
Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 21.54 acres more or less.

Date: March 26, 2001

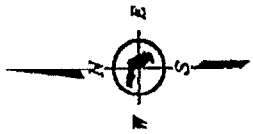
CONSUL-TECH ENGINEERING, INC.

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



LINE TABLE		
LINE	LENGTH	BEARING
L1	54.01	S60°21'28"W
L3	28.41	N81°52'34"W
L4	15.30	N74°03'58"W
L5	15.05	N79°59'56"W
L6	29.12	N87°52'29"W
L7	21.25	N83°23'10"W
L8	28.49	N84°10'58"W
L9	24.52	N80°38'00"W
L10	18.02	N86°14'02"W
L11	28.73	N86°37'44"W
L12	23.59	N89°40'43"W
L13	22.54	S89°07'32"W
L14	21.03	S89°07'13"W
L15	18.28	N80°10'28"W
L16	23.61	N73°20'28"W
L17	20.38	N68°45'50"W
L18	14.15	N70°21'36"W
L19	17.37	N74°29'14"W
L20	13.85	N79°42'07"W
L21	12.72	N78°42'14"W
L22	11.82	N79°13'47"W
L23	17.36	N86°03'35"W
L24	24.26	N82°30'50"W
L25	52.90	N83°17'56"W
L26	40.66	S41°17'50"E



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

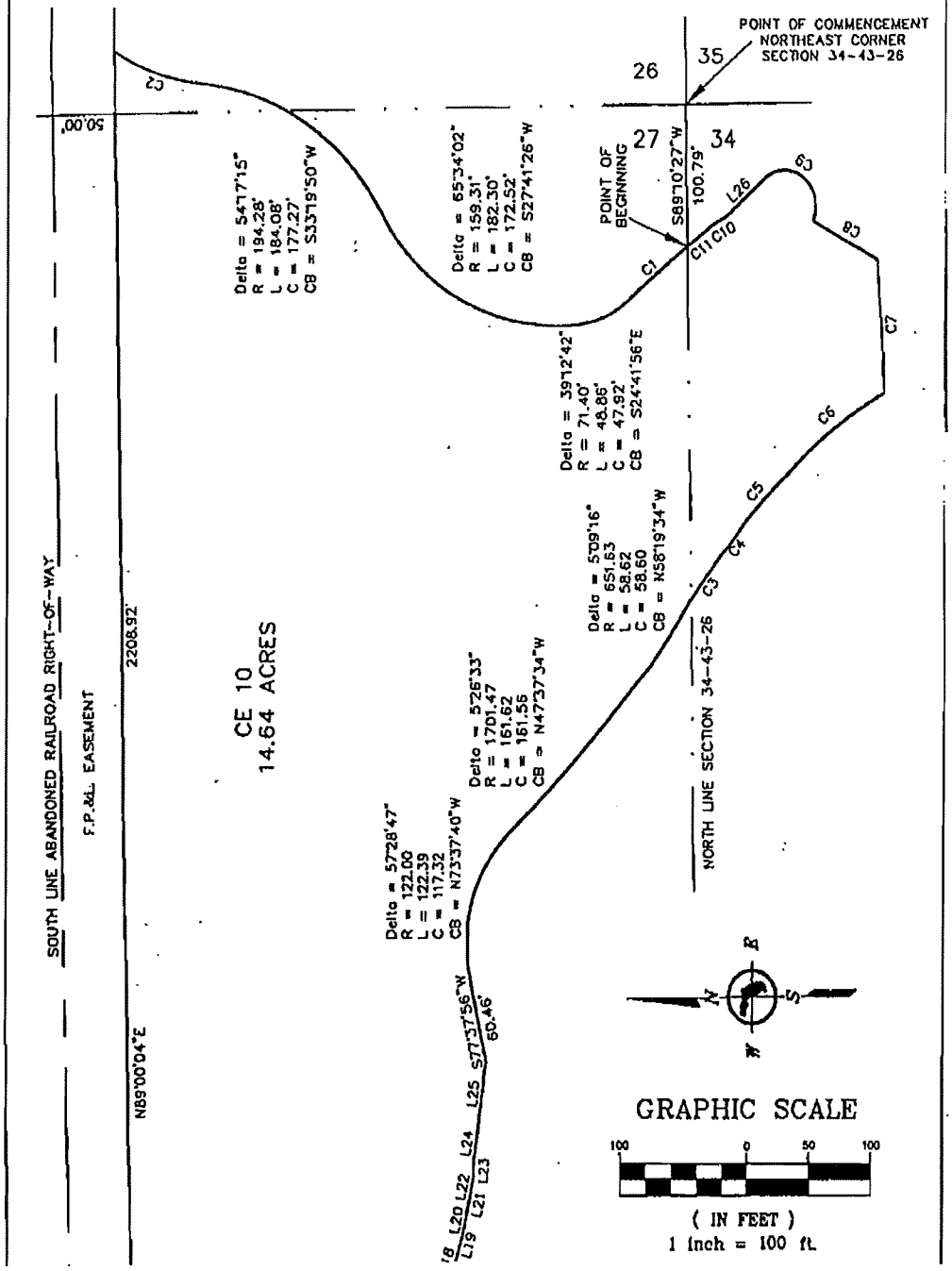
SHEET 2 OF 5

DWG # \CONSESMT\CE-10.DWG

OR BK 03492 PG 0601

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

Corporate/Miramar Office
3141 Commerce Parkway
Miramar, Florida 33025
(954) 438-4300
FAX (954) 438-1433
E-mail: corp@consul-t.com

Other Offices

Bonita Springs
(941) 947-0266
FAX (941) 947-1323
E-mail: bonita@consul-t.com

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

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

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

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

Palm Beach
(561) 540-5092
FAX (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF SECTIONS 26, 27, AND 34
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #10)

Commencing at the northeast corner of Section 34, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north line of said Section 34, South 89°10'27" West 100.79 feet to the Point of Beginning of the easement herein described:

Thence leaving said north line, 25.13 feet along the arc of a circular curve concave southwesterly, having a radius of 783.15 feet, through a central angle of 01°50'19" and being subtended by a chord which bears South 38°57'03" East 25.13 feet;

Thence 12.03 feet along the arc of a circular curve concave southwesterly, having a radius of 103.22 feet, through a central angle of 06°40'36" and being subtended by a chord which bears South 28°53'18" East 12.02 feet;

Thence South 41°17'50" East 40.66 feet;

Thence 62.48 feet along the arc of a circular curve concave northwesterly, having a radius of 25.00 feet, through a central angle of 143°11'53" and being subtended by a chord which bears South 30°18'06" West 47.44 feet;

Thence 58.50 feet along the arc of a circular curve concave southeasterly, having a radius of 2099.23 feet, through a central angle of 01°35'48" and being subtended by a chord which bears South 29°13'15" West 58.50 feet;

Thence 102.61 feet along the arc of a circular curve concave southerly, having a radius of 1460.00 feet, through a central angle of 04°01'36" and being subtended by a chord which bears South 86°16'11" West 102.59 feet;

Thence 98.77 feet along the arc of a circular curve concave southwesterly, having a radius of 304.08 feet, through a central angle of 18°36'40" and being subtended by a chord which bears North 37°14'22" West 98.34 feet;

Thence 50.02 feet along the arc of a circular curve concave southwesterly, having a radius of 263.95 feet, through a central angle of 10°51'26" and being subtended by a chord which bears North 46°19'19" West 49.94 feet;

Thence 28.99 feet along the arc of a circular curve concave northeasterly, having a radius of 160.16 feet, through a central angle of 10°22'21" and being subtended by a chord which bears North 52°18'29" West 28.95 feet;

Thence 44.98 feet along the arc of a circular curve concave northeasterly, having a radius of 6920.98 feet, through a central

OR BK 03452 PG 0603

angle of 00°22'21" and being subtended by a chord which bears North 55°24'02" West 44.98 feet;
Thence 58.62 feet along the arc of a circular curve concave northeasterly, having a radius of 651.63 feet, through a central angle of 05°09'16" and being subtended by a chord which bears North 58°19'34" West 58.60 feet;
Thence 161.62 feet along the arc of a circular curve concave northeasterly, having a radius of 1701.47 feet, through a central angle of 05°26'33" and being subtended by a chord which bears North 47°37'34" West 161.56 feet;
Thence 122.39 feet along the arc of a circular curve concave southwesterly, having a radius of 122.00 feet, through a central angle of 57°28'47" and being subtended by a chord which bears North 73°37'40" West 117.32 feet;
Thence South 77°37'56" West 60.46 feet;
Thence North 83°17'56" West 52.90 feet;
Thence North 82°30'50" West 24.26 feet;
Thence North 86°03'35" West 17.36 feet;
Thence North 79°13'47" West 11.82 feet;
Thence North 78°42'14" West 12.72 feet;
Thence North 79°42'07" West 13.85 feet;
Thence North 74°29'14" West 17.37 feet;
Thence North 70°21'36" West 14.15 feet;
Thence North 68°45'50" West 20.38 feet;
Thence North 73°20'28" West 23.61 feet;
Thence North 80°10'28" West 18.28 feet;
Thence South 89°07'13" West 21.03 feet;
Thence South 89°07'32" West 22.54 feet;
Thence North 89°40'43" West 23.59 feet;
Thence North 86°37'44" West 28.73 feet;
Thence North 86°14'02" West 18.02 feet;
Thence North 80°38'00" West 24.52 feet;
Thence North 84°10'58" West 28.49 feet;
Thence North 83°23'10" West 21.25 feet;
Thence North 87°52'29" West 29.12 feet;
Thence North 79°59'56" West 15.05 feet;
Thence North 74°03'58" West 15.30 feet;
Thence North 81°52'34" West 28.41 feet;
Thence South 39°18'47" West 75.17 feet;
Thence South 05°26'55" West 52.14 feet;
Thence North 81°32'02" West 211.08 feet;
Thence South 71°17'19" West 64.20 feet;
Thence North 41°56'57" West 102.27 feet;
Thence South 78°57'59" West 137.14 feet;
Thence South 60°21'28" West 54.01 feet;
Thence South 66°49'32" West 105.51 feet;
Thence North 61°25'03" West 89.36 feet;

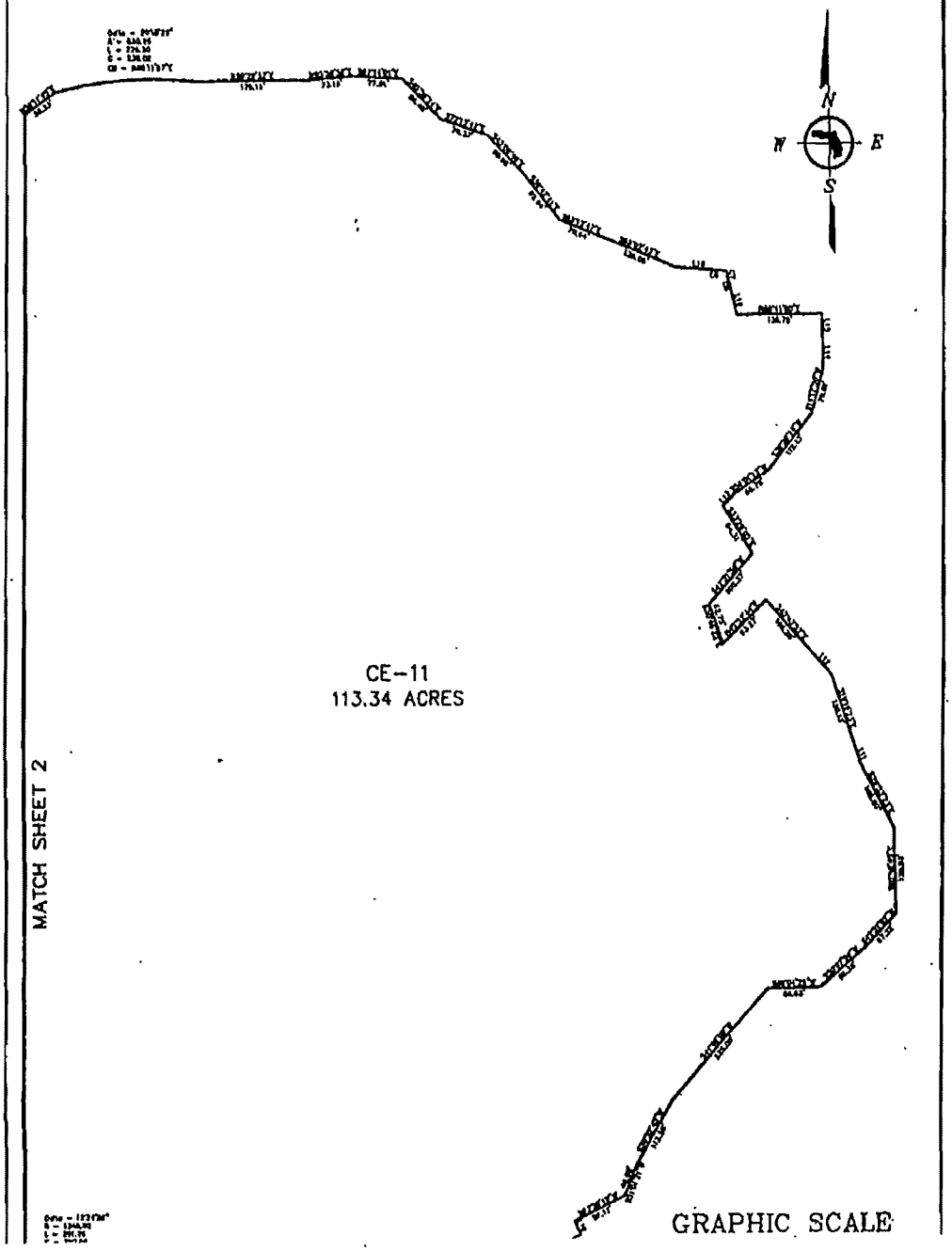
Thence North 38°28'35" West 343.15 feet to the southerly line of an FPL easement;
Thence along the southerly line of said easement, North 89°00'04" East 2208.92 feet;
Thence leaving said southerly line, 74.03 feet along the arc of a circular curve concave southeasterly, having a radius of 139.98 feet, through a central angle of 30°18'10" and being subtended by a chord which bears South 21°20'17" West 73.17 feet;
Thence 184.08 feet along the arc of a reverse circular curve concave northwesterly, having a radius of 194.28 feet, through a central angle of 54°17'15" and being subtended by a chord which bears South 33°19'50" West 177.27 feet;
Thence 182.30 feet along the arc of a reverse circular curve concave southeasterly, having a radius of 159.31 feet, through a central angle of 65°34'02" and being subtended by a chord which bears South 27°41'26" West 172.52 feet;
Thence 48.86 feet along the arc of a compound circular curve concave northeasterly, having a radius of 71.40 feet, through a central angle of 39°12'42" and being subtended by a chord which bears South 24°41'56" East 47.92 feet;
Thence 60.61 feet along the arc of a reverse circular curve concave southwesterly, having a radius of 783.15 feet, through a central angle of 04°26'04" and being subtended by a chord which bears South 42°05'15" East 60.60 feet to the north line of said Section 34 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 14.64 acres more or less.

March 27, 2001

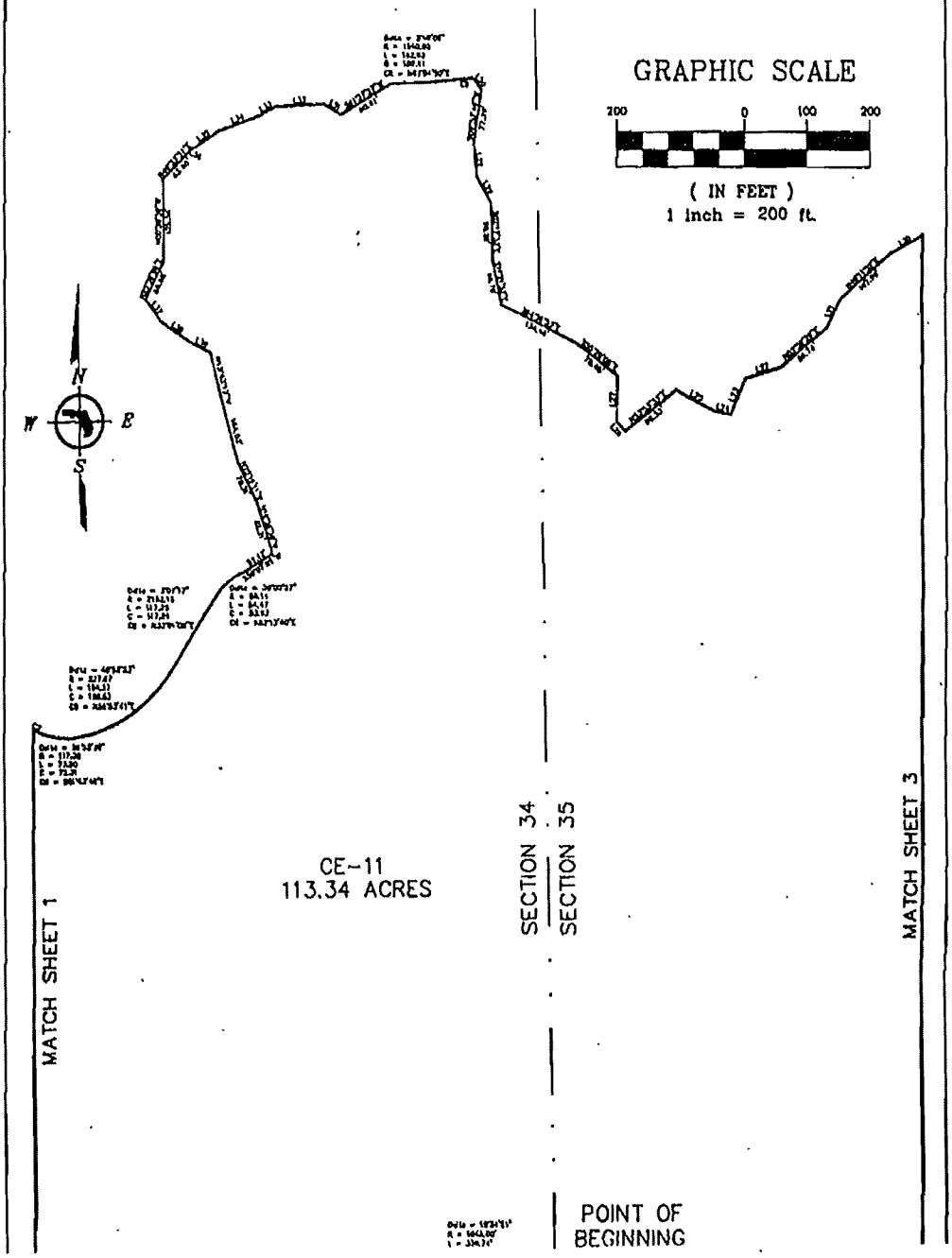
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

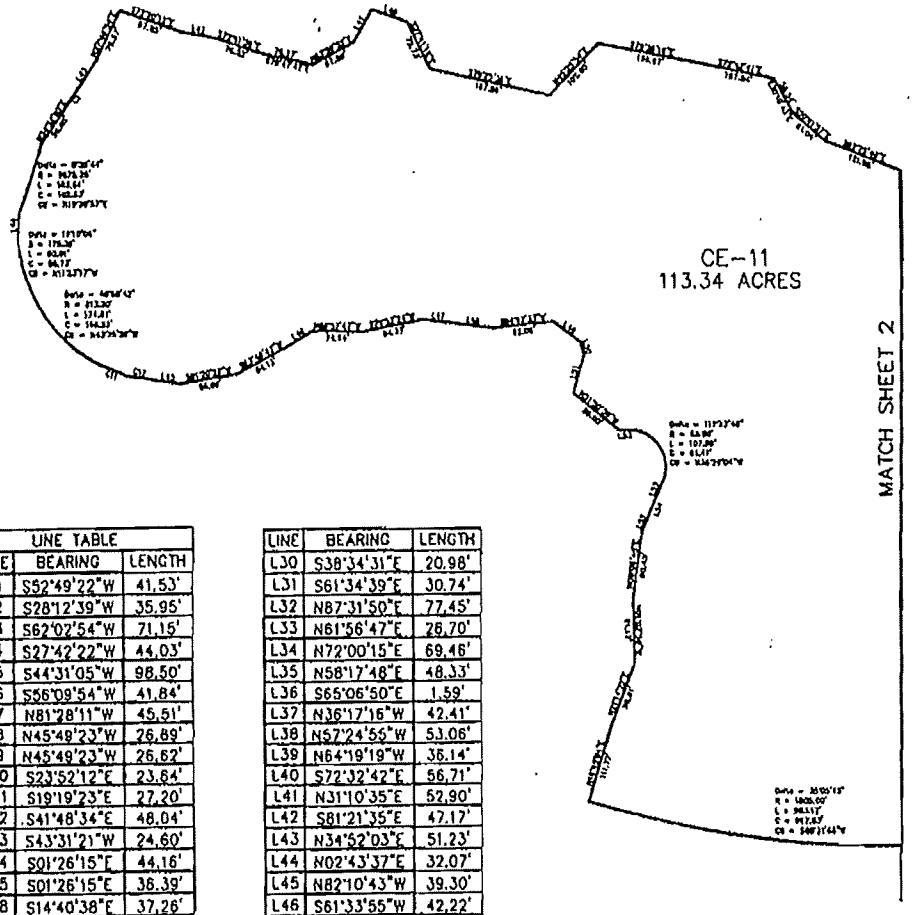
LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	0°33'08"	1600.35	15.43	15.43	N34°52'03"E
C2	11°13'23"	16.59	3.25	3.25	S69°24'10"E
C6	6°06'20"	98.95	10.54	10.54	S14°03'18"E
C7	8°04'31"	131.41	18.52	18.51	S15°01'53"E
C8	1°02'11"	2073.87	37.51	37.51	S85°55'55"E
C9	1°06'41"	1540.00	29.87	29.87	N84°36'56"E
C11	10°55'35"	194.59	37.11	37.05	N68°08'07"W
C12	4°52'07"	504.56	42.87	42.86	N82°10'43"W

GRAPHIC SCALE

200 0 100 200

(IN FEET)
1 inch = 200 ft.



LINE TABLE		
LINE	BEARING	LENGTH
L1	S52°49'22"W	41.53'
L2	S28°12'39"W	35.95'
L3	S62°02'54"W	71.15'
L4	S27°42'22"W	44.03'
L5	S44°31'05"W	98.50'
L6	S56°09'54"W	41.84'
L7	N81°28'11"W	45.51'
L8	N45°48'23"W	26.89'
L9	N45°49'23"W	26.62'
L10	S23°52'12"E	23.64'
L11	S19°19'23"E	27.20'
L12	S41°48'34"E	48.04'
L13	S43°31'21"W	24.60'
L14	S01°26'15"E	44.16'
L15	S01°26'15"E	36.39'
L18	S14°40'38"E	37.26'
L19	N85°54'25"W	43.67'
L20	N61°08'39"E	58.77'
L21	N26°19'38"E	48.92'
L22	N74°46'00"E	59.33'
L23	N24°27'32"E	54.85'
L24	S79°57'06"E	27.55'
L25	S63°15'23"E	65.53'
L26	S43°32'55"E	18.87'

LINE	BEARING	LENGTH
L30	S38°34'31"E	20.98'
L31	S61°34'39"E	30.74'
L32	N87°31'50"E	77.45'
L33	N61°56'47"E	26.70'
L34	N72°00'15"E	69.46'
L35	N58°17'48"E	48.33'
L36	S65°06'50"E	1.59'
L37	N36°17'16"W	42.41'
L38	N57°24'55"W	53.06'
L39	N64°19'19"W	36.14'
L40	S72°32'42"E	56.71'
L41	N31°10'35"E	52.90'
L42	S81°21'35"E	47.17'
L43	N34°52'03"E	51.23'
L44	N02°43'37"E	32.07'
L45	N82°10'43"W	39.30'
L46	S61°33'55"W	42.22'
L47	N83°29'40"W	43.42'
L48	N83°32'36"W	64.60'
L49	N54°54'20"W	49.81'
L50	N16°58'23"W	18.02'
L51	N17°36'42"E	54.38'
L52	S88°19'04"W	12.89'
L53	N23°21'34"E	33.63'
L54	N23°28'04"E	20.00'

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPITON OF A PORTION OF SECTIONS 34 AND 35
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #11)

Commencing at the east ¼ corner of Section 34, Township 43 South, Range 26 East, Lee County, Florida; Thence along the east line of said Section 34, North 00°57'28" West 654.01 feet to the Point of Beginning of the easement herein described:

Thence 338.74 feet along the arc of a circular curve concave southeasterly, having a radius of 1045.00 feet, through a central angle of 18°34'21" and being subtended by a chord which bears South 80°16'04" West 337.26 feet;
Thence 983.12 feet along the arc of a reverse circular curve concave northeasterly, having a radius of 1605.00 feet, through a central angle of 35°05'45" and being subtended by a chord which bears South 88°31'45" West 967.83 feet;
Thence North 16°45'04" East 111.77 feet;
Thence North 21°14'22" East 98.81 feet;
Thence North 01°02'58" West 91.17 feet;
Thence North 08°09'45" East 90.45 feet;
Thence North 23°28'04" East 26.33 feet;
Thence North 23°28'04" East 20.00 feet;
Thence North 23°21'34" East 33.63 feet;
Thence 107.89 feet along the arc of a circular curve concave southwesterly, having a radius of 55.00 feet, through a central angle of 112°23'46" and being subtended by a chord which bears North 35°29'04" West 91.41 feet;
Thence South 88°19'04" West 12.89 feet;
Thence North 51°50'39" West 86.00 feet;
Thence North 17°36'42" East 54.38 feet;
Thence North 16°58'23" West 18.02 feet;
Thence North 54°54'20" West 49.81 feet;
Thence South 84°42'33" West 92.09 feet;
Thence North 83°32'36" West 64.60 feet;
Thence North 83°29'40" West 43.42 feet;
Thence South 79°52'24" West 94.37 feet;
Thence North 88°57'47" West 74.94 feet;
Thence South 61°33'55" West 42.22 feet;
Thence South 63°45'42" West 84.13 feet;
Thence South 81°20'28" West 86.89 feet;
Thence North 82°10'43" West 39.30 feet;
Thence 42.87 feet along the arc of a circular curve concave southwesterly, having a radius of 504.56 feet, through a central

OR BK 03452 PG 0090

angle of 04°52'07" and being subtended by a chord which bears North 82°10'43" West 42.86 feet;
Thence 37.11 feet along the arc of a circular curve concave southwesterly, having a radius of 194.59 feet, through a central angle of 10°55'35" and being subtended by a chord which bears North 68°08'07" West 37.05 feet;
Thence 174.81 feet along the arc of a circular curve concave northeasterly, having a radius of 213.20 feet, through a central angle of 46°58'42" and being subtended by a chord which bears North 43°25'26" West 169.95 feet;
Thence 60.01 feet along the arc of a circular curve concave northeasterly, having a radius of 179.36 feet, through a central angle of 19°10'09" and being subtended by a chord which bears North 11°23'17" West 59.73 feet;
Thence North 02°43'37" East 32.07 feet;
Thence 102.64 feet along the arc of a circular curve concave southeasterly, having a radius of 9875.25 feet, through a central angle of 00°35'44" and being subtended by a chord which bears North 19°30'57" East 102.63 feet;
Thence North 34°52'03" East 76.05 feet;
Thence 15.42 feet along the arc of a circular curve concave northwesterly, having a radius of 1600.35 feet, through a central angle of 00°33'08" and being subtended by a chord which bears North 34°52'03" East 15.42 feet;
Thence North 34°52'03" East 51.23 feet;
Thence North 27°46'54" East 78.57 feet;
Thence South 72°20'12" East 97.85 feet;
Thence South 81°21'35" East 47.17 feet;
Thence South 72°41'39" East 76.52 feet;
Thence South 78°47'42" East 78.27 feet;
Thence North 63°39'52" East 67.89 feet;
Thence North 31°10'35" East 52.90 feet;
Thence South 72°32'42" East 56.71 feet;
Thence South 27°41'18" East 72.73 feet;
Thence South 78°25'36" East 187.89 feet;
Thence North 45°25'54" East 102.85 feet;
Thence South 79°36'16" East 158.97 feet;
Thence South 78°42'41" East 107.04 feet;
Thence South 30°10'43" East 58.54 feet;
Thence South 50°41'57" East 61.04 feet;
Thence South 69°25'48" East 121.88 feet;
Thence 3.25 feet along the arc of a circular curve concave southwesterly, having a radius of 16.59 feet, through a central angle of 11°13'24" and being subtended by a chord which bears South 69°24'10" West 3.25 feet;
Thence 73.50 feet along the arc of a circular curve concave northeasterly, having a radius of 117.38 feet, through a central angle of 35°52'39" and being subtended by a chord which bears South 81°43'48" East 72.31 feet;

Thence 194.37 feet along the arc of a circular curve concave northwesterly, having a radius of 227.87 feet, through a central angle of 48°52'23" and being subtended by a chord which bears North 55°53'41" East 188.53 feet;
Thence 117.25 feet along the arc of a circular curve concave northwesterly, having a radius of 2152.18 feet, through a central angle of 03°07'17" and being subtended by a chord which bears North 33°01'08" East 117.24 feet;
Thence 54.47 feet along the arc of a circular curve concave southeasterly, having a radius of 89.14 feet, through a central angle of 35°00'27" and being subtended by a chord which bears North 52°13'40" East 53.62 feet;
Thence North 58°07'02" East 52.12 feet;
Thence North 16°58'50" West 82.31 feet;
Thence North 25°16'11" West 70.31 feet;
Thence North 15°43'12" West 164.03 feet;
Thence North 64°19'19" West 36.14 feet;
Thence North 57°24'55" West 53.06 feet;
Thence North 36°17'16" West 42.41 feet;
Thence North 25°36'06" East 65.68 feet;
Thence North 00°38'30" West 125.38 feet;
Thence North 46°33'31" East 63.40 feet;
Thence South 65°06'50" East 1.59 feet;
Thence North 58°17'48" East 48.33 feet;
Thence North 72°00'15" East 69.46 feet;
Thence North 61°56'47" East 26.70 feet;
Thence North 87°31'50" East 77.45 feet;
Thence North 61°34'39" East 30.74 feet;
Thence North 61°37'57" East 90.41 feet;
Thence 102.63 feet along the arc of a circular curve concave northwesterly, having a radius of 1540.00 feet, through a central angle of 03°49'06" and being subtended by a chord which bears North 87°04'50" East 102.61 feet;
Thence 29.87 feet along the arc of a circular curve concave northwesterly, having a radius of 1540.00 feet, through a central angle of 01°06'41" and being subtended by a chord which bears North 84°36'56" East 29.87 feet;
Thence South 38°34'31" East 20.98 feet;
Thence South 09°33'46" West 77.29 feet;
Thence South 06°31'09" East 47.29 feet;
Thence South 29°42'31" East 45.50 feet;
Thence South 02°17'33" East 90.29 feet;
Thence South 11°21'53" East 68.79 feet;
Thence South 64°36'53" East 134.46 feet;
Thence South 55°20'08" East 78.45 feet;
Thence South 01°00'48" West 64.78 feet;
Thence South 43°32'55" East 18.87 feet;
Thence North 53°53'33" East 99.33 feet;
Thence South 63°15'23" East 65.53 feet;

Thence South 79°57'06" East 27.55 feet;
Thence North 24°27'32" East 54.85 feet;
Thence North 74°46'00" East 59.33 feet;
Thence North 52°58'28" East 89.76 feet;
Thence North 26°19'38" East 48.92 feet;
Thence North 48°11'52" East 107.90 feet;
Thence North 61°08'39" East 58.77 feet;
Thence North 56°11'45" East 58.23 feet;
Thence 229.20 feet along the arc of a circular curve concave southeasterly, having a radius of 650.95 feet, through a central angle of 20°10'26" and being subtended by a chord which bears North 88°11'57" East 228.02 feet;
Thence North 89°28'52" East 176.19 feet;
Thence North 85°58'56" East 73.19 feet;
Thence South 87°14'01" East 77.81 feet;
Thence South 45°39'24" East 86.40 feet;
Thence South 72°13'42" East 79.37 feet;
Thence South 45°09'49" East 80.96 feet;
Thence South 39°42'41" East 92.94 feet;
Thence South 69°13'47" East 70.64 feet;
Thence South 69°02'43" East 126.09 feet;
Thence South 85°53'07" East 43.67 feet;
Thence 37.51 feet along the arc of a circular curve concave northeasterly, having a radius of 2073.87 feet, through a central angle of 01°02'11" and being subtended by a chord which bears South 85°55'55" East 37.51 feet;
Thence 18.52 feet along the arc of a circular curve concave northeasterly, having a radius of 131.41 feet, through a central angle of 08°04'31" and being subtended by a chord which bears South 15°01'53" East 18.51 feet;
Thence 10.54 feet along the arc of a circular curve concave northeasterly, having a radius of 98.95 feet, through a central angle of 06°06'20" and being subtended by a chord which bears South 14°03'18" East 10.54 feet;
Thence South 14°40'38" East 37.26 feet;
Thence North 89°41'00" East 135.78 feet;
Thence South 01°26'15" East 36.39 feet;
Thence South 01°26'15" East 44.16 feet;
Thence South 14°17'50" West 70.81 feet;
Thence South 38°28'24" West 112.13 feet;
Thence South 56°01'13" West 66.78 feet;
Thence South 43°31'21" West 24.60 feet;
Thence South 33°28'05" East 84.31 feet;
Thence South 42°31'58" West 100.37 feet;
Thence South 20°46'22" East 62.75 feet;
Thence North 45°52'44" East 93.27 feet;
Thence South 43°43'52" East 106.28 feet;
Thence South 41°48'34" East 48.04 feet;

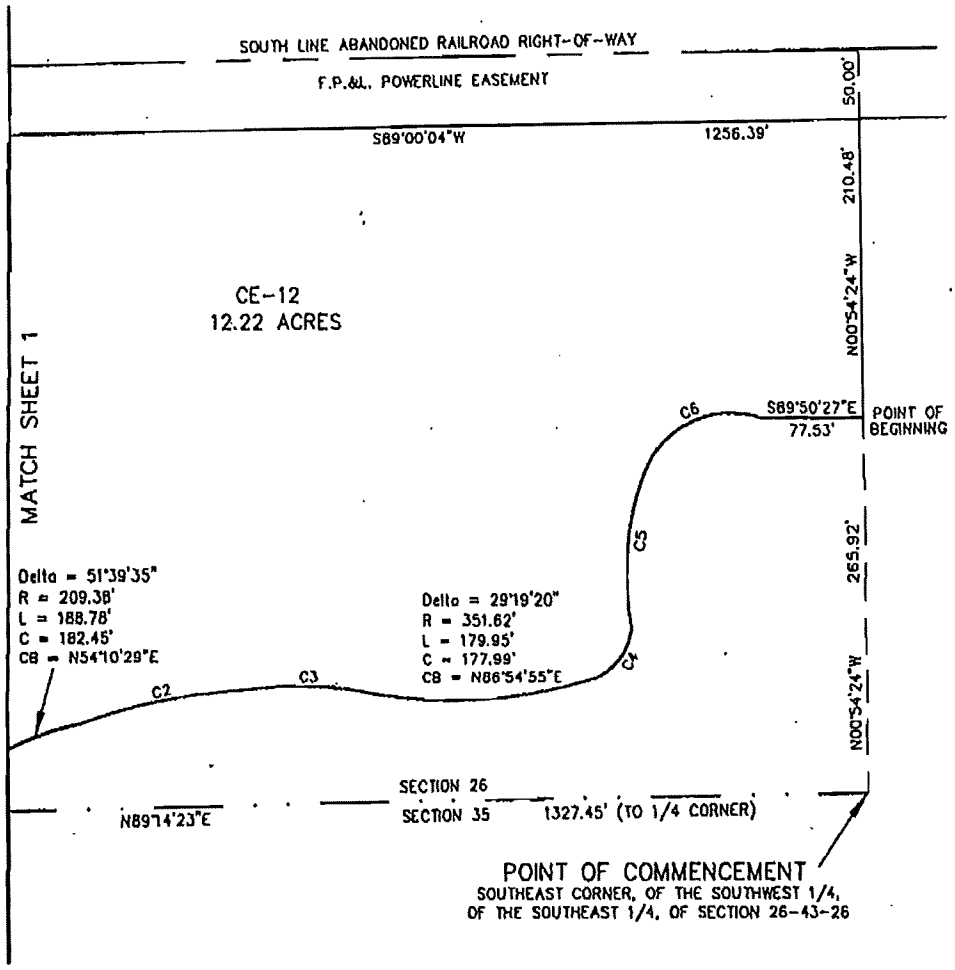
Thence South 19°19'23" East 120.13 feet;
Thence South 19°19'23" East 27.20 feet;
Thence South 29°53'23" East 105.07 feet;
Thence South 01°46'45" East 128.83 feet;
Thence South 42°51'02" West 67.22 feet;
Thence South 50°07'59" West 96.36 feet;
Thence South 88°04'29" West 86.63 feet;
Thence South 41°46'09" West 225.00 feet;
Thence South 30°52'45" West 112.58 feet;
Thence South 21°01'21" West 48.08 feet;
Thence South 63°38'19" West 89.17 feet;
Thence South 23°52'12" East 23.64 feet;
Thence South 63°13'10" West 202.74 feet;
Thence North 45°49'23" West 26.62 feet;
Thence North 45°49'23" West 26.89 feet;
Thence North 81°28'11" West 45.51 feet;
Thence South 56°09'54" West 41.84 feet;
Thence South 44°31'05" West 98.50 feet;
Thence South 27°42'22" West 44.03 feet;
Thence South 62°02'54" West 71.15 feet;
Thence South 28°12'39" West 35.95 feet;
Thence South 52°49'22" West 41.53 feet;
Thence 293.46 feet along the arc of a circular curve concave northeasterly, having a radius of 980.00 feet, through a central angle of 17°09'27" and being subtended by a chord which bears North 59°15'48" West 292.37 feet;
Thence 291.26 feet along the arc of a circular curve concave southwesterly, having a radius of 1345.00 feet, through a central angle of 12°24'26" and being subtended by a chord which bears North 56°53'18" West 290.69 feet;
Thence 498.90 feet along the arc of a circular curve concave southwesterly, having a radius of 1045.00 feet, through a central angle of 27°21'15" and being subtended by a chord which bears North 76°46'08" West 494.18 feet the east line of said Section 34 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement contains 113.34 acres more or less.

March 29, 2001

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



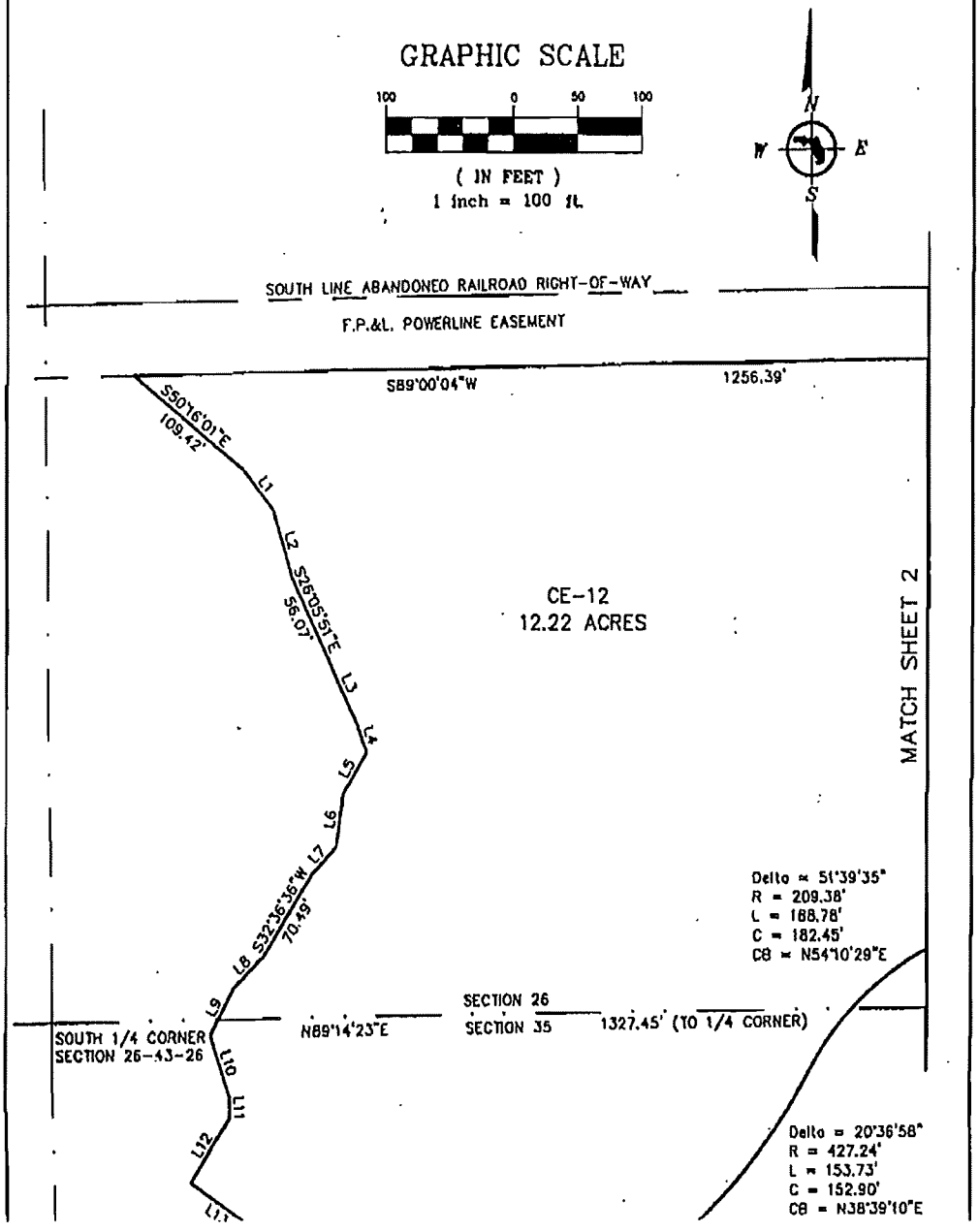
LINE TABLE		
LINE	BEARING	LENGTH
L1	S37°00'02"E	37.77'
L2	S16°51'58"E	53.77'
L3	S25°39'43"E	60.48'
L4	S19°53'50"E	20.86'
L5	S30°34'12"W	35.40'
L6	S08°12'25"W	39.59'
L7	S42°03'35"W	26.99'
L8	S46°04'54"W	32.36'
L9	S28°04'43"W	38.68'
L10	S17°58'40"E	47.48'
L11	S01°56'11"E	15.85'
L12	S32°56'27"W	55.42'

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	11°19'10"	106.78	21.10	21.06	N54°37'14"E
C2	16°49'46"	436.28	128.15	127.69	N79°09'07"E
C3	19°21'09"	251.03	84.79	84.39	S88°45'39"E
C4	60°56'24"	46.50	49.46	47.16	N35°04'06"E
C5	36°26'54"	180.50	114.82	112.90	N06°42'18"E
C6	79°19'24"	69.41	96.10	88.61	N68°43'56"E

GRAPHIC SCALE

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF SECTIONS 26 AND 35
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #12)

Commencing at the southeast corner of the Southwest ¼, of the Southeast ¼, of Section 26, Township 43 South, Range 26 East; Thence North 00°54'24" West 265.92 feet to the Point of Beginning of the easement herein described;

Thence continuing North 00°54'24" West 210.48 feet to the south line of an FPL easement;
Thence along the south line of said FPL easement, South 89°00'04" West 1256.39 feet;
Thence leaving said easement line, South 50°16'01" East 109.42 feet;
Thence South 37°00'02" East 37.77 feet;
Thence South 16°51'58" East 53.77 feet;
Thence South 26°05'51" East 56.07 feet;
Thence South 25°39'43" East 60.48 feet;
Thence South 19°53'50" East 20.86 feet;
Thence South 30°34'12" West 35.40 feet;
Thence South 08°12'25" West 39.59 feet;
Thence South 42°03'35" West 26.99 feet;
Thence South 32°36'36" West 70.49 feet;
Thence South 46°04'54" West 32.36 feet;
Thence South 28°04'43" West 38.68 feet;
Thence South 17°58'40" East 47.48 feet;
Thence South 01°56'11" East 15.85 feet;
Thence South 32°56'27" West 55.42 feet;
Thence South 55°12'05" East 65.72 feet;
Thence South 77°01'20" East 76.75 feet;
Thence North 89°22'32" East 238.05 feet;
Thence 21.10 feet along the arc of a circular curve concave northwesterly, having a radius of 106.78 feet, through a central angle of 11°19'10" and being subtended by a chord which bears North 54°37'14" East 21.06 feet;
Thence 153.73 feet along the arc of a circular curve concave northwesterly, having a radius of 427.24 feet, through a central angle of 20°36'58" and being subtended by a chord which bears North 38°39'10" East 152.90 feet;
Thence 188.78 feet along the arc of a circular curve concave southeasterly, having a radius of 209.38 feet, through a central angle of 51°39'35" and being subtended by a chord which bears North 54°10'29" East 182.45 feet;

OR BK 03492 PG 0616

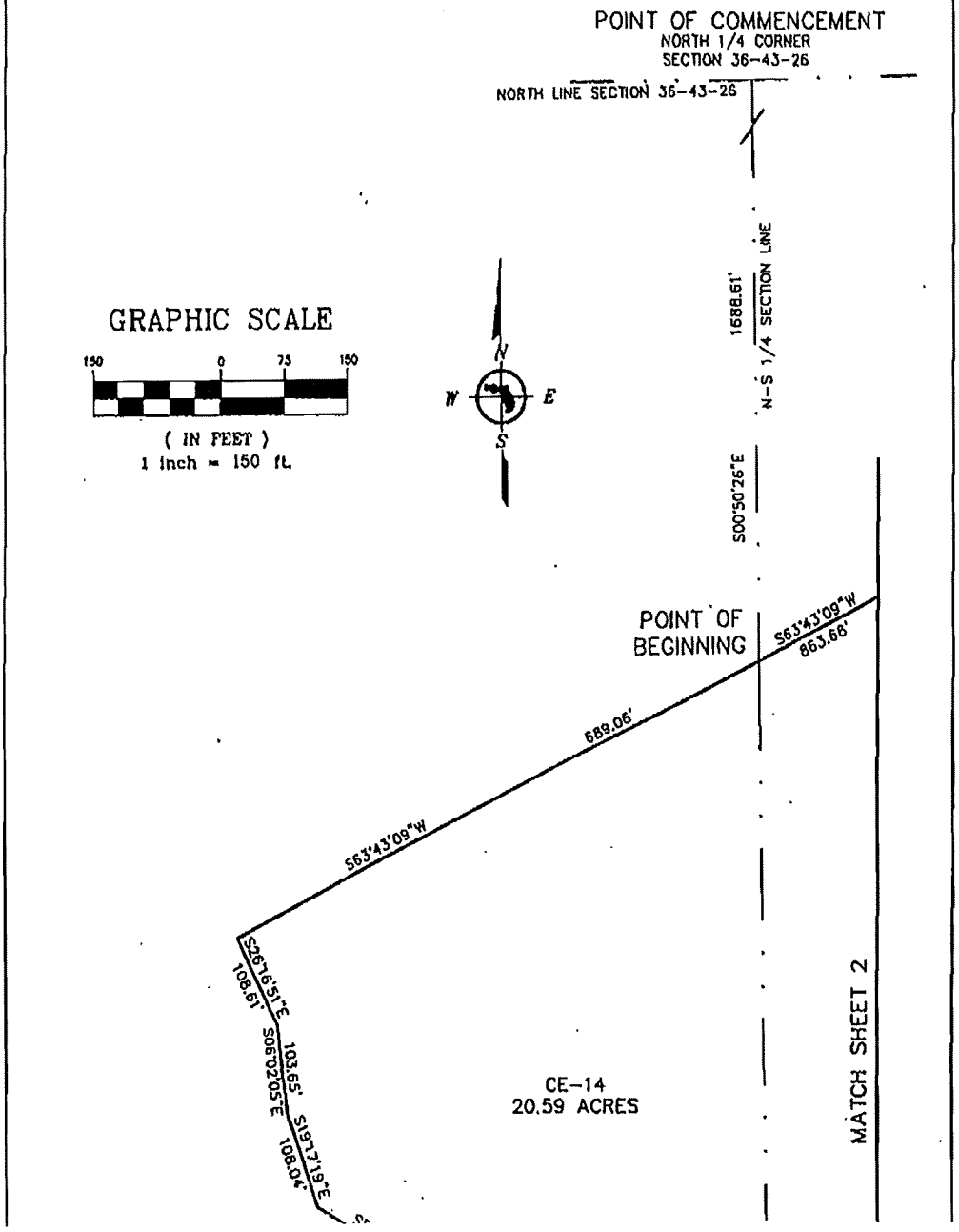
Thence 128.15 feet along the arc of a circular curve concave southeasterly, having a radius of 436.28 feet, through a central angle of 16°49'46" and being subtended by a chord which bears North 79°09'07" East 127.69 feet;
Thence 84.79 feet along the arc of a circular curve concave southeasterly, having a radius of 251.03 feet, through a central angle of 19°21'09" and being subtended by a chord which bears South 88°45'39" East 84.39 feet;
Thence 179.95 feet along the arc of a circular curve concave northerly, having a radius of 351.62 feet, through a central angle of 29°19'20" and being subtended by a chord which bears North 86°54'55" East 177.99 feet;
Thence 49.46 feet along the arc of a circular curve concave northwesterly, having a radius of 46.50 feet, through a central angle of 60°56'24" and being subtended by a chord which bears North 35°04'06" East 47.16 feet;
Thence 114.82 feet along the arc of a circular curve concave northeasterly, having a radius of 180.50 feet, through a central angle of 36°26'54" and being subtended by a chord which bears North 06°42'18" East 112.90 feet;
Thence 96.10 feet along the arc of a circular curve concave southeasterly, having a radius of 69.41 feet, through a central angle of 79°19'24" and being subtended by a chord which bears North 68°43'56" East 88.61 feet;
Thence South 89°50'27" East 77.53 feet to the Point of Beginning of the easement herein described;

Subject to easements, restriction, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement contains 12.22 acres more or less.

March 29, 2001

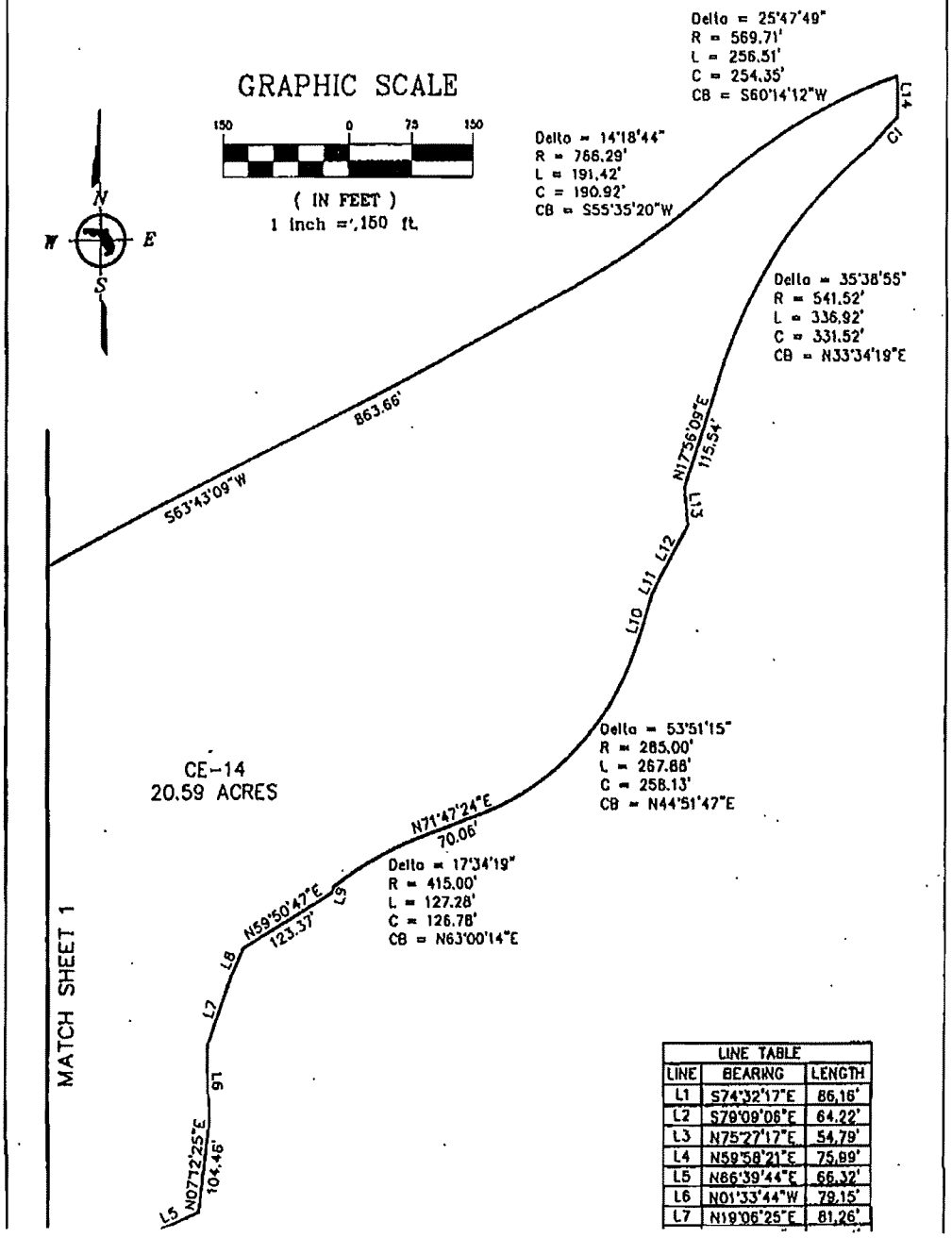
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



LINE TABLE		
LINE	BEARING	LENGTH
L1	S74°32'17"E	86.16'
L2	S79°09'08"E	64.22'
L3	N75°27'17"E	54.79'
L4	N59°58'21"E	75.89'
L5	N86°39'44"E	66.32'
L6	N01°33'44"W	79.15'
L7	N19°06'25"E	81.26'

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF SECTION 36
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #14)

Commencing at the north ¼ corner of Section 36, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north-south ¼ section line of said Section 36, South 00°50'26" East 1688.61 feet to the Point of Beginning of the easement herein described;

Thence leaving said north-south ¼ section line, South63°43'09" West 689.06 feet;
Thence South 26°16'51" East 108.61 feet;
Thence South 06°02'05" East 103.65 feet;
Thence South 19°17'19" East 108.04 feet;
Thence South 59°42'18" East 186.24 feet;
Thence North 86°33'20" East 95.24 feet;
Thence North 88°14'30" East 122.16 feet;
Thence South 74°32'17" East 86.16 feet;
Thence South 88°32'44" East 140.39 feet;
Thence South 79°09'06" East 64.22 feet;
Thence North 75°27'17" East 54.79 feet;
Thence North 59°58'21" East 75.99 feet;
Thence North 66°39'44' East 66.32 feet;
Thence North 07°12'25" East 104.46 feet;
Thence North 01°33'44" West 79.15 feet;
Thence North 19°06'25" East 81.26 feet;
Thence North 23°27'18" East 38.04 feet;
Thence North 59°50'47" East 123.37 feet;
Thence North 10°55'02" East 6.12 feet;
Thence 127.28 feet along the arc of a circular curve concave southeasterly, having a radius of 415.00 feet, through a central angle of 17°34'19" and being subtended by a chord which bears North 63°00'14" East 126.78 feet;
Thence North 71°47'24" East 70.06 feet;
Thence 267.88 feet along the arc of a circular curve concave northwesterly, having a radius of 285.00 feet, through a central angle of 53°51'15" and being subtended by a chord which bears North 44°51'47" East 258.13 feet;
Thence North 17°56'09" East 67.47 feet;
Thence North 26°22'53" East 16.63 feet;
Thence North 29°56'44" East 69.42 feet;
Thence North 05°37'45" West 42.24 feet;
Thence North 17°56'09" East 115.54 feet;

OR BK 03492 PG 0620

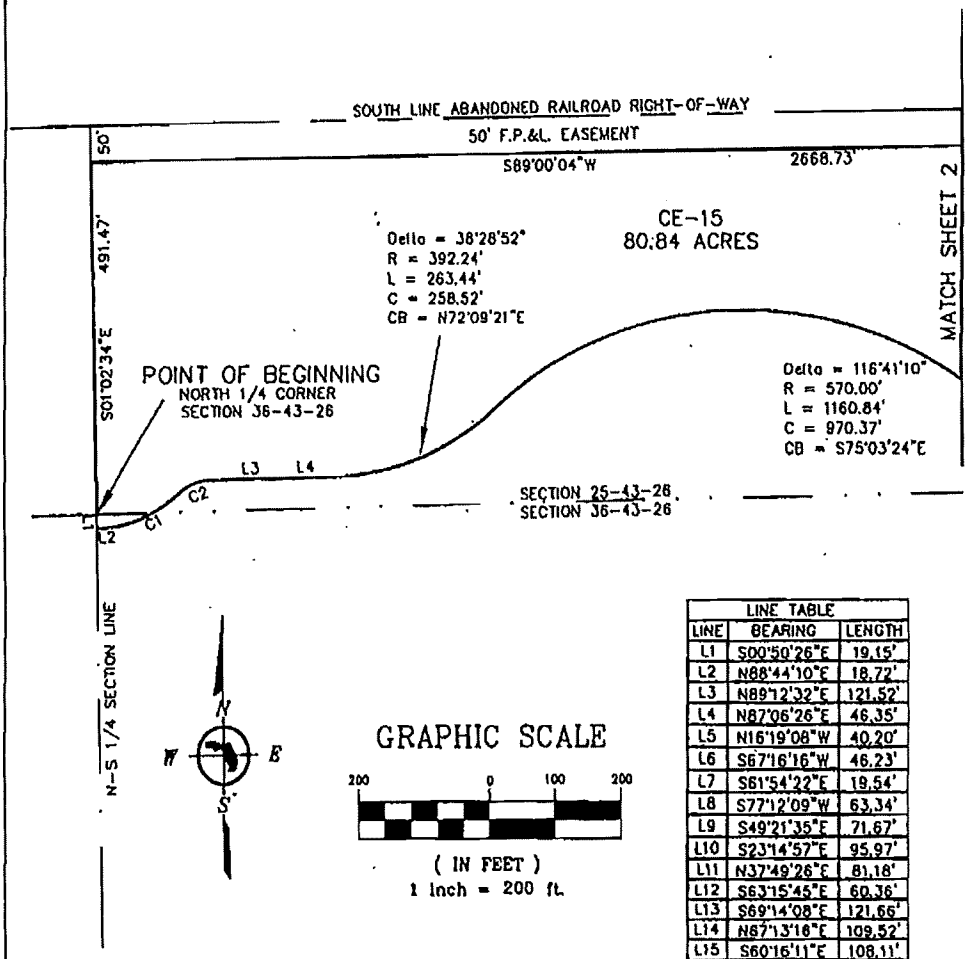
Thence 336.92 feet along the arc of a circular curve concave southeasterly, having a radius of 541.52 feet, through a central angle of 35°38'55" and being subtended by a chord which bears North 33°34'19" East 331.52 feet;
Thence 46.98 feet along the arc of a circular curve concave southeasterly, having a radius of 1338.34 feet, through a central angle of 02°00'40" and being subtended by a chord which bears North 44°28'49" East 46.98 feet;
Thence North 01°13'15" West 43.39 feet;
Thence 256.51 feet along the arc of a circular curve concave southeasterly, having a radius of 569.71feet, through a central angle of 25°47'49" and being subtended by a chord which bears South 60°14'21" West 254.35 feet;
Thence 191.42 feet along the arc of a circular curve concave northwesterly, having a radius of 766.29 feet, through a central angle of 14°18'44" and being subtended by a chord which bears South 55°35'20" West 190.92 feet;
Thence South 63°43'09" West 863.66 feet to the north-south ¼ section line of said Section 36 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement contains 20.59 acres more or less.

April 2, 2001

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

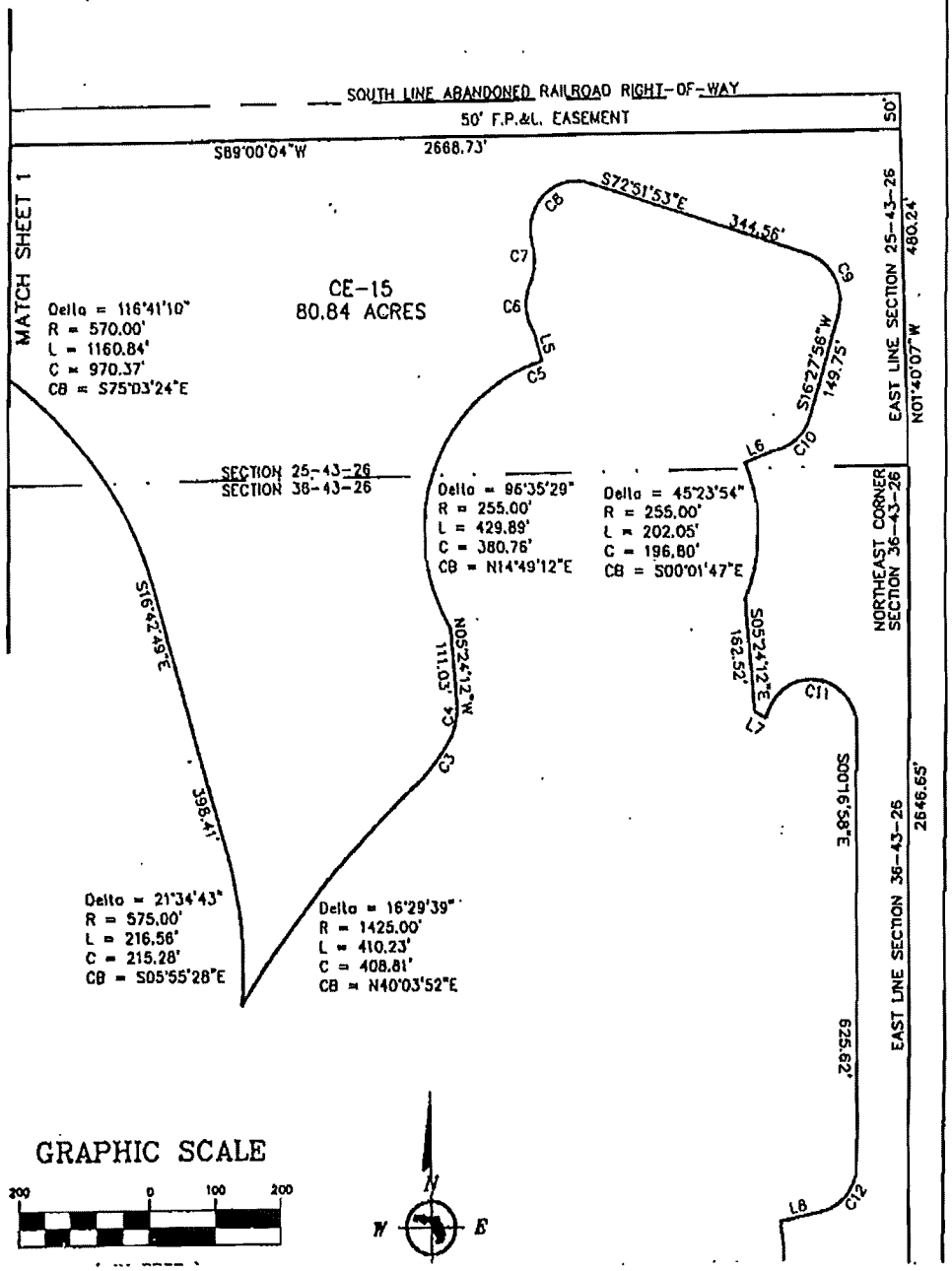


CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	34°04'55"	191.69	114.03	112.35	N65°44'08"E
C2	41°06'40"	74.00	53.10	51.97	N68°39'12"E
C3	19°13'37"	275.00	92.28	91.85	N38°41'53"E
C4	25°19'38"	100.68	44.50	44.14	N10°42'59"E
C5	10°33'56"	255.00	47.02	46.96	N68°23'54"E
C6	58°44'10"	70.00	71.76	68.66	N06°27'21"W
C7	39°15'45"	88.52	60.66	59.48	N03°16'51"E
C8	123°29'09"	70.00	150.87	123.32	N45°23'33"E
C9	89°19'48"	70.00	109.14	98.41	S28°11'58"E
C10	64°23'55"	70.00	78.68	74.60	S48°39'53"W
C11	167°09'39"	70.00	204.23	139.12	S83°51'48"E
C12	78°19'51"	70.00	95.70	88.42	S38°52'57"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°50'26"E	19.15'
L2	N88°44'10"E	18.72'
L3	N89°12'32"E	121.52'
L4	N87°06'26"E	46.35'
L5	N16°19'08"W	40.20'
L6	S67°16'16"W	46.23'
L7	S61°54'22"E	19.54'
L8	S77°12'09"W	63.34'
L9	S49°21'35"E	71.67'
L10	S23°14'57"E	95.97'
L11	N37°49'26"E	81.18'
L12	S63°15'45"E	60.36'
L13	S69°14'08"E	121.66'
L14	N87°13'18"E	109.52'
L15	S60°16'11"E	108.11'
L16	N76°31'17"E	133.71'
L17	S71°47'24"W	70.09'
L18	S62°23'25"W	20.55'
L19	S06°08'50"W	71.70'
L20	S38°31'09"E	25.23'
L21	S01°16'06"W	83.31'
L22	S02°11'01"E	103.61'
L23	S71°47'24"W	15.08'
L24	N52°13'18"E	61.93'
L25	N34°15'15"E	75.22'
L26	N13°15'54"E	54.90'
L27	N52°44'59"E	80.51'
L28	N18°23'41"E	104.52'
L29	N01°53'34"E	64.51'
L30	N46°27'43"W	62.41'
L31	N50°35'27"W	28.41'

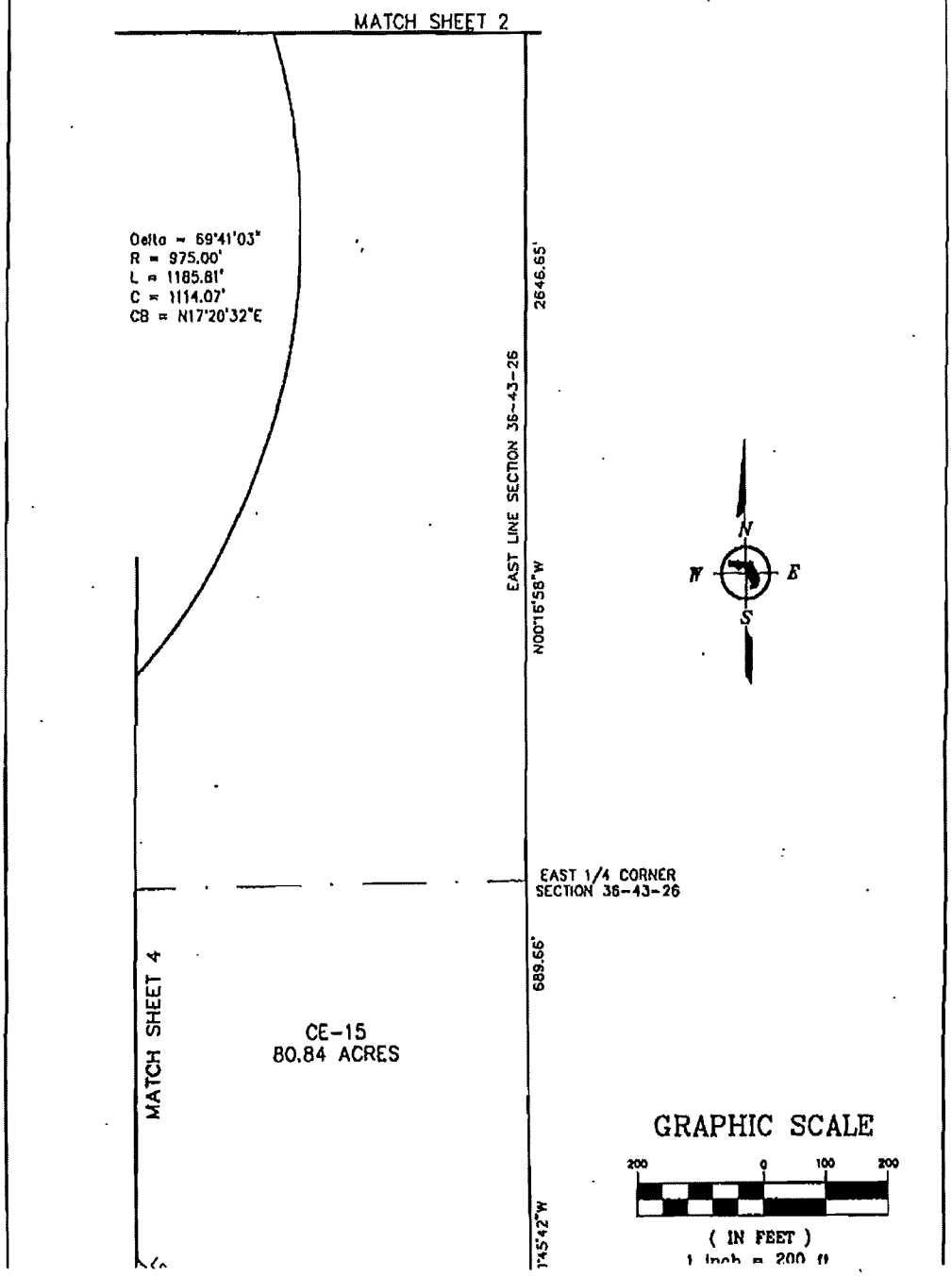
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



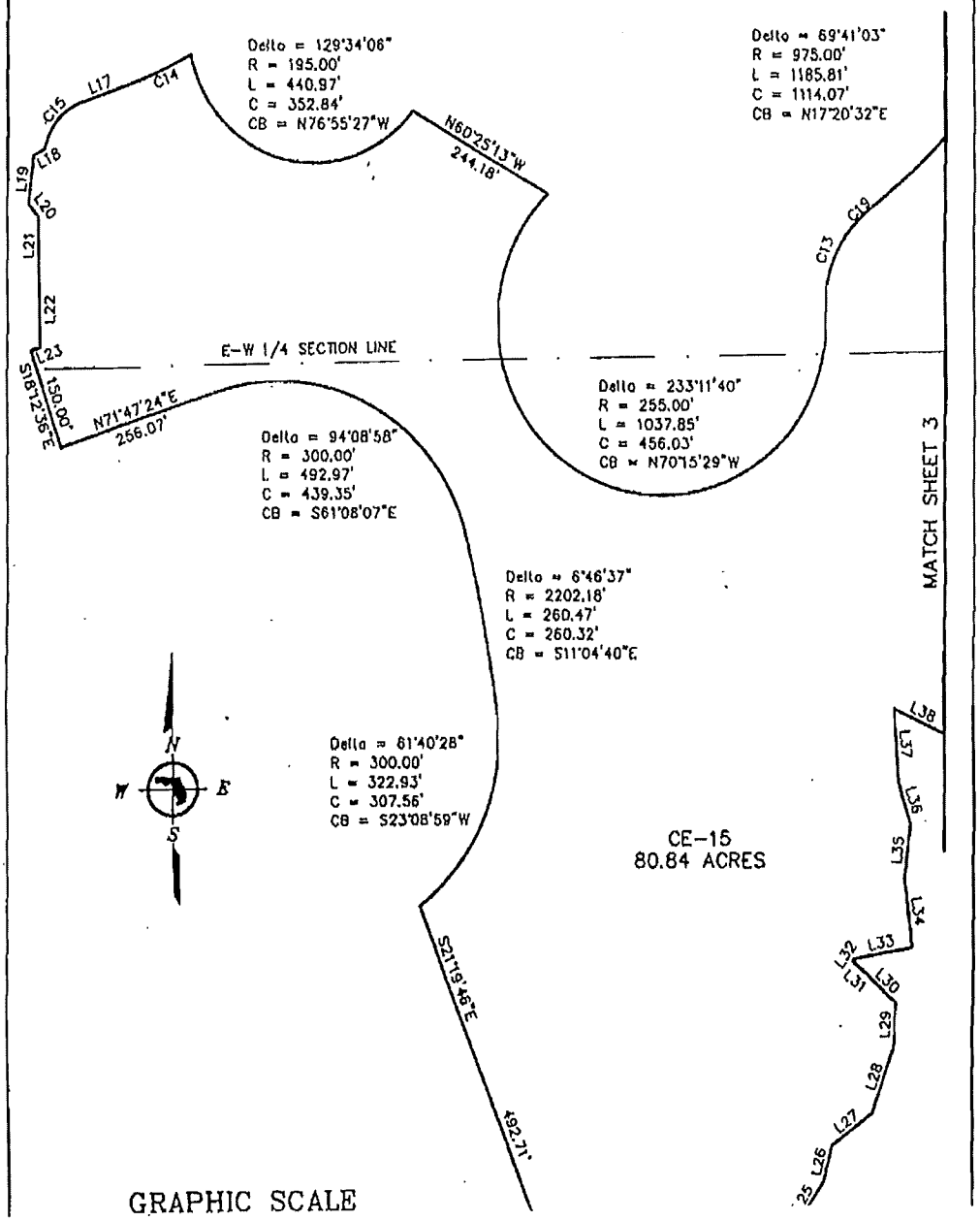
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF SECTIONS 25 AND 36
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #15)

Beginning at the north ¼ corner of Section 36, Township 43 South, Range 26 East, Lee County, Florida;

Thence along the north-south ¼ section line of said Section 36, South 00°50'26" East 19.15 feet;

Thence leaving said north-south ¼ section line, North 88°44'10" East 18.72 feet;

Thence 114.03 feet along the arc of a circular curve concave northwesterly, having a radius of 191.69 feet, through a central angle of 34°04'55" and being subtended by a chord which bears North 65°44'08" East 112.35 feet;

Thence 53.10 feet along the arc of a circular curve concave southeasterly, having a radius of 74.00 feet, through a central angle of 41°06'40" and being subtended by a chord which bears North 68°39'12" East 51.97 feet;

Thence North 89°12'32" East 121.52 feet;

Thence North 87°06'26" East 46.35 feet;

Thence 263.44 feet along the arc of a circular curve concave northwesterly, having a radius of 392.24 feet, through a central angle of 38°28'52" and being subtended by a chord which bears North 72°09'21" East 258.52 feet;

Thence 1160.84 feet along the arc of a circular curve concave southeasterly, having a radius of 570.00 feet, through a central angle of 116°41'10" and being subtended by a chord which bears South 75°03'24" East 970.37 feet;

Thence South 16°42'49" East 398.41 feet;

Thence 216.56 feet along the arc of a circular curve concave southwesterly, having a radius of 575.00 feet, through a central angle of 21°34'43" and being subtended by a chord which bears South 05°55'28" East 215.28 feet;

Thence 410.23 feet along the arc of a circular curve concave southeasterly, having a radius of 1425.00 feet, through a central angle of 16°29'39" and being subtended by a chord which bears North 40°03'52" East 408.81 feet;

Thence 92.28 feet along the arc of a circular curve concave northwesterly, having a radius of 275.00 feet, through a central angle of 19°13'37" and being subtended by a chord which bears North 38°41'53" East 91.85 feet;

Thence 44.50 feet along the arc of a circular curve concave northwesterly, having a radius of 100.68 feet, through a central

OR BK 03492 PG 0526

angle of 25°19'38" and being subtended by a chord which bears South 10°42'59" West 44.14 feet;
Thence North 05°24'12" West 111.03 feet;
Thence 429.89 feet along the arc of a circular curve concave northeasterly, having a radius of 255.00 feet, through a central angle of 96°35'29" and being subtended by a chord which bears North 14°49'12" East 380.76 feet;
Thence 47.02 feet along the arc of a circular curve concave southeasterly, having a radius of 255.00 feet, through a central angle of 10°33'56" and being subtended by a chord which bears North 68°23'54" East 46.96 feet;
Thence North 16°19'08" West 40.20 feet;
Thence 71.76 feet along the arc of a circular curve concave northeasterly, having a radius of 70.00 feet, through a central angle of 58°44'10" and being subtended by a chord which bears North 06°27'21" West 68.66 feet;
Thence 60.66 feet along the arc of a circular curve concave northwesterly, having a radius of 88.52 feet, through a central angle of 39°15'45" and being subtended by a chord which bears North 03°16'51" East 59.48 feet;
Thence 150.87 feet along the arc of a circular curve concave southeasterly, having a radius of 70.00 feet, through a central angle of 123°29'09" and being subtended by a chord which bears North 45°23'33" East 123.32 feet;
Thence South 72°51'53" East 344.56 feet;
Thence 109.14 feet along the arc of a circular curve concave southwesterly, having a radius of 70.00 feet, through a central angle of 89°19'48" and being subtended by a chord which bears South 28°11'58" East 98.41 feet;
Thence South 16°27'56" West 149.75 feet;
Thence 78.68 feet along the arc of a circular curve concave northwesterly, having a radius of 70.00 feet, through a central angle of 64°23'55" and being subtended by a chord which bears South 48°39'53" West 74.60 feet;
Thence South 67°16'16" West 46.23 feet;
Thence 202.05 feet along the arc of a circular curve concave southwesterly, having a radius of 255.00 feet, through a central angle of 45°23'54" and being subtended by a chord which bears South 00°01'47" East 196.80 feet;
Thence South 05°24'12" East 162.52 feet;
Thence South 61°54'22" East 19.54 feet;
Thence 204.23 feet along the arc of a circular curve concave southeasterly, having a radius of 70.00 feet, through a central angle of 167°09'39" and being subtended by a chord which bears South 83°51'48" East 139.12 feet;
Thence South 00°16'58" East 625.62 feet;
Thence 95.70 feet along the arc of a circular curve concave northwesterly, having a radius of 70.00 feet, through a central angle of 78°19'51" and being subtended by a chord which bears South 38°52'57" West 88.42 feet;
Thence South 77°12'09" West 63.34 feet;
Thence 403.55 feet along the arc of a circular curve concave northwesterly, having a radius of 255.00 feet, through a central angle of 90°40'28" and being subtended by a chord which bears South 34°33'14" West 362.74 feet;
Thence 1185.81 feet along the arc of a circular curve concave northwesterly, having a radius of 975.00 feet, through a central angle of 69°41'03" and being subtended by a chord which bears South 17°20'32" West 1114.07 feet;

Thence 15.34 feet along the arc of a circular curve concave southeasterly, having a radius of 70.68 feet, through a central angle of 12°26'06" and being subtended by a chord which bears South 49°40'38" West 15.31 feet;
Thence 136.98 feet along the arc of a circular curve concave southeasterly, having a radius of 175.00 feet, through a central angle of 44°50'47" and being subtended by a chord which bears South 24°44'49" West 133.51 feet;
Thence 1037.85 feet along the arc of a circular curve concave northeasterly, having a radius of 255.00 feet, through a central angle of 233°11'40" and being subtended by a chord which bears North 70°15'29" West 456.03 feet;
Thence North 60°25'13" West 244.18 feet;
Thence 440.97 feet along the arc of a circular curve concave northeasterly, having a radius of 195.00 feet, through a central angle of 129°34'06" and being subtended by a chord which bears North 76°55'27" West 352.84 feet;
Thence 110.68 feet along the arc of a circular curve concave southeasterly, having a radius of 615.00feet, through a central angle of 10°18'40" and being subtended by a chord which bears South 66°38'04" West 110.53 feet;
Thence South 71°47'24" West 70.09 feet;
Thence 91.77 feet along the arc of a circular curve concave southeasterly, having a radius of 84.98 feet, through a central angle of 61°52'32" and being subtended by a chord which bears South 40°50'33" West 87.37 feet;
Thence South 62°23'25" West 20.55 feet;
Thence South 06°08'50" West 71.70 feet;
Thence South 38°31'09" East 25.23 feet;
Thence South 01°16'06" West 83.31 feet;
Thence South 02°11'01" East 103.61 feet;
Thence South 71°47'24" West 15.08 feet;
Thence South 18°12'36" East 150.00 feet;
Thence North 71°47'24" East 256.07 feet;
Thence 492.97 feet along the arc of a circular curve concave southwesterly, having a radius of 300.00 feet, through a central angle of 94°08'58" and being subtended by a chord which bears South 61°08'07" East 439.35 feet;
Thence 260.47 feet along the arc of a circular curve concave southwesterly, having a radius of 2202.18 feet, through a central angle of 06°46'37" and being subtended by a chord which bears South 11°04'40" East 260.32 feet;
Thence 322.93 feet along the arc of a circular curve concave northwesterly, having a radius of 300.00 feet, through a central angle of 61°40'28" and being subtended by a chord which bears South 23°08'59" West 307.56 feet;
Thence South 21°19'46" East 492.71 feet;
Thence 131.33 feet along the arc of a circular curve concave southwesterly, having a radius of 1475.00 feet, through a central angle of 05°06'06" and being subtended by a chord which bears South 65°41'35" East 131.29 feet;
Thence 81.59 feet along the arc of a circular curve concave northeasterly, having a radius of 225.00 feet, through a central angle of 20°46'32" and being subtended by a chord which bears South 73°31'48" East 81.14 feet;
Thence 164.79 feet along the arc of a circular curve concave southeasterly, having a radius of 305.00 feet, through a central angle of 30°57'26" and being subtended by a chord which bears North 79°36'16" East 162.80 feet;
Thence North 52°13'18" East 61.93 feet;

Thence North 34°15'15" East 75.22 feet;
Thence North 13°15'54" East 54.90 feet;
Thence North 52°44'59" East 80.51 feet;
Thence North 18°23'41" East 104.52 feet;
Thence North 01°53'34" East 64.51 feet;
Thence North 46°27'43" West 62.41 feet;
Thence North 50°35'27" West 28.41 feet;
Thence North 34°31'23" East 4.26 feet;
Thence North 79°44'51" East 90.57 feet;
Thence North 06°43'58" West 98.03 feet;
Thence North 06°03'15" East 80.24 feet;
Thence North 16°00'22" West 64.80 feet;
Thence North 03°42'31" West 106.11 feet;
Thence South 64°31'32" East 86.09 feet;
Thence South 49°21'35" East 71.67 feet;
Thence South 23°14'57" East 95.97 feet;
Thence North 37°49'26" East 81.18 feet;
Thence South 63°15'45" East 60.36 feet;
Thence South 69°14'08" East 121.66 feet;
Thence North 67°13'16" East 109.52 feet;
Thence South 60°16'11" East 108.11 feet;
Thence North 76°31'17" East 133.71 feet to the east line of said Section 36;
Thence along said east line, North 00°45'42" West 689.66 feet to the east ¼ corner of said Section 36;
Thence continuing along said east line, North 00°16'58" West 2646.65 feet to the northeast corner of said Section 36;
Thence along the east line of Section 25, Township 43 South, Range 26 East, Lee County, Florida, North 01°40'07" West 480.24 feet to the south line of an FPL easement;
Thence along said south line, South 89°00'04" West 2668.73 feet to the north-south ¼ section line of said Section 25;
Thence along said north-south ¼ section line, South 01°02'34" East 491.47 feet to the north ¼ corner of said Section 36 and the Point of Beginning of the easement herein described;

Subject to easement, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement contains 80.84 acres more or less.

April 2, 2001

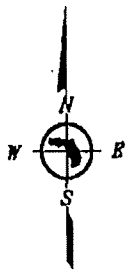
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

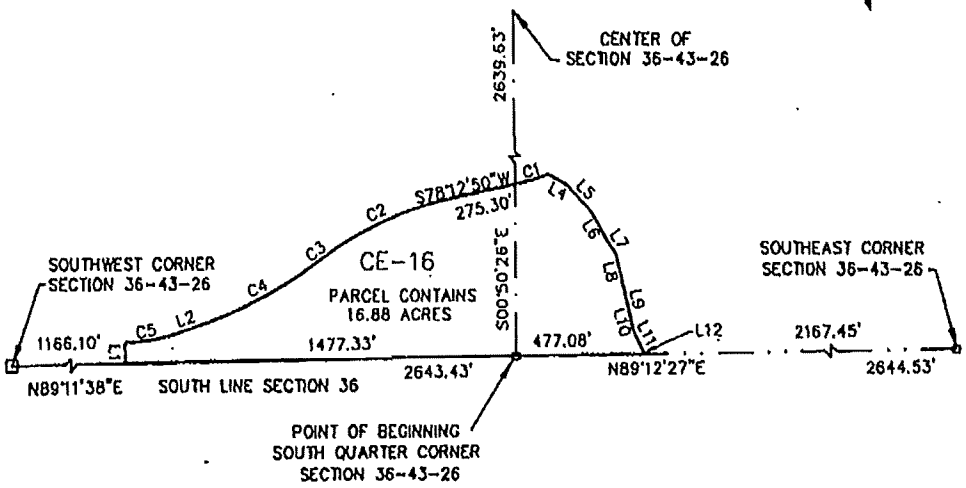
LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

GRAPHIC SCALE

500 0 250 500

(IN FEET)
1 inch = 500 ft.





CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	8°51'46"	690.00	106.73	106.63	S73°46'57"W
C2	22°43'21"	1335.00	529.44	525.97	S66°51'10"W
C3	12°16'24"	132.56	28.39	28.34	S55°00'04"W
C4	16°51'25"	1685.00	489.86	488.09	S63°25'21"W
C5	17°20'35"	665.00	201.29	200.52	S80°31'21"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	74.07'	S00°48'22"E
L2	86.61'	S71°51'03"W
L4	75.79'	N62°54'19"W
L5	135.53'	N44°49'18"W
L6	109.81'	N30°35'26"W

CONSUL-TECH ENGINEERING, INC.

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #16)

Beginning at the south ¼ corner of Section 36, Township 43 South, Range 26 East, Lee County, Florida;

Thence along the south line of said Section 36, North 89°12'27" East 477.08 feet;
Thence North 02°01'36" East 8.34 feet;
Thence North 26°08'25" West 76.11 feet;
Thence North 15°07'29" West 72.43 feet;
Thence North 13°01'34" West 81.71 feet;
Thence North 13°55'14" West 131.16 feet;
Thence North 35°05'33" West 67.72 feet;
Thence North 30°35'26" West 109.81 feet;
Thence North 44°49'18" West 135.53 feet;
Thence North 62°54'19" West 75.79 feet;
Thence 106.73 feet along the arc of a circular curve concave northwesterly, having a radius of 690.00 feet, through a central angle of 08°51'46" and being subtended by a chord which bears South 73°46'57" West 106.63 feet;
Thence South 78°12'50" West 275.30 feet;
Thence 529.44 feet along the arc of a circular curve concave southeasterly, having a radius of 1335.00 feet, through a central angle of 22°43'21" and being subtended by a chord which bears South 66°51'10" West 525.97 feet;
Thence 28.39 feet along the arc of a circular curve concave southeasterly, having a radius of 132.56 feet, through a central angle of 12°32'05" and being subtended by a chord which bears South 55°00'04" West 28.34 feet;
Thence 489.86 feet along the arc of a circular curve concave northwesterly, having a radius of 1665.00 feet, through a central angle of 16°51'25" and being subtended by a chord which bears South 63°25'21" West 488.09 feet;
Thence South 71°51'03" West 86.61 feet;
Thence 201.29 feet along the arc of a circular curve concave northwesterly, having a radius of 665.00 feet, through a central angle of 17°20'35" and being subtended by a chord which bears South 80°31'21" West 200.52 feet;
Thence South 00°48'22" East 74.07 feet to the south line of said Section 36;
Thence along the south line of said Section 36, North 89°11'38" East 1477.33 feet to the south ¼ corner of said Section 36 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 16.88 acres more or less.

Date: April 3, 2001

OR BK 02452 PG 0631

EXHIBIT D

CONSERVATION EASEMENT INSTR # 5262661

INSTR # 5262661
OR BK 03504 PG 3311
RECORDED 10/17/01 04:11 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 35.50
DOC TAX PD(F.S.201.02) 0.70
DEPUTY CLERK K Cartwright

This Instrument Prepared by:
George L. Consoer, Jr., Esq.
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, FL 33901

CONSERVATION EASEMENT
(Passive with Third Party Enforcement Rights)

THIS DEED OF CONSERVATION EASEMENT is given this 24th day of September, 2001, by FC Hawks Haven, Inc, a Florida corporation, whose address is 5307 Fox Hunt, Wesley Chapel, Florida 33543, ("Grantor") to The Florida Fish and Wildlife Conservation Commission, ("Grantee"), whose address is 620 South Meridian Street, Tallahassee, Florida 32399-1600, with third party enforcement rights to the South Florida Water Management District ("District"), whose address is 2301 McGregor Boulevard, Fort Myers, Florida 33901, and Lee County, a Political Subdivision ("Lee County") whose address is P.O. Box 398, Fort Myers, Florida 33902-0398. As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH:

WHEREAS, the Grantor is the owner of certain lands situated in Lee County, Florida and more specifically described in composite Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct a residential subdivision ("Project") at a site in Lee County, which is subject to the regulatory jurisdiction of Grantee and District; and

WHEREAS, the Grantor, in consideration of the consents of the Grantor to Permit No. LEE-58 issued by the Grantee on SEPTEMBER 6, 2000 ("Permit") in favor of the Grantor for the incidental take of listed wildlife species, is required to grant and secure the enforcement of a perpetual Conservation Easement as defined in Section 704.06 Florida Statutes (2001), over the Property; and

WHEREAS, District Permit No. 36-04006-P ("Permit") authorizes certain activities which affect surface waters in or of the State of Florida; and

WHEREAS, the Grantor has developed and proposed as part of the permit conditions a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permits, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes (2001), over the Property, which includes third party enforcement rights for the District and Lee County.

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to District and Grantee in issuing the Permits, together with other good and valuable consideration, the adequacy and receipt which is hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual non-exclusive Conservation Easement for and in favor of the Grantee upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

1. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife, in accordance with the Habitat Management Plan for the Property (Exhibit "B"), attached hereto and hereby incorporated herein. Those wetland and/or upland areas included in the Conservation Easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to the Grantee and the District by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

2. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, which are permitted or required by the Permit, the following activities are prohibited in or on the Property:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

3. Passive Recreational Facilities. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District or Lee County rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the

District, the Grantee, and Lee County.

a. The Grantor may conduct limited land clearing for the purpose of construction of such pervious facilities as docks, boardwalks or mulched walking trails. Grantor shall submit plans for the construction of the proposed facilities to the District and Grantee for review and written approval prior to construction.

b. The construction and use of the approved passive recreational facilities shall be subject to the following conditions:

i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Property and shall avoid materially diverting the direction of the natural surface water flow in such area;

ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;

iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic improvements and periodic inspections shall be instituted by the Grantor, to clean any litter from the area surrounding the facilities and improvements;

iv. This Conservation Easement shall not constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.

4. No right to access by the general public to any portion of the Property is conveyed by this Conservation Easement.

5. Neither the Grantee nor the District shall be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Property.

7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this Conservation Easement shall be borne by and recoverable against the non-prevailing party in such proceedings.

8. The District and Lee County shall have third party enforcement rights of the terms, provisions and restrictions of this Conservation Easement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the discretion of Grantee, or the District or Lee County, and any forbearance on behalf of Grantee or the District or Lee County to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's or District's or Lee County's rights hereunder.

9. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not hold assign its rights and obligations under this Conservation Easement except to another organization determined in advance by the District or Lee County to be qualified to hold such interests under the applicable state laws. No assignment or conveyance of the Conservation Easement shall be made unless prior written approval is given by the District and Lee County to the Grantee.

Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

12. The terms, conditions, restrictions and purpose of this Conservation Easement shall be referred to by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement and the third party enforcement rights of the South Florida Water Management District and Lee County.

13. Any amendments or modifications to the terms, conditions, restrictions, or purpose of this Conservation Easement, or any release or termination thereof, shall be subject to prior review and written approval by the District and Lee County. The District and Lee County shall be provided no fewer than 90 days advanced notice in the manner described herein of any such proposed amendment, modification, termination or release. This conservation easement may be amended, altered, released or revoked only by written agreement between the parties hereto and the District and Lee County or their heirs, assigns or successors in interest, which shall be filed in the Public Records of Lee County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purpose imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement and all mortgages and liens have been subordinated to this Conservation Easement; that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and shall defend the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF Grantor has set its hand on the day and year first above written.

Signed, Sealed and Delivered
in our presence as witnesses:

Janice L. Patsolic
1st Witness
JANICE L. PATSOLIC
Printed Name

Nancy Ann
2nd Witness
NANCY OAS
Printed Name

GRANTOR

FC HAWKS HAVEN, INC.,
a Florida Corporation

By: Robert F. Monchein
Its VICE President
Printed Name: ROBERT F. MONCHEIN

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

On this 24TH day of SEPTEMBER, 2001, before me, the undersigned notary public, personally appeared ROBERT F. MONCHEIN, VICE President of FC Hawks Haven, Inc., who is personally known to me, ~~or who has produced~~ _____ ~~as identification.~~

MY COMMISSION EXPIRES:

Janice L. Patsolic
Notary Public
Print Name: ~~JANICE L. PATSOLIC, Notary Public~~

NOTARIAL SEAL

~~JANICE L. PATSOLIC, Notary Public~~
STATE OF OHIO
My Commission Expires Jan. 27, 2005
(Recorded in Cuyahoga County)

GRANTEE'S ACCEPTANCE

The Florida Fish and Wildlife Conservation Commission hereby approves the foregoing Conservation Easement and agrees to all of the terms and provisions thereof.

THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

By: _____
Its Authorized Representative

Victor J. Heller
Printed Name

Title: Assistant Executive Director

STATE OF FLORIDA)
) ss.
COUNTY OF LEON)

On this 11th day of October, 2001, before me, the undersigned notary public, personally appeared Victor J. Heller, as Authorized Representative of The Florida Fish and Wildlife Conservation Commission, who is personally known to me or who has produced _____ as identification.

MY COMMISSION EXPIRES:
Jimmie C. Bevis
MY COMMISSION # CC702862 EXPIRES
December 28, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

_____
Notary Public
Print Name: JIMMIE C. BEVIS

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
_____
Commission Attorney

EXHIBIT "A"

Legal description of property

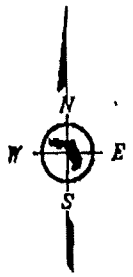
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

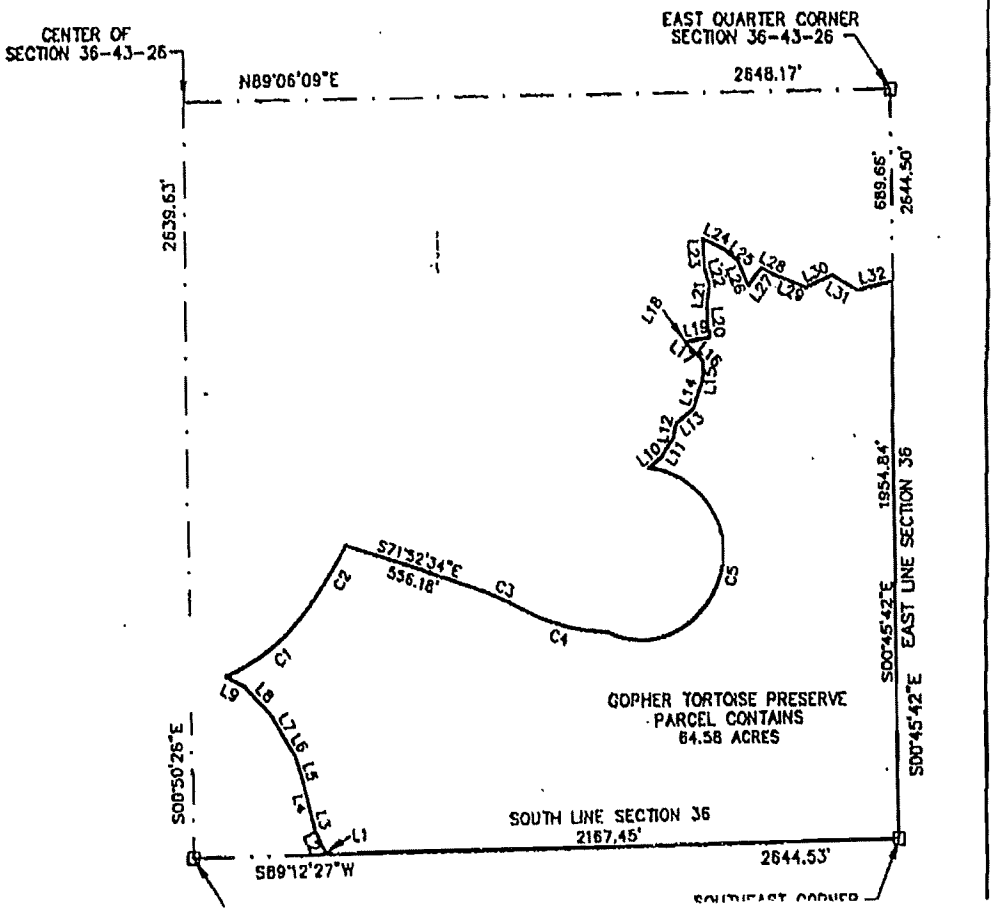
LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

GRAPHIC SCALE

500 0 250 500

(IN FEET)
1 inch = 500 ft.





CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

LINE TABLE		
LINE	BEARING	LENGTH
L1	N02°01'36"E	8.34'
L2	N26°08'25"W	76.11'
L3	N15°07'29"W	72.43'
L4	N13°01'34"W	81.71'
L5	N13°55'14"W	131.16'
L6	N35°05'33"W	67.72'
L7	N30°35'26"W	109.81'
L8	N44°49'18"W	135.53'
L9	N62°54'19"W	75.79'
L10	N52°13'18"E	61.93'
L11	N34°15'15"E	75.22'
L12	N13°16'54"E	54.90'
L13	N52°44'59"E	80.51'
L14	N18°23'41"E	104.52'
L15	N01°53'34"E	64.51'
L16	N46°27'43"W	62.41'
L17	N50°35'27"W	28.41'
L18	N34°31'23"E	4.26'
L19	N79°44'51"E	90.57'
L20	N06°43'58"W	98.03'
L21	N05°03'15"E	80.24'
L22	N18°00'22"W	64.80'
L23	N03°42'31"W	106.11'
L24	S64°31'32"E	88.09'
L25	S49°21'35"E	71.67'
L26	S23°14'57"E	95.97'
L27	N37°49'26"E	81.18'
L28	S83°15'45"E	60.36'
L29	S69°14'08"E	121.66'
L30	N87°13'16"E	109.52'
L31	S60°16'11"E	108.11'
L32	N76°31'17"E	133.71'

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	32°58'23"	690.00	397.09	391.63	N52°51'53"E
C2	8°36'51"	1651.75	248.33	248.10	N32°05'47"E
C3	9°44'37"	828.36	141.04	140.87	S67°30'33"E
C4	25°37'21"	769.40	344.07	341.21	S75°51'33"E
C5	199°50'15"	305.00	1063.79	600.88	N15°00'07"E

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

RESPOND TO:

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

Other Offices

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

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

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

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

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

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

CONSUL-TECH ENGINEERING, INC.

DESCRIPTION OF A PORTION OF THE SOUTHEAST ¼ OF SECTION36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (GOPHER TORTOISE PRESERVE)

Beginning at the southeast corner of Section 36, Township 43 South, Range 26 East, Lee County, Florida;

Thence South 89°12'27" West 2167.45 feet;
Thence North 02°01'36" East 8.34 feet;
Thence North 26°08'25" West 76.11 feet;
Thence North 15°07'29" West 72.43 feet;
Thence North 13°01'34" West 81.71 feet;
Thence North 13°55'14" West 131.16 feet;
Thence North 35°05'33" West 67.72 feet;
Thence North 30°35'26" West 109.81 feet;
Thence North 44°49'18" West 135.53 feet;
Thence North 62°54'19" West 75.79 feet;
Thence 397.09 feet along the arc of a circular curve concave northwesterly, having a radius of 690.00 feet, through a central angle of 32°58'23" and being subtended by a chord which bears North 52°51'53" East 391.63 feet;
Thence 248.33 feet along the arc of a circular curve concave northwesterly, having a radius of 1651.75 feet, through a central angle of 08°36'51" and being subtended by a chord which bears North 32°05'47" East 248.10 feet;
Thence South 71°52'34" East 556.18 feet;
Thence 141.04 feet along the arc of a circular curve concave southwesterly, having a radius of 829.36 feet, through a central angle of 09°44'37" and being subtended by a chord which bears South 67°30'33" East 140.87 feet;
Thence 344.07 feet along the arc of a circular curve concave northeasterly, having a radius of 769.40 feet, through a central angle of 25°37'21" and being subtended by a chord which bears South 75°51'33" East 341.21 feet;
Thence 1063.79 feet along the arc of a circular curve concave northwesterly, having a radius of 305.00 feet, through a central angle of 199°50'15" and being subtended by a chord which bears North 15°00'07" East 600.88 feet;
Thence North 52°13'18" East 61.93 feet;
Thence North 34°15'15" East 75.22 feet;
Thence North 13°15'54" East 54.90 feet;
Thence North 52°44'59" East 80.51 feet;
Thence North 18°23'41" East 104.52 feet;
Thence North 01°53'34" East 64.51 feet;
Thence North 46°27'43" West 62.41 feet;

OR BK 03504 PG 3320

Thence North 50°35'27" West 28.41 feet;
Thence North 34°31'23" East 4.26 feet;
Thence North 79°44'51" East 90.57 feet;
Thence North 06°43'58" West 98.03 feet;
Thence North 06°03'15" East 80.24 feet;
Thence North 16°00'22" West 64.80 feet;
Thence North 03°42'31" West 106.11 feet;
Thence South 64°31'32" East 86.09 feet;
Thence South 49°21'35" East 71.67 feet;
Thence South 23°14'57" East 95.97 feet;
Thence North 37°49'26" East 81.18 feet;
Thence South 63°15'45" East 60.36 feet;
Thence South 69°14'08" East 121.66 feet;
Thence North 67°13'16" East 109.52 feet;
Thence South 60°16'11" East 108.11 feet;
Thence North 76°31'17" East 133.71 feet to the east line of said Section 36;
Thence along the east line of said Section 36, South 00°45'42" East 1954.84 feet to the southeast corner of said Section 36 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservation of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 64.58 acres more or less.

April 3, 2001

EXHIBIT "B"

Habitat Management Plan for the Property

The area within the boundaries of the Conservation Easement shall be managed by the Grantor for the purpose of maintaining or enhancing existing habitat for the benefit of the gopher tortoise (*Gopherus Polyphemus*). The goal of the Management Plan shall be to reduce understory woody and shrubby vegetation and promote the growth of herbaceous groundcover plants suitable for gopher tortoise forage. Management shall consist of:

1) A fuel reduction burn within one (1) year of the date of the Permit.

2) A second controlled burn between the months of May and September, one (1) or two (2) years following the initial fuel reduction burn.

3) Subsequent management shall consist of periodic spring or summer burning at three (3) year intervals and/or annual mowing or bush-hogging during the winter months.

4) Selective falling of mid-story hardwood trees may also be implemented at any time to stimulate the growth of herbaceous groundcover vegetation.

G:\GLC\Hawks Haven\conservation easement fl fish wildlife.wpd

EXHIBIT E

GOPHER TORTOISE INCIDENTAL TAKE PERMIT (#LEE-58)

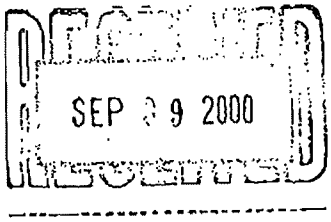
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

JAMES L. "JAMIE" ADAMS, JR., Bushnell
BARBARA C. BARSH, Jacksonville
QUINTON L. HEDGEPETH, DDS, Miami
H.A. "HERKY" HUFFMAN, Deltona
DAVID K. MEEHAN, St. Petersburg
JULIE K. MORRIS, Sarasota
TONY MOSS, Miami
EDWIN P. ROBERTS, DC, Pensacola
JOHN D. ROOD, Jacksonville

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, DIRECTOR
(850)488-6661 TDD (850)488-9542
FAX (850)922-5679

September 6, 2000



Mr. Frank Stringer
Florida Tampa West, Inc.
5307 Fox Hunt Drive
Wesley Chapel, Florida 33543

Re: Gopher Tortoise Incidental Take Permit
#LEE-58 , Lee County

Dear Mr. Stringer:

Enclosed is permit LEE-58 for the incidental taking of gopher tortoises, their eggs and their burrows within the development boundaries specified. The application for this permit was complete as of September 6, 2000.

Please contact me or Mr. Jim Beever at (941) 575-5765 if you have any questions regarding this permit.

Sincerely,

Brian Barnett, for

Bradley J. Hartman, Director
Office of Environmental Services

BJH/ps
ENV 3-2/5
Enclosure
gtpermit.ltr
cc: Lee County Planning Department
Mr. Joseph Bozzo, Naples Office, FWC
Major Buckhalter, South Region, FWC
Mr. Jim Beever, OES, FWC
Mr. Timothy A. Shaw, Consul-Tech Engineering, Inc.
Ms. Angela Williams, Division of Wildlife, FWC

PERMIT FOR TAKING OF GOPHER TORTOISES AND THEIR BURROWS

Chapter 39-27.002(4) F.A.C.

STATE OF FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Issuance Date: September 6, 2000

Permittee: Florida Tampa West, Inc.
Permittee Address: 5307 Fox Hunt Drive
Wesley Chapel, Florida 33543
Attn: Mr. Frank Stringer

Consultant: Mr. Timothy A. Shaw
Consultant Address: Consul-Tech Engineering, Inc.
324831 Old 41 Road 880
Bonita Springs, Florida 34135

Permit Number: LEE-58

Location of Affected Site: The 1,795-acre Hawks Haven site, including 846.85 acres of gopher tortoise habitat, situated south of SR 80, west of the Hickey Creek Gopher Tortoise Mitigation Park, and east of Buckingham Road in Sections 27, 34, 35, and 36, Township 43S, Range 26E, in eastern Lee County (see attachments 1 and 2).

Permitted Action: The permittee or its agents are authorized to take gopher tortoises, their eggs and their burrows within its development boundaries where such taking is incidental to development activities. The criteria of Rule 39-27.002(4), F.A.C., have been satisfied and the taking, as conditioned below, will not be detrimental to the survival potential of the species.

Provisions/Conditions:

1. The permittee shall protect 63.0 acres of gopher tortoise habitat within the "Gopher Tortoise Preserve Area (UMA) of the Hawks Haven Development" on the attached map (Figure 2), by placing these lands under a perpetual conservation easement (C.E.) granted to and approved by the Florida Fish and Wildlife Conservation Commission (FWC). **The permittee shall provide a copy of the certified as recorded conservation easement to the FWC.** The easement area boundaries shall be marked in the field by the permittee, and these markers shall be maintained for the life of the easement.

2. To provide interim assurance that Condition #1 will be accomplished, the permittee may provide an irrevocable letter of credit (LOC) for $304,650.00 (6,093.00 X 50.0 acres), valid for twelve months from the date of this notice to the Florida Fish and Wildlife Conservation Commission (FWC), Office of Environmental Services (OES), 620 South Meridian Street, Tallahassee, Florida 32399-1600.

3. This permit is effective the date that the permittee has obtained a receipt from the FWC for either the C.E. addressed under Condition #1 or the LOC specified under Condition #2. However, as described in the permit Notice of Rights statement, issuance of the permit may be appealed by a concerned party with 21 days of the permittee's receipt of this notice. If a Petition for Administrative Hearing is timely filed within this prescribed time period, the permittee shall be notified by the FWC. Upon such notification, the permittee shall cease all work authorized by this permit until the petition is resolved.

4. If the permittee fails to provide the FWC-OES Tallahassee office with a certified copy of the approved and recorded conservation easement in conformance with permit condition #1 by 6 August 2001, the FWC shall be entitled to draw upon the entire value of the submitted letter of credit to purchase gopher tortoise habitat. If the permittee successfully implements Condition #1 and provides the required documentation to the FWC-OES Tallahassee office by that date, the FWC shall return the letter of credit to the permittee.

5 The permittee shall have the obligation to manage and maintain the designated preservation areas to provide suitable habitat for the gopher tortoise as specified in an FWC-approved upland preserve management plan, which is incorporated herein by reference.

6. The permittee shall keep written records of the vegetation management activities and provide a copy of said records upon request of the FWC.

7. The conservation area shall have no other designated uses, except as specified in the FWC-approved upland preserve management plan and the conservation easement.

8. This permit does not relieve the permittee from any other "taking" requirements by the U.S. Fish and Wildlife Service (USFWS) or the FWC as to other listed species. Specifically, this permit does not authorize any destruction of scrub jays or scrub jay habitat. Consultation with the USFWS should be sought if this species is present.

9. The permittee or its approved agents are authorized to move tortoises, at their discretion, within the property boundaries to minimize taking. This permit does not authorize the permittee or its agents to possess or move tortoises off the contiguous ownership of the permittee nor to move tortoises into areas previously authorized as a relocation site by a FWC permit. A separate relocation permit from the FWC shall be required for those activities.

10. This permit does not authorize any taking of gopher tortoises beyond that which is a direct result of development activities or the on-site movement of animals addressed in condition #9. Any other form of taking or relocation will require a separate permit from the Executive Director.

11. This permit must be available for inspection at all times while engaged in the permitted activities.

12. This permit is transferrable to subsequent owners of the property.

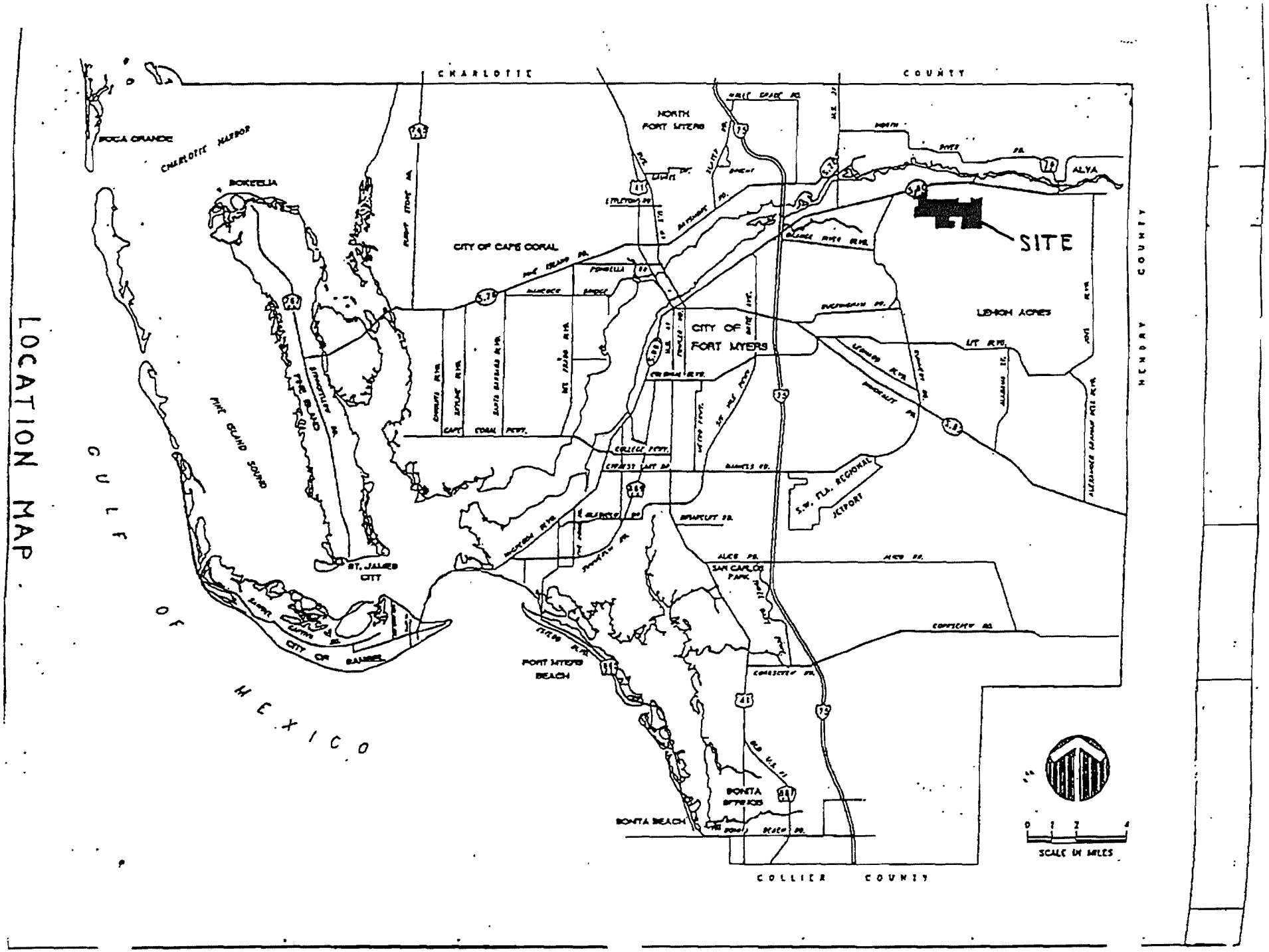
Notice of Rights Statement: In accordance with Rules 28-5.111 and 28-6.008, F.A.C., and Section 120.60, F.S., any party may request a hearing on this matter pursuant to Section 120.57, F.S., by filing a completed Elections of Rights form (copy attached) by certified mail, return receipt requested, with the undersigned within twenty-one (21) days of receipt of this notice. If timely requested and a hearing is granted, the hearing will be conducted under the procedures established by Section 120.57, F.S. A party will be given the opportunity to be represented by counsel or other qualified representative, to take testimony, to call and cross-examine witnesses, and to have subpoenas issued on your behalf.

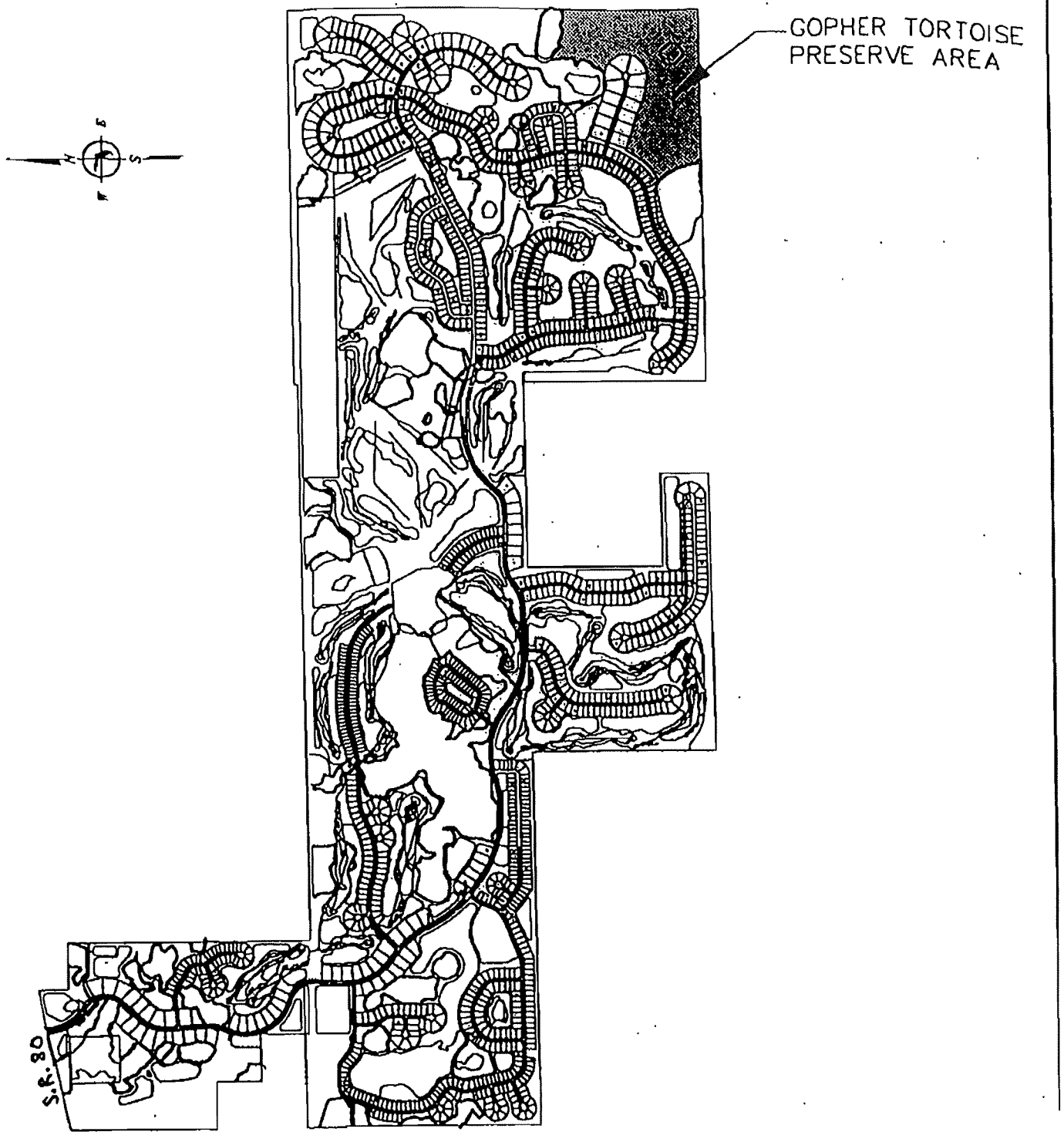
Allan L. Egbert, Ph.D.
Executive Director

By: Brian Barnett

ALE/JWB
ENV 3-2/5
hawkhavn.gtp
Attachments:

1. Location map
2. Project boundaries map
3. Election of Rights form


LOCATION MAP
CHARLOTTE COUNTY
HENDRY COUNTY
COLLIER COUNTY
GULF OF MEXICO
BOCA GRANDE
CHARLOTTE HARBOR
BOKEELIA
PINE ISLAND SOUND
PINE ISLAND RD.
ST. JAMES CITY
CAPTIVA
CITY OF SANIBEL
NORTH FORT MYERS
CITY OF CAPE CORAL
CITY OF FORT MYERS
FORT MYERS BEACH
BONITA SPRINGS
BONITA BEACH
ALVA
LEHIGH ACRES
S.W. FLA. REGIONAL AIRPORT
SAN CARLOS PARK
SITE
SCALE IN MILES
0 1 2 4



GOPHER TORTOISE PRESERVE

FOR

HAWK'S HAVEN

LOCATED IN

SECTION 27,34,35,36 TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

Phone (941) 947-0266
Fax (941) 947-1323
24831 Old 41 Road
BONITA SPRINGS, FL. 34135

EXHIBIT F

AMERICAN ALLIGATOR INFORMATIONAL PAMPHLET

Action to be taken if you observe someone feeding or harassing an American alligator:

Promptly notify the FWCC 1-888-404-FWCC

Action to be taken if you encounter an American alligator over four feet in length that poses a threat to humans or property:

Promptly notify the FWCC 1-866-FWC-GATOR

If it is an emergency call 911.

Note: The presence of an American alligator does not always mean it is a nuisance animal. American alligators that are fed by humans are more likely to become nuisance alligators.

Tips for living with American Alligators

- Be aware that alligator attacks can occur near fresh water.
- Supervise children who are playing around water.
- Observe alligators at a distance. Never approach them.
- Do not allow pets to drink, swim, or play in water that is inhabited by alligators.

*Information regarding the FWCC was acquired from http://myfwc.com/gators/default.htm

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

AMERICAN ALLIGATOR INFORMATIONAL PAMPHLET



RIVER HALL

Description:

The American alligator is a reptile with an elongated, armored, lizard-like body with a muscular flat tail. Adult American alligators are dark with a pale underside while juveniles have bright yellow stripes and blotches. The average size for adults is 8.2 feet for females and 11.2 feet for males. The body weight can reach up to one half of a ton.

Habitat:

American alligators inhabit all counties in the state of Florida and are most common in the major river drainage basins and large lakes in the central and southern portions of the state. They also can be found in marshes, swamps, ponds, drainage canals, phosphate-mine settling ponds, and ditches. American alligators are tolerant of poor water-quality and occasionally inhabit brackish marshes along the coast. A few even venture into salt water. Individuals are wide ranging and some males may utilize an area of two square miles or more.

Habitat (Continued):

Individuals of both sexes are most likely to become more active and extend their ranges during the April to May courtship and breeding season. Prey may include frogs, snakes, birds, and small mammals, although alligators are opportunistic feeders and may prey on what is readily available. Larger individuals often prefer carrion to fresh meat.

Protection:

The American alligator is listed as a species of special concern by the State of Florida. Only representatives of the Florida Fish and Wildlife Conservation Commission (FWCC) are empowered to handle nuisance alligators. It is unlawful for anyone to feed, injure, harm, harass, or kill this species. Persons who knowingly violate the law will may be subject to a $500 fine and/or 60 days in jail.

Construction Guidance:

Actions to take if a live or injured American Alligator is sighted during construction activity:

- **Cease construction activity**
- **Promptly notify the FWCC: 1-888-404-FWCC**
- **Allow the American alligator sufficient time to move away from construction activity or allow FWCC to promptly relocate the American alligator before resuming construction. Only the FWCC is permitted to come in contact with, or relocate, an American Alligator**

EXHIBIT G

BURROWING OWL INFORMATIONAL PAMPHLET

Actions to take if a dead burrowing owl is sighted during construction activity:

- Promptly notify the project's qualified biologist:

Passarella and Associates, Inc.
(239) 274-0067

- Seal the remains in an airtight plastic bag and place on ice.

- The qualified biologist will contact the following agency personnel for proper disposal:

Jim Beever
Florida Fish and Wildlife Conservation Commission
Habitat Conservation Scientific Services
Colonial Promenade Burnt Store
3941 Tamiami Trail, Suite 3111
Punta Gorda, FL 33950
Phone: (941) 575-5784
Fax: (941) 575-5862

HOMEOWNERS

What to do if a burrowing owl is sighted near your home:

- Observe the burrowing owls from approximately 50 feet away. Do not harass the burrowing owls or disturb their burrows.

Actions to take if a burrow is excavated:

- Promptly notify the project's qualified biologist:

Passarella and Associates, Inc.
(239) 274-0067

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

BURROWING OWL INFORMATIONAL PAMPHLET



Photo courtesy of the Florida Fish and Wildlife Conservation Commission

RIVER HALL

Background Information:

The burrowing owl (*Athene cunicularia floridana*) is a pint-sized bird that lives in open, treeless areas. The burrowing owl spends most of its time on the ground, where its sandy brown plumage provides camouflage from potential predators. One of Florida's smallest owls, it averages nine inches in height with a wingspan of 21 inches. The burrowing owl lacks the ear tufts of the more familiar woodland owls. Bright yellow eyes and a white chin accent the face. Unusually long legs provide additional height for a better view from its typical ground-level perch.

Habits:

Burrowing owls nest and inhabit underground burrows that they excavate or adopt from other burrowing animals, such as gopher tortoises (*Gopherus polyphemus*). Culverts, PVC pipes, and spaces underneath sidewalks and roofs also serve as nesting locations for the burrowing owl. They are mostly monogamous and territorial around their burrows. When disturbed, the owl bobs in agitation and utters a chattering or clucking call. Unlike most owls, burrowing owls are active during both day and night.

Habits (Continued):

During the day, they are usually seen standing erect at the mouth of the burrow or on a nearby post. In flight, burrowing owls typically undulate as if they are flying an invisible obstacle course. During the nesting season (typically February 15 to July 10), burrows are adorned with various materials such as grasses and palm fronds before egg laying. Subsequent to the laying of eggs, the entrance to the burrow is decorated with highly visible non-natural objects, such as tinfoil and plastics. Predominately, the burrowing owl is non-migratory and resides within the vicinity of the burrow. If one adult guards the burrow during the nesting season, the burrow is most likely active; especially if the other adult is making constant trips to the burrow.

Protection:

The Florida burrowing owl is classified as a "species of special concern" by the Florida Fish and Wildlife Conservation Commission (FWCC). This means burrows, owls, and their eggs are protected from harassment and/or disturbance by state law (F.A.C. 68A-27.005). Burrowing owls are also protected by the federal Migratory Bird Treaty Act (Title 50, Code of Federal Regulations, Part 21).

Actions to take if a live or injured burrowing owl is sighted during construction activity:

- Cease construction activity
- Promptly notify the project's qualified biologist:

  Passarella and Associates,Inc.
  Phone (239) 274-0067

- Allow the burrowing owl sufficient time to move away from construction activity. Only the qualified biologist is permitted to come in contact with the burrowing owl.

EXHIBIT H

FLORIDA SCRUB JAY NESTING SEASON SURVEY

RIVER HALL
FLORIDA SCRUB JAY NESTING SEASON SURVEY

May 2006

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

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

Project No. 03PEG931

TABLE OF CONTENTS

Page

Introduction 1

Survey Methodology 1

Records of Occurrence 1
Habitat Inventory and Mapping 1
Field Survey 3

Survey Results 3

Records of Occurrence 3
Habitat Inventory and Mapping 5
Field Survey 5

Summary 8

References 9

LIST OF FIGURES

Page

Figure 1. Project Location Map 2

Figure 2. FWCC Documented Occurences of Florida Scrub Jays 4

Figure 3. FLUCFCS and Wetlands Map 6

Figure 4. Florida Scrub Jay Preferred Habitat Types 7

LIST OF TABLES

Page

Table 1. Weather Conditions 8

LIST OF EXHIBITS

Page

Exhibit A. Aerial Photograph with FLUCFCS Map and Scrub Jay Playback Station Overlay A-1

Exhibit B. Florida Scrub Jay Survey Field Observations B-1

INTRODUCTION

The following report documents the results of the Florida scrub jay (*Aphelocoma coerulescens*) nesting season survey conducted in March 2006 by Passarella and Associates, Inc. for the River Hall project. The 1,978.70± acre River Hall parcel is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The project's surrounding land uses include Lehigh Acres to the south; State Road 80 to the north; Hickey's Creek Mitigation Park to the east; undeveloped land and the residential development, Hawk's Preserve, to the west.

SURVEY METHODOLOGY

The survey methodology was adapted from the survey guidelines recommended by the Florida Fish and Wildlife Conservation Commission (FWCC) (Fitzpatrick *et al.* 1991) and per the U.S. Fish and Wildlife Service (USFWS) guidelines in the Draft Standard Local Operating Procedures for Endangered Species (SLOPES) (USFWS 2002) for the Florida scrub jay. Also a review of FWCC's records of occurrences for Florida scrub jays was conducted. Determination of presence for Florida scrub jay on the project site was based on systematic field surveys. The survey methodology included an inventory of habitats on the project site and identification of preferred Florida scrub jay habitat types. Recordings of Florida scrub jay territorial calls were played at 29 playback stations at various locations within the project over the course of five mornings. The survey began each day about one hour after sunrise and terminated before midday heat or wind.

Records of Occurrence

The "Status and Distribution of the Florida Scrub Jay" (Cox 1987), the FWCC database, and "The Hickey's Creek Mitigation Park Florida Scrub Jay Management Plan" (Bowman 2005) were referenced for records of occurrence within or near the project boundary.

Habitat Inventory and Mapping

The project's vegetation associations and land uses were delineated using 2002 rectified (scale 1" = 500') color aerials and on-site field surveys conducted in August 2003. During the vegetation surveys, lines were drawn on the aerial delineating the different vegetation associations on-site. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote hydrologic and exotic species disturbance.

The mapped vegetation associations were reviewed to identify potential habitat types for Florida scrub jays using the type definitions found in Fitzpatrick *et al.* 1991. The three preferred habitat types are:

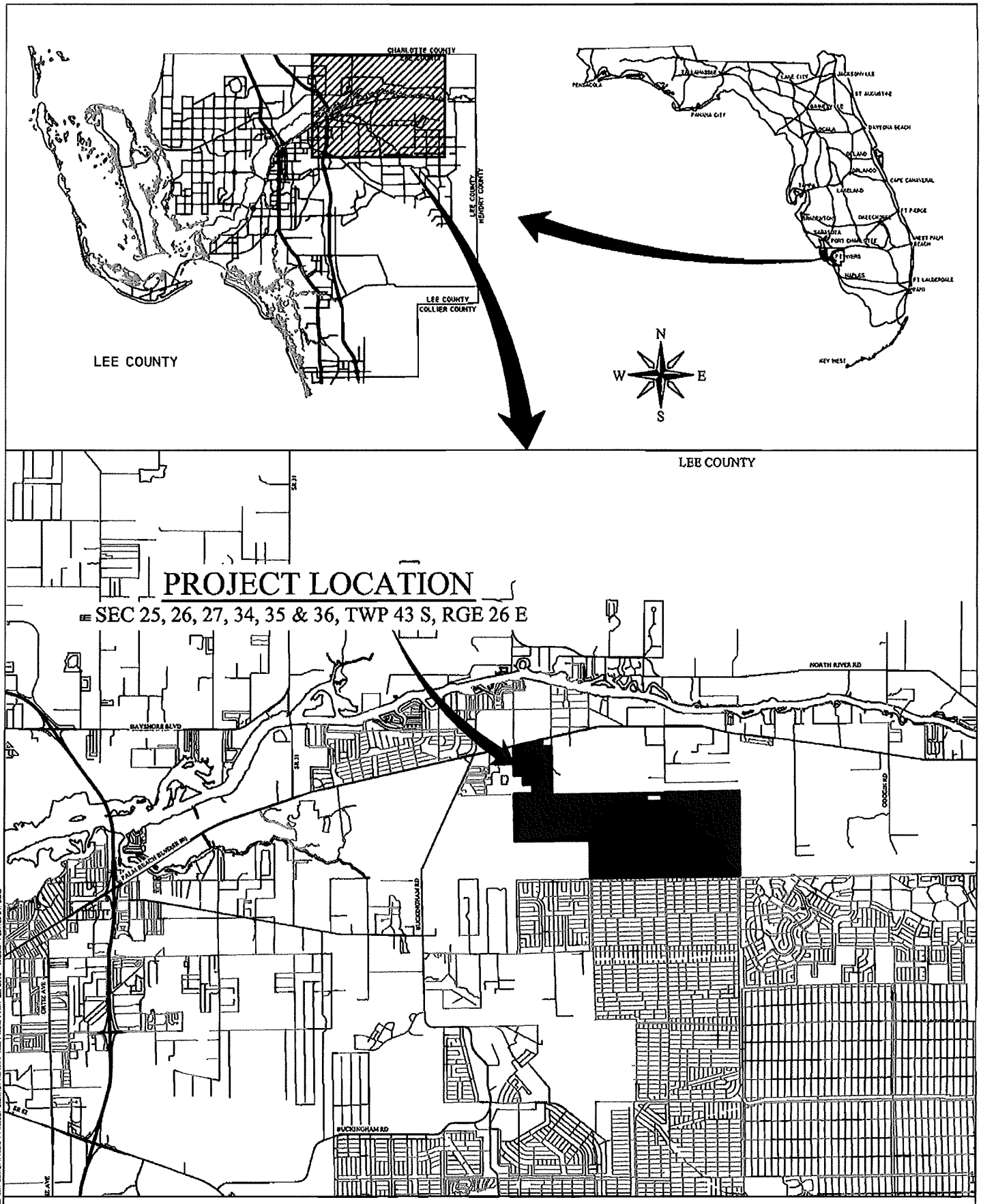


FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: P.F. DATE: 9/16/04

Type I Habitat - any upland plant community, in which percent cover of the substrate by scrub oak species is 15 percent or more. Scrub oak species include Chapman's oak (*Quercus chapmanii*), sand live oak (*Q. geminata*), scrub oak (*Q. inopina*), myrtle oak (*Q. myrtifolia*), and dwarf live oak (*Q. minima*). Type I habitat may be characterized as xeric oak scrub, scrubby pine flatwoods, scrubby coastal strand, or sand pine scrub.

Type II Habitat - any plant community not meeting the definition of Type I Habitat, in which one or more scrub oak species is greater than zero but less than 15 percent cover. Presence of scrub oaks is a key indicator.

Type III Habitat - any upland or seasonally dry wetland within one quarter mile of any area designated as Type I or Type II Habitat.

Field Survey

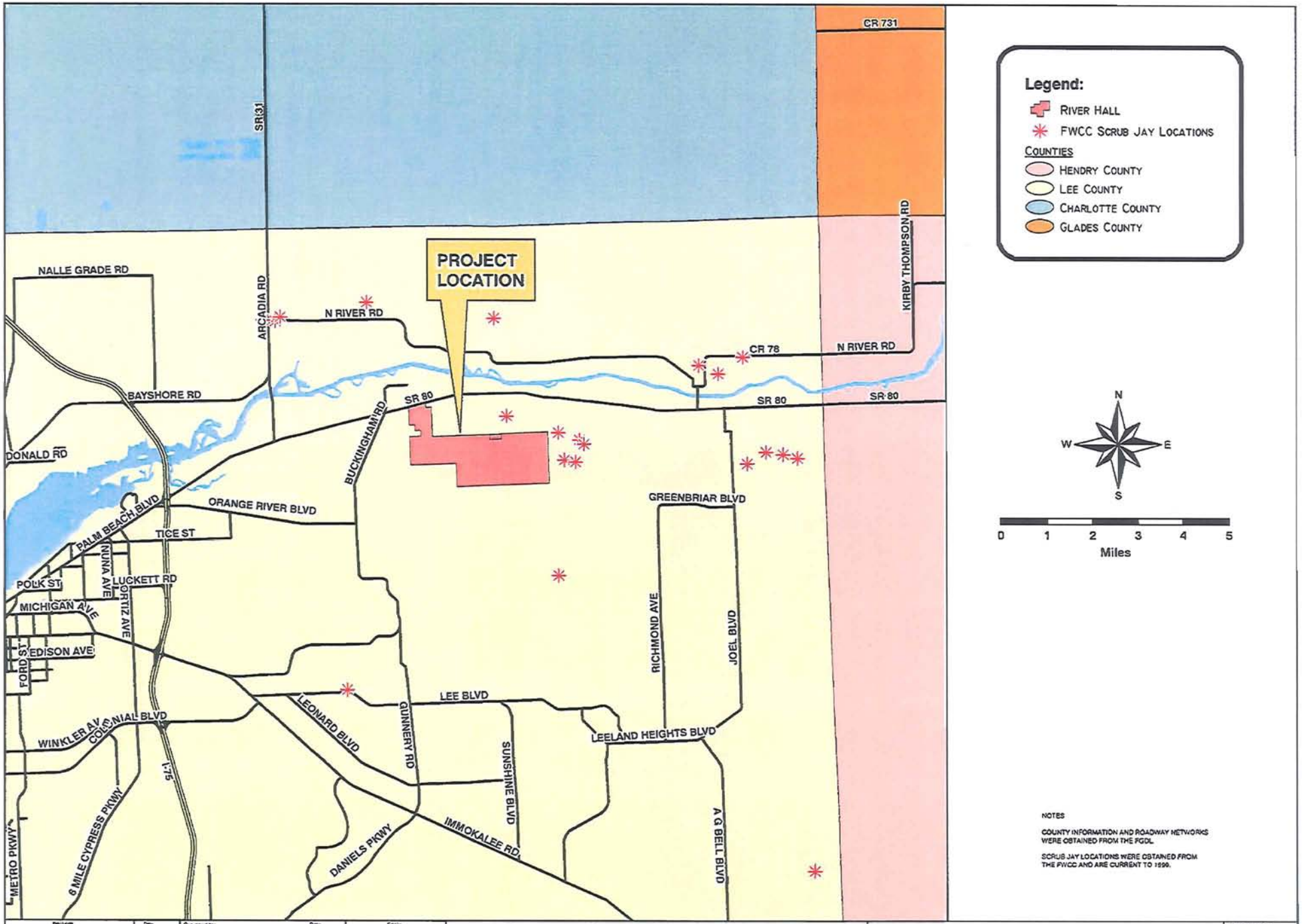
Field surveys were conducted on March 27, 28, 29, 30, and 31, 2006 to identify the presence of Florida scrub jays using high quality CD recordings of Florida scrub jay territorial calls. Twenty nine playback/observation stations were established (Exhibit A). At each playback station, vocalizations were broadcast at full volume for one minute in each cardinal direction using a hand-held Sony CD player. Recorded vocalizations were obtained from the Cornell Laboratory of Ornithology. Data collected for each survey period included start and end time, sunrise time, relative weather conditions, and wildlife observations. Surveys began approximately one hour after sunrise and terminated before midday heat and wind.

SURVEY RESULTS

Records of Occurrence

The "Status and Distribution of the Florida Scrub Jay" (Cox 1987) documents the occurrence of Florida scrub jays near the project site. The occurrence of a historical account by a person referred to only as "Beers" found scrub jay eggs in Alva in 1907. A.H. Howell saw one scrub jay north of the Caloosahatchee River in 1919, and quoted S. Hanson as saying that scrub jays "occur in moderate numbers" in that area. Cox identified eight present reported locations of scrub jays in Lee County. All of the present locations are east of State Road 31. The FWCC database identifies five documented occurrences of the Florida scrub jay on the Hickey's Creek Mitigation Park to the east of the project site (Figure 2). The nearest documented occurrence is approximately a quarter mile east of the Project boundary.

In 1999 Consul-Tech Engineering, Inc. (CTE) performed scrub jay specific surveys on the Project site. The surveys found no Florida scrub jay nesting occurring on site; however, the territorial boundary of two separate families extended onto the subject property. The two families were nesting in Hickey's Creek Mitigation Park located immediately east of the project boundary.



Designed by A.K.	Date 4/13/06	Scale SEE SCALE	Passarella and Associates, Inc.	RIVER HALL
Checked by E.M.H.	Date 4/13/06	Category LISTED SPECIES	Consulting Ecologists	FWCC DOCUMENTED OCCURRENCES OF FLORIDA SCRUB JAY
Drawn by D.B.	Date 4/13/06	County SOUTHWEST FLORIDA	9110 College Pointe Court Fort Myers, FL 33919	Drawing Number 03PEG931
			Phone: (239)274-0067 Fax: (239)274-0069	Exhibit Number FIGURE 2

The "Hickey's Creek Mitigation Park Florida Scrub Jay Management Plan" (Bowman 2005) was referenced for population information for the Hickey's Creek Mitigation Park property. The following excerpted from the report: "Surveys conducted by staff at Hickey's Creek in 1999, reported six families and a total of 26 birds from within or immediately adjacent to the mitigation park. During surveys conducted during the last week of September 2004, we found only three families and a total of only seven scrub jays on the mitigation park" (Bowman 2005). "It seems likely that the regional populations of scrub jays have declined at a rate proportional to that observed at Hickey's Creek, almost 50 percent over the last four to five years" (Bowman 2005).

Habitat Inventory and Mapping

The FLUCFCS map for the River Hall property is included as Figure 3. Based on the FLUCFCS and habitat mapping, a total of 12.59± acres of Type I Habitat was identified within the conservation areas. Type I habitat includes Xeric Oak (FLUCFCS Code 421) and Xeric Oak, Disturbed (FLUCFCS Code 4219) (Figure 4). A total of 28.59± acres of Type II Habitat was identified within the conservation areas. Type II habitat includes portions of Palmetto Prairie (FLUCFCS Code 321) and Pine Flatwoods, Disturbed (FLUCFCS Code 4119) (Figure 4). These areas exhibited less than 15 percent cover by one or more scrub oak species including myrtle oak, sand live oak, and Chapman's oak. Approximately 259.76± acres were identified as Type III Habitat (Figure 4). The remaining 1,677.76± acres are not considered suitable habitat for the Florida scrub jay.

Existing Types I and II habitats occurring on site are extensively overgrown and do not appear to provide any suitable habitat at present for Florida scrub jays. These areas are considered marginal Florida scrub jay habitat because; presence of scrub oak is very minimal, the majority of existing oaks are live oak and swamp laurel oak; existing scrub oak species are very overgrown, averaging approximately 20 feet in height; the ground cover is densely covered with saw palmetto lacking herbaceous ground cover and open sandy areas for foraging; dense slash pine canopy exists in some areas; and these habitats are too small and isolated to provide appropriate Florida scrub jay habitat. On site habitat is not suitable for nesting and is marginal for foraging at present. However, existing Types II and III habitats located on the eastern portion of the property could potentially serve as foraging areas for the Florida scrub jays occurring at Hickey's Creek Mitigation Park after habitat management activities have taken place, per the Lee County River Hall Protected Species Management Plan.

Field Survey

Florida scrub jays were not heard or observed on or near the River Hall property during the March 27 through 31, 2006 survey. Weather conditions during the scrub jay survey events are presented in Table 1. Survey conditions generally had clear skies, with winds ranging from 0-15 mph, and temperatures ranging from approximately 51 to 79 degrees Fahrenheit. Playback stations 2, 8, 10, and 18 were only surveyed on March 17, 2006 due to the lack of suitable scrub jay habitat. Playback station 19 was not established. A map showing the approximate location of the playback stations is provided as Exhibit A. Daily observation forms for each playback station are attached as Exhibit B.

LEGEND:

SFWMD WETLANDS
(247.11 Ac.±)

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

LANDS NOT INCLUDED IN PROJECT AREA

SURVEYED WETLAND LINE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	447.93 Ac.±	22.6%
242	SOD FARM	227.65 Ac.±	11.5%
3209	SHRUB AND BRUSHLAND, DISTURBED	70.07 Ac.±	4.0%
321	PALMETTO PRAIRIE	61.98 Ac ±	3.1%
3219	PALMETTO PRAIRIE, DISTURBED	41.24 Ac.±	2.1%
411	PINE FLATWOODS	32.70 Ac ±	1.7%
4119	PINE FLATWOODS, DISTURBED	440.33 Ac.±	22.3%
415	PINE FLATWOODS, GRAMNOID GROUND COVER	14.65 Ac.±	0.8%
4159	MIXED PINE FLATWOODS, DISTURBED	0.03 Ac.±	0.0%
421	XERIC OAK	7.55 Ac.±	0.4%
4219	XERIC OAK, DISTURBED	20.77 Ac.±	1.0%
422	BRAZILIAN PEPPER	29.84 Ac.±	1.5%
4221	BRAZILIAN PEPPER, HYDRIC	20.81 Ac.±	1.1%
427	LIVE OAK	3.00 Ac.±	0.2%
4279	LIVE OAK, DISTURBED	7.01 Ac.±	0.4%
428	CABBAGE PALM	1.69 Ac ±	0.1%
4289	CABBAGE PALM, DISTURBED	7.47 Ac ±	0.4%
429	WAX-MYRTLE	31.51 Ac.±	1.6%
4291	WAX-MYRTLE, HYDRIC	22.36 Ac.±	1.1%
434	HARDWOOD/CONIFER MIXED	37.42 Ac ±	1.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	5.31 Ac ±	0.3%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	70.44 Ac.±	3.6%
4369	MIXED HARDWOODS, DISTURBED	0.55 Ac.±	0.0%
514	DITCH	5.10 Ac.±	0.3%
520	LAKES	0.32 Ac.±	0.0%
525	SHALLOW POND	0.45 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	9.01 Ac.±	0.5%
6179	MIXED WETLAND HARDWOODS, DISTURBED	3.08 Ac.±	0.2%
6179C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	2.55 Ac.±	0.1%
618	POP ASH AND WILLOW	1.27 Ac.±	0.1%
621	CYPRESS	5.71 Ac.±	0.3%
6219	CYPRESS, DISTURBED	14.53 Ac.±	0.7%
625	HYDRIC PINE	4.13 Ac ±	0.2%
6259	HYDRIC PINE, DISTURBED	4.62 Ac.±	0.2%
6259C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	5.62 Ac.±	0.3%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	3.53 Ac ±	0.2%
6309	MIXED WETLAND FOREST, DISTURBED	114.58 Ac ±	5.8%
6309C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	10.35 Ac ±	0.5%
641	FRESHWATER MARSH	9.01 Ac ±	0.5%
6419	FRESHWATER MARSH, DISTURBED	4.67 Ac ±	0.2%
643	WET PRAIRIE	1.29 Ac.±	0.1%
6439	WET PRAIRIE, DISTURBED	18.11 Ac.±	0.9%
740	DISTURBED LAND	103.45 Ac ±	5.2%
742	BORROW AREA	0.20 Ac.±	0.0%
743	SPOIL AREA	0.58 Ac.±	0.0%
832	ELECTRICAL TRANSMISSION LINES	35.18 Ac.±	1.8%
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	2.45 Ac.±	0.1%
	TOTAL	1978.70 Ac.±	100.0%

SCALE: 1" = 1200'

NOTES:

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

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

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

WETLAND ACREAGES SHOWN PER CONSUL-TECH ENGINEERING, INC. DRAWING No. C-509-ENV DATED SEPTEMBER 6, 2000.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	4/17/06	1"=1200'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	4/17/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		J.I.	4/17/06	25,26,27,34,35,36/43/26

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

RIVER HALL

FLUCFCS AND WETLANDS MAP

DRAWING No.: 03PEG931

SHEET No.: FIGURE 3

Table 1. Weather Conditions

Date	Time	Temperature	Wind
March 27, 2006	0740 – 1030	51 – 69° F	0 – 5 mph
March 28, 2006	0715 – 1030	53 – 74° F	0 – 10 mph
March 29, 2006	0720 – 1000	64 – 75° F	0 – 8 mph
March 30, 2006	0715 – 0935	65 – 77° F	0 – 8 mph
March 31, 2006	0730 – 1000	68 – 79° F	0 – 15 mph

SUMMARY

The FWCC has documented occurrences for the Florida scrub jay on the Hickey's Creek Mitigation Park located to the east of the River Hall property. Habitat mapping for the River Hall property identified 12.59± acres of Type I, 28.59± acres of Type II and 259.76± acres of Type III scrub jay habitat on the property.

Field surveys to identify the presence of Florida scrub jays were conducted on the River Hall parcel on March 27, 28, 29, 30, and 31, 2006. Florida scrub jays were not observed or heard on the project site. It appears the Florida scrub jays documented by CTE in 1999 are no longer utilizing the Project site.

REFERENCES

Bowman, Reed. January 2005. Hickey's Creek Mitigation Park Florida Scrub jay Management Plan.

Cox, J.A. 1987. Status and distribution of the Florida scrub jay. Florida Ornithological Society Special Publication No. 3, 110pp.

Fitzpatrick, J.W., G.E. Woolfenden, and M.T. Kopeny. 1991. Ecology and development-related habitat requirements of the Florida scrub jay (*Aphelocoma coerulescens coerulescens*). Florida Game and Fresh Water Fish Commission, Nongame Wildlife Program Technical Report No. 8. Tallahassee, FL. 49pp.

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

U.S. Fish and Wildlife Service. 2002. Draft Standard Local Operating Procedures for Endangered Species Florida Scrub Jay. South Florida Ecological Services Office.

EXHIBIT A

AERIAL PHOTOGRAPH WITH FLUCFCS MAP AND SCRUB JAY PLAYBACK STATION OVERLAY

FLUCFCS CODE	DESCRIPTIONS	TYPE I	TYPE II	TYPE III	TOTAL
211	IMPROVED PASTURE	-	-	0.02 Ac.±	0.02 Ac.±
242	SOD FARM	-	-	0.38 Ac.±	0.38 Ac.±
321	PALMETTO PRAIRIE	-	9.47 Ac.±	4.47 Ac.±	13.94 Ac.±
3219	PALMETTO PRAIRIE, DISTURBED	-	-	1.21 Ac.±	1.21 Ac.±
411	PINE FLATWOODS	-	-	5.57 Ac.±	5.57 Ac.±
4119	PINE FLATWOODS, DISTURBED	-	19.12 Ac.±	95.31 Ac.±	114.43 Ac.±
421	XERIC OAK	4.02 Ac.±	-	-	4.02 Ac.±
4219	XERIC OAK, DISTURBED	8.57 Ac.±	-	0.12 Ac.±	8.69 Ac.±
427	LIVE OAK	-	-	0.32 Ac.±	0.32 Ac.±
4291	WAX MYRTLE, HYDRIC	-	-	3.22 Ac.±	3.22 Ac.±
4341	HARDWOOD/CONIFER MIXED, HYDRIC	-	-	1.86 Ac.±	1.86 Ac.±
4349	HARDWOOD/CONIFER MIXED, DISTURBED	-	-	44.90 Ac.±	44.90 Ac.±
617	MIXED WETLAND HARDWOODS	-	-	0.76 Ac.±	0.76 Ac.±
6179	MIXED WETLAND HARDWOODS, DISTURBED	-	-	0.56 Ac.±	0.56 Ac.±
6179 C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	-	-	0.98 Ac.±	0.98 Ac.±
6219	CYPRESS, DISTURBED	-	-	2.74 Ac.±	2.74 Ac.±
6259	HYDRIC PINE, DISTURBED	-	-	0.09 Ac.±	0.09 Ac.±
6259 C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	-	-	1.15 Ac.±	1.15 Ac.±
6309	MIXED WETLAND FOREST, DISTURBED	-	-	61.39 Ac.±	61.39 Ac.±
6309 C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	-	-	10.35 Ac.±	10.35 Ac.±
641	FRESWATER MARSH	-	-	0.50 Ac.±	0.50 Ac.±
6439	WET PRAIRIE, DISTURBED	-	-	3.78 Ac.±	5.23 Ac.±
832	ELECTRICAL TRANSMISSION LINES	-	-	0.03 Ac.±	0.03 Ac.±
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	-	-	0.07 Ac.±	0.07 Ac.±
	TOTAL	12.59 Ac.±	28.59 Ac.±	259.76 Ac.±	300.94 Ac.±

LEGEND:

LIMITS OF SCRUB JAY TYPE I HABITATS

LIMITS OF SCRUB JAY TYPE II HABITATS

LIMITS OF SCRUB JAY TYPE III HABITATS

NOTES:

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

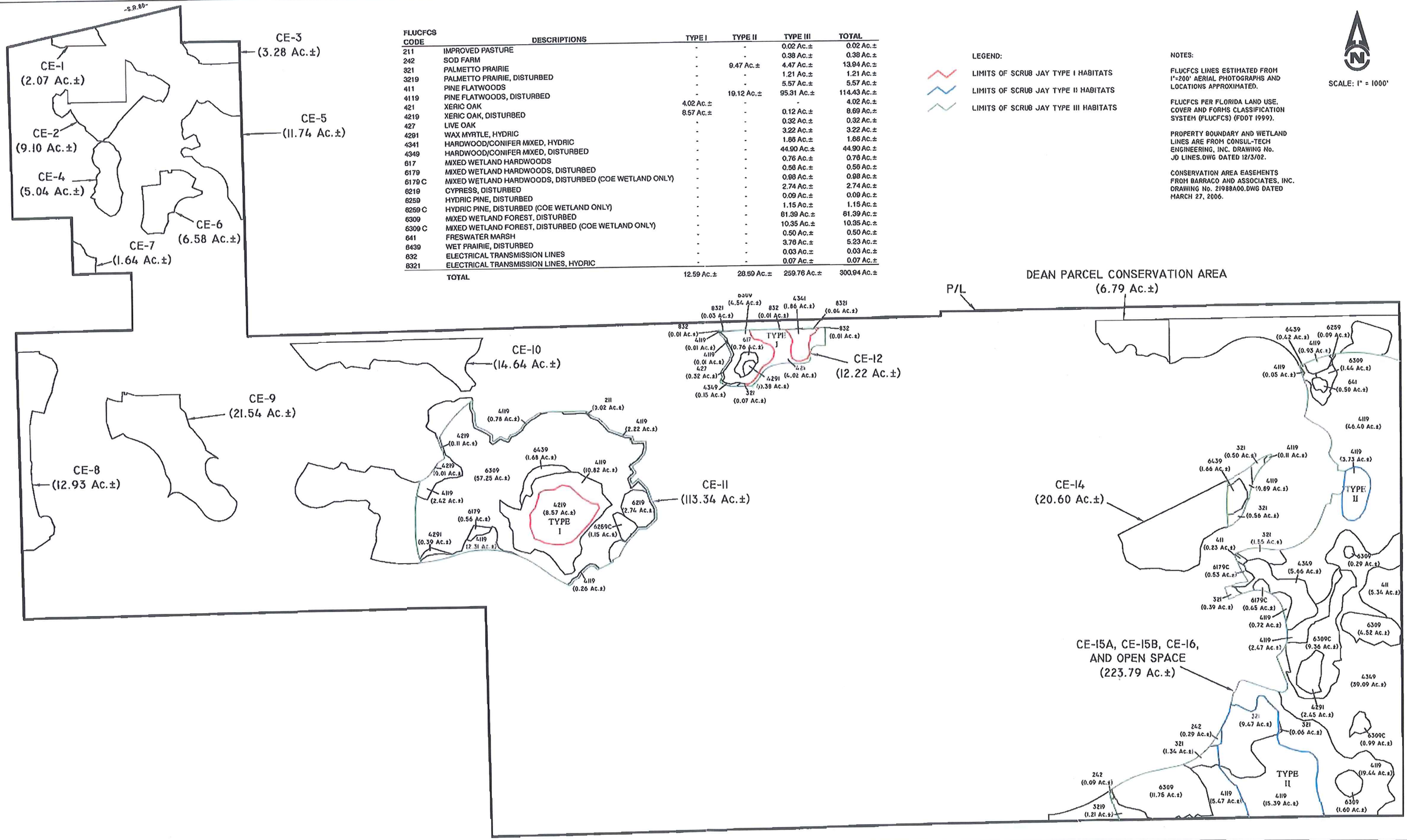
FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

CONSERVATION AREA EASEMENTS FROM BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00.DWG DATED MARCH 27, 2006.

N

SCALE: 1" = 1000'

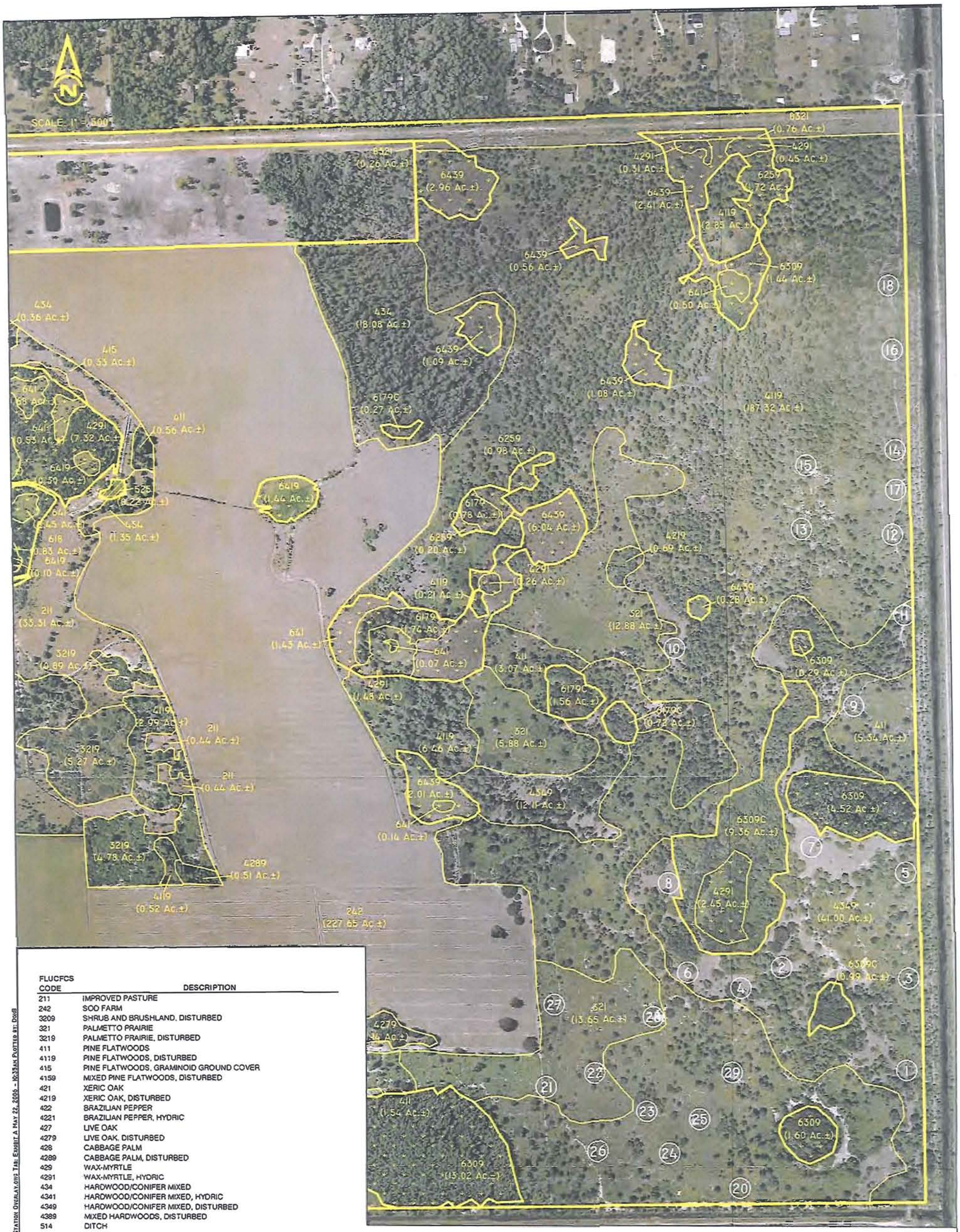


REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	5/10/06	1'=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/10/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/10/06	25,26,27,34,35,36/43/28

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

RIVER HALL
FLORIDA SCRUB JAY PREFERRED HABITAT TYPES

DRAWING No.: 03PEG931
SHEET No.: FIGURE 4



FLUCFCS CODE	DESCRIPTION
211	IMPROVED PASTURE
242	SOD FARM
3209	SHRUB AND BRUSHLAND, DISTURBED
321	PALMETTO PRAIRIE
3219	PALMETTO PRAIRIE, DISTURBED
411	PINE FLATWOODS
4119	PINE FLATWOODS, DISTURBED
415	PINE FLATWOODS, GRAMINOID GROUND COVER
4159	MIXED PINE FLATWOODS, DISTURBED
421	XERIC OAK
4219	XERIC OAK, DISTURBED
422	BRAZILIAN PEPPER
4221	BRAZILIAN PEPPER, HYDRIC
427	LIVE OAK
4279	LIVE OAK, DISTURBED
428	CABBAGE PALM
4289	CABBAGE PALM, DISTURBED
429	WAX-MYRTLE
4291	WAX-MYRTLE, HYDRIC
434	HARDWOOD/CONIFER MIXED
4341	HARDWOOD/CONIFER MIXED, HYDRIC
4349	HARDWOOD/CONIFER MIXED, DISTURBED
4389	MIXED HARDWOODS, DISTURBED
514	DITCH
525	SHALLOW POND
617	MIXED WETLAND HARDWOODS
6179	MIXED WETLAND HARDWOODS, DISTURBED
6179C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)
618	POP ASH AND WILLOW
621	CYPRESS
6219	CYPRESS, DISTURBED
625	HYDRIC PINE
6259	HYDRIC PINE, DISTURBED
6259C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)
630	MIXED WETLAND FOREST
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)
6309	MIXED WETLAND FOREST, DISTURBED
6309C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)
641	FRESHWATER MARSH
6419	FRESHWATER MARSH, DISTURBED
643	WET PRAIRIE
6439	WET PRAIRIE, DISTURBED
740	DISTURBED LAND
742	BORROW AREA
743	SPOIL AREA
832	ELECTRICAL TRANSMISSION LINES
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC

LEGEND:

SFWMD WETLANDS

(4) SCRUB JAY PLAYBACK STATION (TYP.)

SURVEYED WETLAND LINE

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISERS OFFICE WITH A FLIGHT DATE OF APRIL-MAY, 2002.

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

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

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

WETLAND ACREAGES SHOWN PER CONSUL-TECH ENGINEERING, INC. DRAWING No. C-509-ENV DATED SEPTEMBER 6, 2000.

DESIGNED BY A.K.	DATE 4/13/06	HORIZONTAL SCALE 1"=500'	PASSARELLA and ASSOCIATES, INC. Consulting Ecologists 9110 College Pointe Court, Fort Myers, Florida 33919
CHECKED BY K.C.P.	DATE 4/13/06	VERTICAL SCALE N/A	RIVER HALL AERIAL PHOTOGRAPH WITH FLUCFCS MAP AND SCRUB JAY PLAYBACK STATION OVERLAY
DRAWN BY D.B.	DATE 4/13/06	SEC./TWP./RGE. 24,25,26,27,34,35,36/43/25	DRAWING No.: 93PEG931 SHEET No.: EXHIBIT A

J:\2003\03PEG931\2006\SCRUB JAY SURVEY\EXHIBIT A AERIAL PHOTOGRAPH WITH SCRUB JAY PLAYBACK STATION OVERLAY.DWG TAB: EXHIBIT A MAY 22, 2006 - 10:39AM PLOTTED BY: DONB

EXHIBIT B

FLORIDA SCRUB JAY SURVEY FIELD OBSERVATIONS

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 27, 2006

On March 27, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Alicia Kruse. The survey was conducted from 0740 to 1030. Sunrise occurred at 0624. The weather was in the mid 50's with clear skies and 0-3 mph winds from the northeast.

The survey consisted of walking transects across the site. Playback stations were established at eleven points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
2	0751	Heard blue jay and mourning dove.
4	0757	Observed northern cardinal. Heard and observed blue-gray gnatcatcher.
6	0806	Heard northern mockingbird. Observed black vulture.
8	0813	No observations.
10	0829	Heard and observed red-shouldered hawk.
12	0900	Heard and observed red-bellied woodpecker, northern cardinal and gray catbird.
14	0910	Heard northern mockingbird and blue jay.
16	0918	Observed gray squirrel. Heard and observed mourning dove.
18	0924	Observed three unknown warblers. Heard and observed northern mockingbird. Heard common grackles.
20	1007	Heard white-eyed vireo.
21	1023	Heard yellow-rumped warbler and Carolina wren.
	1030	End of survey. (No Florida scrub jays heard or observed).

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 27, 2006

On March 27, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by William R. Cox. The survey was conducted from 0740 to 1030. Sunrise occurred at 0624. The weather was sunny and clear with a temperature of 49°F and 0-5 mph winds from the Northeast.

The survey consisted of walking transects across the site. Playback stations were established at nine points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
1	0740	Observed pileated woodpecker, mourning dove, common yellowthroat and northern cardinal. Poor scrub jay habitat-unsuitable. Mostly pine, scattered laurel, live oak and saw palmetto, no open sand.
3	0755	Carolina wren, red-bellied woodpecker. Unsuitable scrub jay habitat.
5	0810	Observed northern cardinal, gopher tortoise burrow and shed southern black racer skin. Unsuitable scrub jay habitat.
7	0820	Observed Carolina wren, red-bellied woodpecker and campers. Too much noise and trash. Unsuitable scrub jay habitat.
9	0835	Observed eastern towhee, yellow-rumped warbler, mourning dove, ground dove, Carolina wren and gopher tortoise burrow. Unsuitable scrub jay habitat.
11	0845	Observed Carolina wren, downy woodpecker, gray catbird, blue-gray gnatcatcher, pine warbler and common yellowthroat. Unsuitable scrub jay habitat.
13	0900	Observed scattered myrtle oaks, palmetto and pine. No open sand areas; Carolina wren. Marginal scrub jay habitat.
15	0920	Observed Carolina wren, fish crow and mourning dove. Unsuitable scrub jay habitat.
17	0932	Observed red-bellied woodpecker, fish crow and Carolina wren. Scattered myrtle, sand live oak, pine and saw palmetto. No open sand. Marginal scrub jay habitat.
	1030	End of survey. No Florida scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 28, 2006

On March 28, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Alicia Kruse. The survey was conducted from 0715 to 1030. Sunrise occurred at 0623. The weather was in the low 60's with clear skies and 1.4 mph winds from the East.

The survey consisted of walking transects across the site. Playback stations were established at twelve points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
21	0720	Heard eastern towhee, blue jay, white-eyed vireo, Carolina wren and gray catbird. Marginal scrub jay habitat present.
22	0726	Heard eastern towhee, northern mockingbird and blue-gray gnatcatcher. Marginal scrub jay habitat present.
23	0732	Heard northern cardinal, common grackle, fish crow and Carolina wren. Marginal scrub jay habitat present.
24	0740	Heard northern cardinal, mourning dove and blue jay. Marginal scrub jay habitat present.
25	0751	Heard northern cardinal and gray catbird. Observed three ground doves. Marginal scrub jay habitat present.
20	0758	Heard eastern towhee and white-eyed vireo. Marginal scrub jay habitat present.
26	0805	Heard Carolina wren, white-eyed vireo and red-bellied woodpecker. Marginal scrub jay habitat present.
27	0814	Heard red-bellied woodpecker, northern cardinal, and blue-gray gnatcatcher. Marginal scrub jay habitat present.
28	0823	Heard eastern towhee, white-eyed vireo and gray catbird. Marginal scrub jay habitat present.
6	0830	Heard American crow and mourning dove. No scrub jay habitat present.

Table 1. (Continued)

Station No.	Time	Observations
4	0835	Heard northern cardinals. Observed black vulture. No scrub jay habitat present.
29	0846	Heard white-eyed vireo, northern cardinal, blue jay and red-bellied woodpecker. Marginal scrub jay habitat present.
	1030	End of survey. No Florida scrub jay were heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 28, 2006

On March 28, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by William R. Cox. The survey was conducted from 0730 to 1030. Sunrise occurred at 0623. The weather was sunny with a temperature of 51°F and 92% humidity. The wind was east-northeast 1.4 mph.

The survey consisted of walking transects across the site. Playback stations were established at ten points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
	0655	On site at 6:55 am; see observations for 03/27/2006 on habitat notes.
1	0730	Observed red-bellied woodpecker, Carolina wren and yellow-rumped warbler.
3	0745	Observed Carolina wren and gopher tortoise burrow.
5	0800	Observed northern bob-white, Carolina wren and white-eyed vireo.
7	0810	Observed northern bob-white and red-bellied woodpecker; two tents remain and found many shotgun shells on ground.
9	0825	Observed blue-gray gnatcatcher, white-eyed vireo and American crow.
11	0840	Observed great crested flycatcher, northern cardinals, American crow, blue jay and downy woodpecker.
12	0850	Observed northern bob-white, northern cardinal and blue jay.
13	0915	Observed northern cardinal, great crested flycatcher and white-eyed vireo.
15	0930	Observed fish crow, Carolina wren and red-bellied woodpecker.
17	0945	Observed white-eyed vireo, Carolina wren, downy woodpecker, red-shouldered hawk and four blue jays chasing each other.
	1030	End of Survey. No scrub jays were heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 29, 2006

On March 29 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Alicia Kruse. The survey was conducted from 0720 to 1000 a.m. Sunrise occurred at 6:22 a.m. The weather was in the high 60's, mostly clear skies and little to no wind.

The survey consisted of walking transects across the site. Playback stations were established at fourteen points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
21	0725	Observed blue-gray gnatcatcher, American crow, northern cardinal, red-bellied woodpecker, white-eyed vireo and gray catbird.
22	0733	Observed gray catbird, northern cardinal, blue jay, red-bellied woodpecker, and Carolina wren.
23	0740	Observed northern cardinal, mourning dove, eastern towhee, gray catbird and northern mockingbird.
29	0746	Observed eastern towhee, white-eyed vireo, blue-gray gnatcatcher and unknown warbler.
25	0755	Observed white-eyed vireo, red-bellied woodpecker, gray catbird, Carolina wren and fish crow.
24	0804	Observed northern cardinal, blue jay, ground doves and downy woodpecker.
20	0814	Observed blue-gray gnatcatcher, mourning doves and belted king fisher.
26	0823	Observed northern cardinal, northern mockingbird and common grackles.
27	0832	Observed gopher tortoise, blue jay, mourning dove and gray catbird.
28	0840	Observed pine warblers, American crow and northern mockingbird.
6	0849	Observed northern cardinals and gray catbird.
4	0854	Observed northern cardinals, red-bellied woodpecker and Carolina wren.

Table 1. (Continued)

Station No.	Time	Observations
3	0907	Observed northern mockingbird and gray catbird.
1	0914	Observed northern mockingbirds, blue jay and blue-gray gnatcatcher.
	1000	End of survey. No Florida scrub jays heard or observed during survey. *See 03/27/2006-03/28/2006 surveys for habitat observations.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 29, 2006

On March 29 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Jennifer Evans. The survey was conducted from 0728 to 1000 a.m. Sunrise occurred at 6:22 a.m. The weather was in the high 60's, mostly clear skies and little to no wind.

The survey consisted of walking transects across the site. Playback stations were established at nine points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
5	0748	Heard northern cardinal and gray catbird.
9	0808	Heard gray catbird and blue-gray gnatcatcher. Observed and heard northern cardinal.
11	0816	Heard northern cardinal.
12	0824	No observations.
13	0830	Heard blue-gray gnatcatcher and northern cardinal.
15	0838	Heard gray catbird and northern cardinal.
17	0844	Heard northern cardinal.
14	0850	Heard blue-gray gnatcatcher and northern cardinal.
16	0900	Heard sand hill cranes east of the canal.
	1000	End of survey. No scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 30, 2006

On March 30, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Chris Ryan. The survey was conducted from 0715 to 0935 a.m. Sunrise occurred at 6:21 a.m. The weather was in the mid 60's, calm and clear skies.

The survey consisted of walking transects across the site. Playback stations were established at thirteen points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
27	0723	Heard northern cardinal to the north, gray catbird to the south and Carolina wren to the east. Heard and observed pine warbler to the west.
21	0732	Heard and observed gray catbird to the north, northern cardinal to the northeast, pine warbler to the southeast and red-bellied woodpecker to the southwest.
26	0738	Heard northern cardinal to the east, pine warbler to the north, red-bellied woodpecker to the northeast and Carolina wren to the east.
24	0749	Heard northern cardinal to the northeast, northern mockingbird and gray catbird to the north and Carolina wren to the northwest.
25	0758	Heard red-bellied woodpecker and northern cardinal to the north and downy woodpecker to the east.
23	0806	Heard northern cardinal to the north, gray catbird to the northeast and eastern towhee to the east.
22	0814	Heard pine warbler to the northwest, northern cardinal to the east and blue jay to the north.
28	0829	Heard northern cardinal to the northeast, red-bellied woodpecker to the south and gray catbird to the east.
6	0839	Heard gray catbird to the west, Carolina wren to the northeast, red-bellied woodpecker and blue-gray gnatcatcher to the east.
9	0847	Heard mourning dove to the east and northern cardinal to the north.

Table 1. (Continued)

Station No.	Time	Observations
4	0900	Heard northern cardinal to the northwest.
29	0911	Heard Carolina wren to the south, pine warbler to the east, northern cardinal to the north.
20	0927	Heard blue jay and northern cardinal to the south and unknown duck and pine warbler to the northwest.
	0935	End of survey. No scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 30, 2006

On March 30, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Jennifer Evans. The survey was conducted from 0715 to 0920 a.m. Sunrise occurred at 6:21 a.m. The weather was in the mid 60's to low 80's, calm and clear skies with winds up to 3 mph.

The survey consisted of walking transects across the site. Playback stations were established at eleven points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
5	0739	Observed pileated woodpecker. Heard and observed gray catbird and blue jay. Heard Carolina wren and northern cardinal.
9	0753	Heard and observed northern cardinal and red-bellied woodpecker. Heard mourning dove and gray catbird.
11	0803	Heard blue jay, northern cardinal, gray catbird, Carolina wren and blue-gray gnatcatcher.
12	0811	Heard blue jay, mourning dove, northern cardinal and Carolina wren. Heard and observed gray catbirds and red-bellied woodpecker. Observed little blue heron flying south along canal.
13	0819	Heard red-bellied woodpecker and northern cardinal.
15	0827	Heard gray catbird and northern cardinal.
17	0835	Heard gray catbird and northern cardinal.
14	0841	No observations; windy.
16	0847	Heard northern cardinal and northern mockingbird. Observed red-shouldered hawk flying.

Table 1. (Continued)

Station No.	Time	Observations
3	0905	Heard northern cardinal; windy.
1	0911	Heard northern cardinal and Carolina wren; windy
	0920	End of survey. No scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 31, 2006

On March 31, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Alicia Kruse. The survey was conducted from 0730 to 1000 a.m. Sunrise occurred at 6:19 a.m. The weather was in the high 60's, mostly clear skies with Southeast winds 1-4 mph.

The survey consisted of walking transects across the site. Playback stations were established at eleven points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
5	0750	Observed red-shouldered hawk, blue-gray gnatcatcher, pine warbler and gray catbird.
9	0803	Observed blue jay, mourning dove, northern cardinal and gray squirrel.
11	0812	Observed mourning doves, red-bellied woodpecker, blue-gray gnatcatcher and northern mockingbird.
12	0821	Observed red-bellied woodpeckers, Carolina wren, fish crow, blue jay and white-eyed vireo.
13	0830	Observed red-shouldered hawk, unknown warbler, and northern cardinal
15	0838	Observed blue-gray gnatcatcher, northern cardinal and blue jays. Wind increasing.
17	0845	Observed gray catbird, northern cardinal and red-bellied woodpecker. Wind increasing.
14	0852	Observed mourning doves and unknown warblers. Wind increasing.
16	0900	Observed gray catbird. Wind increasing
3	0924	Observed red-shouldered hawk. Wind increasing.
1	0930	Observed black racer and northern cardinal. Windy.
	1000	End of survey. No Florida scrub jays heard or observed during survey.

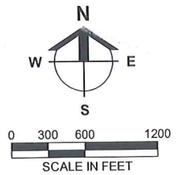
River Hall
Florida Scrub Jay Nesting Season Survey Information
March 31, 2006

On March 31, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Kim Munkers. The survey was conducted from 0744 to 0934 a.m. Sunrise occurred at 6:19 a.m. The weather was in the high 60's to mid 70's, mostly sunny and clear skies.

The survey consisted of walking transects across the site. Playback stations were established at twelve points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

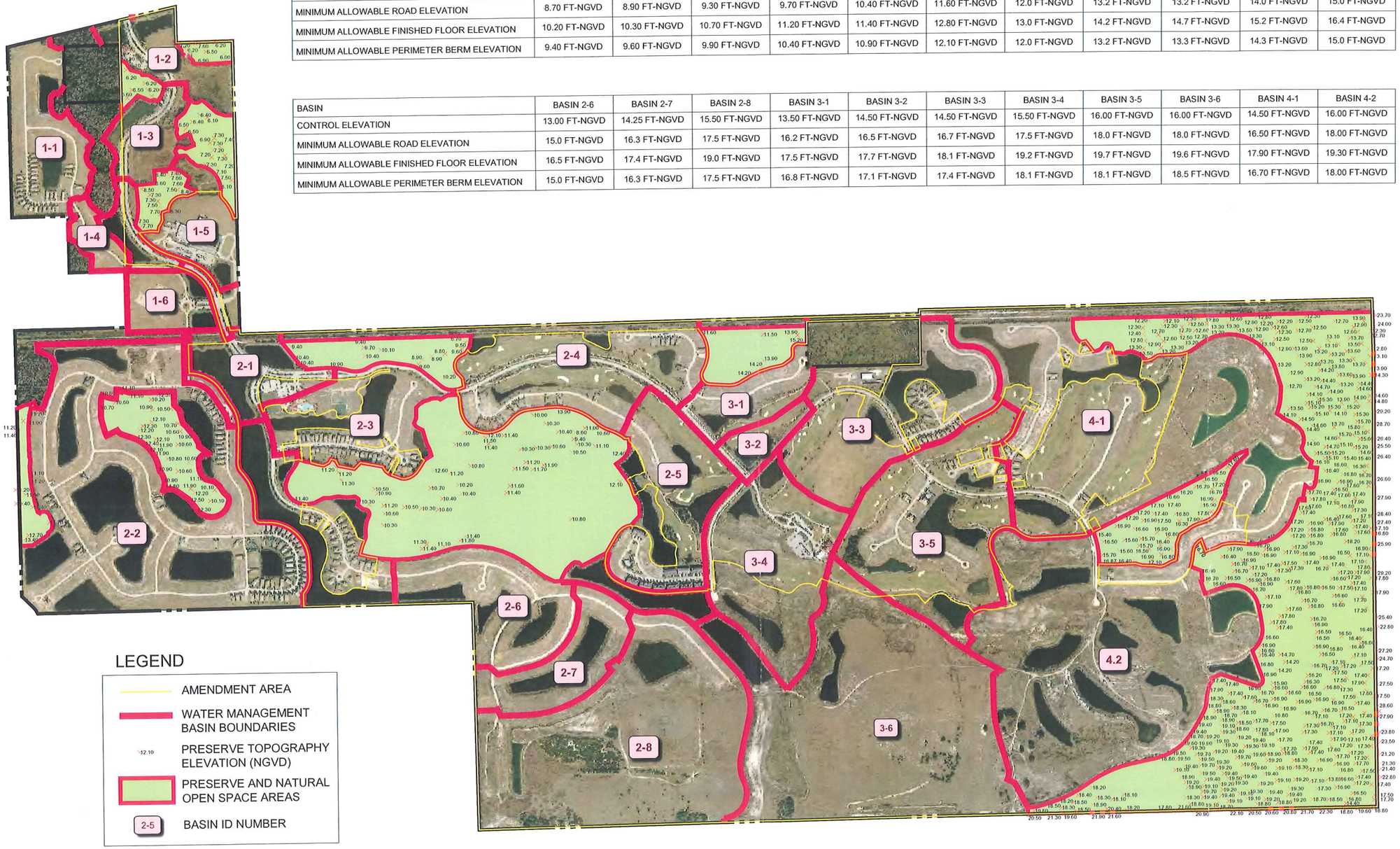
Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
26	0744	Heard blue jay and northern cardinal. Observed gray catbird.
24	0750	Heard northern mockingbird and downy woodpecker.
20	0804	Heard downy woodpecker, eastern towhee, red-bellied woodpecker and blue jay.
25	0819	Heard downy woodpecker, Carolina wren and eastern towhee.
29	0830	Heard gray catbird, northern cardinal, blue-gray gnatcatcher and eastern towhee.
23	0842	Heard blue gray gnatcatcher, red-bellied woodpecker, mourning dove and eastern towhee.
22	0850	Heard and observed gray catbird, blue-gray gnatcatcher, unknown warbler and eastern towhee.
21	0858	Heard and observed blue jay and blue-gray gnatcatcher.
27	0910	Heard and observed blue-gray gnatcatcher. Wind increase to >10 mph.
28	0917	Heard eastern towhee.
6	0923	Heard blue-gray gnatcatcher. Observed turkey vulture and eastern towhee.
4	0930	Observed black vulture. Heard red-bellied woodpecker. Helicopter flew low overhead.
	0934	End of survey. No Florida scrub jays heard or observed during survey.



BASIN	BASIN 1-1	BASIN 1-2	BASIN 1-3	BASIN 1-4	BASIN 1-5	BASIN 1-6	BASIN 2-1	BASIN 2-2	BASIN 2-3	BASIN 2-4	BASIN 2-5
CONTROL ELEVATION	6.50 FT-NGVD	6.50 FT-NGVD	7.00 FT-NGVD	7.70 FT-NGVD	7.70 FT-NGVD	9.20 FT-NGVD	10.00 FT-NGVD	11.20 FT-NGVD	11.20 FT-NGVD	11.20 FT-NGVD	13.00 FT-NGVD
MINIMUM ALLOWABLE ROAD ELEVATION	8.70 FT-NGVD	8.90 FT-NGVD	9.30 FT-NGVD	9.70 FT-NGVD	10.40 FT-NGVD	11.60 FT-NGVD	12.0 FT-NGVD	13.2 FT-NGVD	13.2 FT-NGVD	14.0 FT-NGVD	15.0 FT-NGVD
MINIMUM ALLOWABLE FINISHED FLOOR ELEVATION	10.20 FT-NGVD	10.30 FT-NGVD	10.70 FT-NGVD	11.20 FT-NGVD	11.40 FT-NGVD	12.80 FT-NGVD	13.0 FT-NGVD	14.2 FT-NGVD	14.7 FT-NGVD	15.2 FT-NGVD	16.4 FT-NGVD
MINIMUM ALLOWABLE PERIMETER BERM ELEVATION	9.40 FT-NGVD	9.60 FT-NGVD	9.90 FT-NGVD	10.40 FT-NGVD	10.90 FT-NGVD	12.10 FT-NGVD	12.0 FT-NGVD	13.2 FT-NGVD	13.3 FT-NGVD	14.3 FT-NGVD	15.0 FT-NGVD

BASIN	BASIN 2-6	BASIN 2-7	BASIN 2-8	BASIN 3-1	BASIN 3-2	BASIN 3-3	BASIN 3-4	BASIN 3-5	BASIN 3-6	BASIN 4-1	BASIN 4-2
CONTROL ELEVATION	13.00 FT-NGVD	14.25 FT-NGVD	15.50 FT-NGVD	13.50 FT-NGVD	14.50 FT-NGVD	14.50 FT-NGVD	15.50 FT-NGVD	16.00 FT-NGVD	16.00 FT-NGVD	14.50 FT-NGVD	16.00 FT-NGVD
MINIMUM ALLOWABLE ROAD ELEVATION	15.0 FT-NGVD	16.3 FT-NGVD	17.5 FT-NGVD	16.2 FT-NGVD	16.5 FT-NGVD	16.7 FT-NGVD	17.5 FT-NGVD	18.0 FT-NGVD	18.0 FT-NGVD	16.50 FT-NGVD	18.00 FT-NGVD
MINIMUM ALLOWABLE FINISHED FLOOR ELEVATION	16.5 FT-NGVD	17.4 FT-NGVD	19.0 FT-NGVD	17.5 FT-NGVD	17.7 FT-NGVD	18.1 FT-NGVD	19.2 FT-NGVD	19.7 FT-NGVD	19.6 FT-NGVD	17.90 FT-NGVD	19.30 FT-NGVD
MINIMUM ALLOWABLE PERIMETER BERM ELEVATION	15.0 FT-NGVD	16.3 FT-NGVD	17.5 FT-NGVD	16.8 FT-NGVD	17.1 FT-NGVD	17.4 FT-NGVD	18.1 FT-NGVD	18.1 FT-NGVD	18.5 FT-NGVD	16.70 FT-NGVD	18.00 FT-NGVD



LEGEND

- AMENDMENT AREA
- WATER MANAGEMENT BASIN BOUNDARIES
- 12.10 PRESERVE TOPOGRAPHY ELEVATION (NGVD)
- PRESERVE AND NATURAL OPEN SPACE AREAS
- 2-5 BASIN ID NUMBER

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	TOPO.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\ENVIRO\
PLOT DATE	WED. 3-27-2013 - 9:28 AM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS	
1-2-13	NEW AMENDMENT BOUNDARY
3-27-13	REVISED AMENDMENT AREA

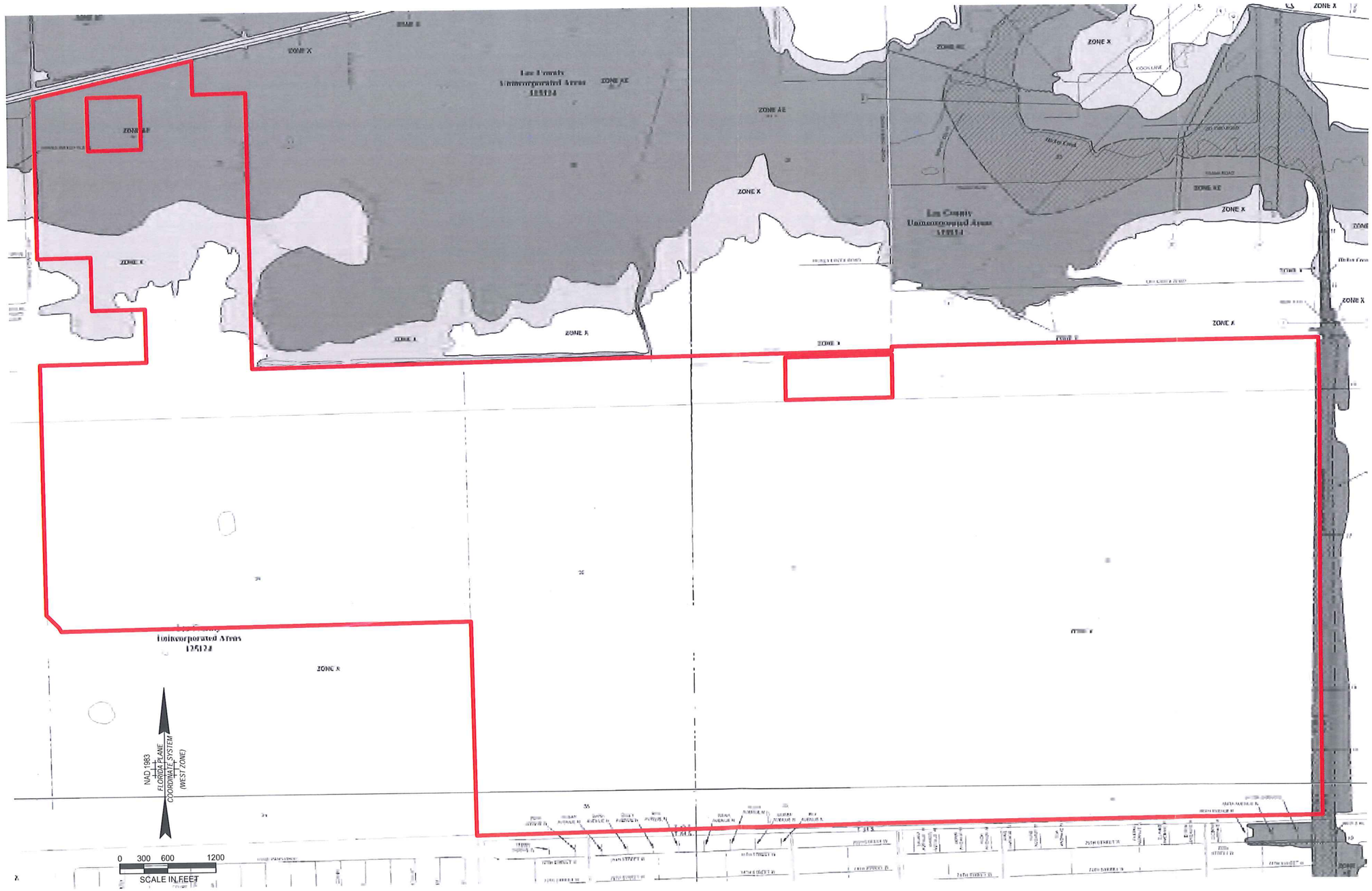
PLAN STATUS

EXHIBIT IV.C.C
AND D-7-H

TOPOGRAPHIC MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1

RIVER HALL OVERLAID ON FIRM(S) 12071C0304F, 12071C0308F, 12071C0312F & 12071C0316F, EFFECTIVE DATE: AUGUST 28, 2008.


ZONE X
ZONE AE
ZONE AE
Lee County
Unincorporated Area
125124
ZONE X
ZONE X
ZONE X

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

River Hall Planned Development Amendment
LEE PLAN CONSISTENCY

GreenPointe Communities is seeking to increase the available residential density in the River Hall community by 1,000 dwelling units and include additional uses within the community. To accomplish these goals, concurrent requests are submitted for a Comprehensive Plan Amendment and Planned Development Amendment.

River Hall is approximately ±1,978 acres, located along Palm Beach Boulevard in the Caloosahatchee Shores Planning Community. Resolution Z-05-051 currently approves River Hall for 1,999 dwelling units, a golf course, public school, and 45,000 square feet of commercial uses. Multiple Development Orders have been approved for the site infrastructure, golf course, school, amenities, and approximately ±1,450 dwelling units. As a result, the site has been mostly cleared, graded, and public utilities and roadways have been installed. There are approximately ±296 acres of internal lakes and ±461 acres of wetland and upland preserves throughout the property.

The Comprehensive Plan Amendment, CPA2012-00001, requests a Future Land Use Map Amendment to remove ±1,287 acres of the subject property from the Rural and Wetlands Future Land Use Categories and re-designate this portion of the property as Conservation Upland, Conservation Wetland, and Sub-Outlying Suburban. A corresponding Text Amendment will allow the density to be spread throughout the project. The existing Suburban Future Land Use designation within River Hall is not included in this application.

Future Land Use	Rural	Wetland	Wetland Conservation	Upland Conservation	Sub-Outlying Suburban
Current Acres ±	1,065	213	--	--	--
Proposed Acres ±	--	--	153	264	870

The Comprehensive Plan Amendment application is currently under review by Lee County Staff. The Planned Development Amendment is requested concurrently per Chapter 163.3184(12) of the Florida Statute, to establish a density limit of 2,999 dwelling units, promote residential, recreational, and civic uses within the existing Commercial Planned Development, and define other details of the development, which are not necessary to include in a Comprehensive Plan Amendment.

Current Future Land Use Not Appropriate

River Hall is currently classified by the Lee Plan as Suburban, Rural, and Wetland. Given the approved planned development, existing infrastructure, and surrounding land uses, the Rural designation is no longer appropriate for the site. Objective 1.4 sets forth a land use framework for non-urban areas including the Rural land use classification. The Lee Plan states such areas are not anticipated for urban development at this time. However, the approved planned development and existing infrastructure already provides for a suburban level density and uses. According to Future Land Use Policy 1.4.1, within the Rural classification, permitted land uses include residential, agriculture, and minimal non-residential land uses that are needed to serve the rural community. The maximum density is one dwelling unit per acre. This definition is not consistent with the existing approval for River Hall.

The total site area of River Hall is ±1,978 acres, and the existing Rural portion of River Hall has a gross developable area of ±1,726 acres. Absent the upland and wetland preservation areas, the existing development plan for the Rural portion of the site provides for ±1,438.7 acres of development with 1,648 residential units permitted for a gross density of 1.1 units per acre. Excluding the ±286 acres of water bodies and ±47 acres of non-residential uses, the net density is 1.5 per acre. This density is more properly suburban in nature, and consistent with the proposal to re-classify the Rural portions of the site to the Sub-Outlying Suburban designation.

Surrounding Land Uses

In addition to establishing an appropriate and realistic Future Land Use category for the subject property, the proposed amendments promote compatibility with the existing surrounding land uses and envisioned future land uses.

Surrounding Land Uses			
	FLU Designation	**Use**	**Notes**
North	Commercial and Rural	Vacant and Residential	A commercial node is located near River Hall at Palm Beach Blvd and S. Olga Dr.
South	Urban Community	Platted Residential	Lehigh Acres
East	Conservation – Upland	Hickey's Creek	Lee County Preserve & Recreation area
West	Suburban and Sub-Outlying Suburban	Residential Single Family Developments	A commercial plaza is located near River Hall at Palm Beach Blvd and Buckingham Rd

The residential developments of Portico, Riverdale Shores, Hawks Preserve, and Riverdale Estates are located west of River Hall and have approximately 2 units per acre. The Reserve at Buckingham is also located west and has approximately 4 units per acre. The proposed Comprehensive Plan Amendment would increase the density of the existing Rural portion of the community to 2 dwelling units per acre. This density is compatible with the density of the

existing abutting and surrounding residential neighborhoods. The requested Future Land Use Categories would bring the existing density of the surrounding residential neighborhoods onto the subject property ensuring the consistency of the River Hall Community with the existing surrounding residential developments.

An existing Commercial Plaza is located near River Hall at the intersection of Palm Beach Boulevard and Buckingham Road and provides retail and commercial opportunities to area residents. A second commercial node is located directly north of the River Hall Community at the intersection Palm Beach Boulevard and S. Olga Drive in the Commercial Future Land Use. The River Hall Community currently includes a commercial node at the main entrance along Palm Beach Boulevard. This location aligns with the existing commercial node located at Palm Beach Boulevard and S. Olga Drive. The proposed request seeks to expand the uses permitted within the existing River Hall CPD to provide multi-family residential and recreational opportunities within this area of the community. This expanded mix of uses will create a commercial and civic node compatible with the existing commercial, provides additional opportunities to meet the needs of area residents, and meets the intent of the Caloosahatchee Shores Community Goals, Objectives, and Policies.

South of the River Hall Community is Lehigh Acres, in the Urban Community Future Land Use with a density of approximately 4 units per acre. The southern portion of River Hall abutting Lehigh Acres is currently approved for residential density and has an existing conservation area. The proposed residential density of this portion of River Hall at 2 dwelling units per acre is compatible with the existing residential development and allowable density of Lehigh Acres.

The Hickey's Creek Mitigation Park is located east of the River Hall Community. The existing approved Master Concept Plan for the community includes a large conservation area along the eastern border that acts as a buffer to the Mitigation Park. This area is proposed to be placed within the Conservation Future Land Use Category to eliminate potential impacts from future development and provide a buffer from the developable areas of the project to the existing conservation areas and Lee County Mitigation Park.

In consideration of the uses surrounding the River Hall Community, the property is appropriately classified as an infill property where development is directed toward the existing footprint and the intensity transitions from the abutting Suburban and Urban Community categories to the nearby Rural and Conservation categories. The development is a well-designed residential community with a mix of uses that support the needs and demands of the area's residents – the definition of a Suburban place. The Planned Development Amendment includes trails to provide linkages between the proposed commercial/civic node near the community's entry and the existing residential units to connect the community to Hickey's Creek, civic and commercial uses, and adjacent neighborhoods. These proposed improvements will integrate the various land uses, facilitate transportation options, provide opportunities for walking, biking, and riding, and are open to the public.

Proposed Future Land Use is Appropriate

In its currently approved form, River Hall is consistent with the Sub-Outlying Suburban future land use category. The property is located in a developed area of the County with established residential communities, commercial development, and some Conservation and Rural lands. Letters of Availability have been received from service providers demonstrating public infrastructure is available to support the additional 1,000 additional dwelling units. The property transitions density from the 2 to 4 dwelling units per acre permitted to the South and West to the 1 dwelling unit per acre and Conservation lands permitted to the North and West. The requested density will be directed toward the existing developable area, creating an infill development. The Sub-Outlying Suburban category provides for lower densities appropriate for the site's transitional location and the proposed Conservation Future Land Use categories to promote an infill land use.

> *POLICY 1.1.11: The Sub-Outlying Suburban areas are residential areas that are predominantly low-density development. Generally the requisite infrastructure needed for higher density development is not planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low-density community character. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed.*

Goals, Objectives and Policies

Goal 2 Growth Management

Establishes land use policy to support projects that propose an economically feasible plan for development. The proposed Comprehensive Plan Amendment and Planned Development Amendment promote a contiguous and compact growth pattern. The requests utilize the existing development footprint to establish a density consistent with the existing surrounding residential developments. Letters of Availability have been received demonstrating there is adequate capacity within the existing public infrastructure system to service the additional 1,000 dwelling units requested. The Comprehensive Plan Amendment and Planned Development Amendment will promote a mix of uses that serve the residents of River Hall and surrounding area.

Goal 5 Residential Land Uses

Goal 5 provides for sufficient land to be provided in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County. The proposed text

amendments revise Policy 5.1.10 and Table 1(b) to recognize the future land use map amendment, multiple future land use categories, and the planned development. The approved planned development and existing infrastructure allow a suburban level density which is consistent with the Caloosahatchee Shores Planning Community, as well as the abutting residential developments. The proposed Planned Development Amendment will expand the uses permitted within the existing CPD to provide additional uses that will create a commercial and civic node to meet the needs of area residents as well as the River Hall Community. The additional dwelling units requested will be located within the existing developable areas of the Community to ensure no reduction to open space, buffering, landscaping or recreation areas occurs. The proposed park, trailhead, and trail system will enhance the existing recreation and open space by providing access to adjoining residential and commercial developments and a Lee County Mitigation Park. Furthermore the re-designation of portions of the conservation areas to the Conservation Future Land Use will eliminate potential impacts from future development of the Community. Consequently, the River Hall site should be viewed as an infill property where development intensity is logically stepped down from the adjacent Suburban and Urban Future Land Use Categories and a mix of uses are provided for the community and surrounding area consistent with the intentions of the policies associated with Goal 5.

Goal 21 Caloosahatchee Shores Community Plan

The River Hall Community and proposed Comprehensive Plan Amendment and Planned Development Amendments are consistent with the Objectives and Policies of the Caloosahatchee Shores Community Plan. The existing architecture for the River Hall Community is Florida Vernacular. This style will continue throughout the development to ensure consistency and compatibility between the existing and future development within the community and surrounding neighborhoods. The proposed Planned Development Amendment does not seek to increase the intensity of the existing Commercial Planned Development. Rather, additional uses are proposed to establish a commercial and civic node which aligns with an existing Commercial Future Land Use along Palm Beach Boulevard to establish a larger commercial node to serve area residents as well as the River Hall Community. The requested residential, recreational, and civic uses within the existing Commercial Planned Development will promote a mix of uses in a manner consistent with the density and intensity limitations of the Caloosahatchee Shores Policies. The park, trailhead, and trails will provide linkages between the proposed commercial/civic node and the existing residential to connect this area and the community to Hickey's Creek and the adjacent residential communities to promote alternative modes of transportation and accessibility.

The requested Comprehensive Plan Amendment and Planned Development Amendment for the River Hall community meet the public needs identified in the Objectives and Policies of the Caloosahatchee Shores Community Plan.

Objective 21.1 Community Character

The Caloosahatchee Shores Community seeks to retain the Old Florida identity the area is known for. These policies encourage Florida vernacular architecture, native and enhanced

landscaping, and promote regulations for new development within the Land Development Code related to architecture and site design.

The River Hall Community currently promotes Florida Vernacular architecture and 100% native vegetation in all required buffers. The Planned Development Amendment does not request any changes to these conditions, ensuring the existing design components will continue throughout the community to promote consistency and compatibility between the existing and future development. Any development within the existing Commercial Planned Development will comply with the requirements of the Caloosahatchee Shores Planning Community Section of the Land Development Code. It should be noted the existing approved height for the River Hall Community is compliant with the Caloosahatchee Shores LDC requirements and the Planned Development Amendment does not request a change to this property development regulation.

Objective 21.2 Commercial Land Uses

The policies established related to commercial land uses encourage the restriction of commercial uses to their existing locations and the redevelopment of existing commercial. The Community wishes to increase the commercial opportunities available within Caloosahatchee Shores and provide interconnections between commercial uses and surrounding residential areas to accommodate alternative modes of transportation.

The existing approval for the River Hall Community includes a Commercial Planned Development located at the north entrance of the property adjacent to Palm Beach Boulevard. The proposed Planned Development Amendment requests residential, recreational and civic uses to be permitted within the existing CPD to increase the availability of a variety of commercial and civic uses along Palm Beach Boulevard. This request will promote a mix of uses within the CPD to meet the needs of Caloosahatchee Shores as well as the River Hall Community. The location of the CPD within River Hall aligns with an existing commercial land use across Palm Beach Boulevard (SR 80) to create a larger commercial node available to the Caloosahatchee Shores Community.

The recreational uses proposed within the CPD will include a park with a trailhead and trails to provide interconnect opportunities. The trails are proposed to connect the existing CPD to the residential areas of River Hall and extend to Hickey's Creek Mitigation Park. The developer has agreed to work with Lee County to extend the proposed trail to the West to provide a connection to the adjacent and surrounding residential communities and reach Buckingham Road. These trails will increase access from the surrounding residential neighborhoods to Lee County recreational facilities and commercial uses and provide alternative modes of transportation.

Objective 21.3 Residential Uses

The Caloosahatchee Shores Community values residential development and seeks to reduce conflicts between uses while promoting the protection of natural resources, open space, and increased recreational opportunities.

The River Hall Community's existing approved Master Concept Plan ensures compatibility with surrounding uses. The approved Master Concept Plan locates the CPD in the northern portion of the property adjacent to Palm Beach Boulevard to provide convenient access from a major roadway. Residential uses are located adjacent to existing and future proposed residential uses. The Comprehensive Plan Amendment seeks to ensure long term preservation and compatibility by proposing to place the existing conservation area along the Eastern property boundary into the Conservation Future Land Use Category to eliminate potential impacts from future development and provide a permanent buffer from the developable area to Hickey's Creek Mitigation Park. The proposed Planned Development Amendment directs the additional 1,000 dwelling units to the existing approved developable areas eliminating impacts to the existing open space and recreational areas. The proposed Planned Development Amendment also incorporates additional recreational opportunities into the Community. Recreational and civic uses are requested to be added to the schedule of uses so that a park with a trailhead and trails can be developed within the community to provide interconnections to the surrounding properties, increasing community access to commercial and civic uses.

Objective 21.4 Mixed-use Development.
The Community desires developments that contain commercial and residential uses and provide interconnections between uses to facilitate alternative transportation and internal capture.

The proposed Planned Development Amendment requests residential, recreational, and civic uses to be permitted within the existing Commercial Planned Development. The residential uses would allow the addition of multi-family residential within the CPD to promote the integration of commercial and residential uses. The recreational and civic uses are requested to allow the development of a park to include a trailhead and trails to promote pedestrian and bicycle linkages. The recreational trail is proposed to connect the CPD with the existing residential portion of River Hall. It will also connect to the Hickey's Creek in the East and the existing residential communities in the West. The developer has agreed to work with the county to extend the proposed trail to the West to ultimately connect with Buckingham Road. The requested Planned Development Amendment will increase the mix of uses within the community and promote interconnectivity to facilitate alternative transportation and internal capture as consistent with this objective and its supporting policies.

Objective 21.5 Community Facilities/Parks
There is a desire to establish a broad mix of Community Facilities within the Caloosahatchee Shores Community. Therefore, these policies outline the types of facilities the Community will encourage and the connectivity desired between recreational uses.

The River Hall Community is proposing to increase recreational and civic opportunities for residents of the community and the surrounding area by the proposed Planned Development Amendment. Recreational and Civic uses are requested to be added to the schedule of uses for the CPD and RPD. These uses will promote communities facilities, specifically the developer is seeking to establish a community park which will include a trailhead and trails that will connect

River Hall to the surrounding residential developments and Hickey's Creek Mitigation Park. The developer has agreed to coordinate with Lee County to establish trails to the west to provide connections to the surrounding residential communities and ultimately Buckingham Road. The park and trailhead will provide a hub and connect to other open space/ recreational opportunities and residential developments to promote alternative transportation, consistent with this objective.

Objective 21.6 Public Participation

The involvement of the public in entitlement and permitting decisions is a high priority for the Caloosahatchee Shores Community. A Public informational session must be provided on all amendments and zoning actions and copies of the proposed amendments are to be distributed to known citizen groups and civic organizations.

GreenPointe Communities wishes to coordinate with the residents of the Caloosahatchee Shores community regarding the proposed Comprehensive Plan Amendment and Planned Development Amendment to discuss the proposals and gather feedback. One public informational session has already been held. On September 6, 2012 an informational session was held for all residents of the Caloosahatchee Shores Community to introduce the proposed Comprehensive Plan and Planned Development Amendments. During the meeting participants were asked to sign in and provide contact information so that informational updates regarding the amendments can be e-mailed to interested parties. Additional community meetings are anticipated as the requested amendments are reviewed by Lee County Staff.

Consistency with Resource Protection

As demonstrated by the supporting information prepared by Passarella and Associates and by virtue of the proposed Wetland Conservation and Upland Conservation land use categories, the proposed amendment is consistent with and furthers Conservation Goals, Objectives and Policies. The proposed amendment will utilize the existing development footprint to ensure there are no impacts to the existing native habitats on-site.

> *GOAL 107: RESOURCE PROTECTION. To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics.*
>
> *OBJECTIVE 107.3: WILDLIFE. Maintain and enhance the fish and wildlife diversity and distribution within Lee County for the benefit of a balanced ecological system.*
>
> *POLICY 107.3.1: Encourage upland preservation in and around preserved wetlands to provide habitat diversity, enhance edge effect, and promote wildlife conservation.*

OBJECTIVE 107.4: ENDANGERED AND THREATENED SPECIES IN GENERAL. Lee County will continue to protect habitats of endangered and threatened species and species of special concern in order to maintain or enhance existing population numbers and distributions of listed species.

Goals 53 & 56 Community Facilities and Services

The amendment is consistent with potable water Goal 53 and associated Objective 53.1, Policy 53.1.1, and Policy 53.1.2; as well wastewater Goal 56 and associated Objective 56.1 and Policy 56.1.2. Public Facilities are in place and are serving the existing development of the River Hall Communities. Letters of Availability have been received from all service providers stating adequate capacity exists to service the additional 1,000 units requested for the River Hall Community.

Goal 43 Mass Transit

The requested Comprehensive Plan Amendment and its companion Planned Development Amendment will promote the Goals, Objectives and Policies of the Lee County Mass Transit system. The existing Commercial Planned Development will remain; however the PD Amendment includes additional uses to promote residential, civic, and recreation uses creating a truly mixed use center to serve the needs of the River Hall Community as well as residents from the surrounding area. When considered in conjunction with the approved commercial land use across Palm Beach Boulevard, a commercial and civic node is established in this location along Palm Beach Boulevard to serve the needs of area residents. These uses are located within a comfortable walking or bicycling distance and the requested uses within the CPD will promote internal capture within the River Hall Community.

Should residents of River Hall desire to utilize Mass Transit, the existing Lee Tran Stop for Route 100 at the Riverdale Library is less than a mile from the entrance of the River Hall Community. The Lee County Transit – Lee Tran Title IV Program Update 2012-2014 indicates this route has approximately 80.42% excess capacity. The report also indicates the Lee Tran system as a whole has substantial capacity remaining.

Population

Population Capacity Increase De Minimus

On September 19, 2005, a Planned Development was approved for River Hall (formerly known as Hawk's Haven) permitting residential and commercial development. Resolution Z-05-051 approved 1,999 dwelling units with a golf course, public school, and maximum of 15,000 square feet of office and 30,000 square feet of retail uses. Since that time multiple development orders have been approved for approximately ±1,450 dwelling units, the golf course, the public school, and supporting infrastructure. At 2.55 persons per unit the approved planned development

accommodates a population of approximately 5,098. The proposed amendment would allow up to 2,999 residential units, a net increase of 1,000 units. The additional increment of 1,000 residential units results in a theoretical increase of 2,550+/- people. While this is a reasonable estimate for planning purposes it is not precise since future trends in persons per household and occupancy rates are unknown.

According to the U.S. Census in 2010, Lee County had a population of 618,754. The University of Florida, Bureau of Economic and Business Research, projects a countywide population of 1,016,900 in the year 2035. In the context of existing and projected population the River Hall capacity increase is de minimus. The proposed population increase is an estimated 1% increase beyond the BEBR projected population for Lee County. This is well within accepted error ranges and represents no real additional population increase for the Lee Plan's Future Land Use Map. The most recent growth management legislation suggests that establishment of minimum development intensity is appropriate methodology for local government planning efforts. The proposed amendment is consistent with that directive.

Also to be considered is Future Land Use Policy 1.7.6 which establishes the Planning Communities Map and Acreage Allocation Table (Table 1(b)). This mechanism directs itself toward Lee County's ability to issue development orders and serves to ensure that actual development approvals do not exceed that amount needed for the population forecasted through the planning timeframe. To be consistent with both the local government's adopted plan and the State's directive regarding the need to establish minimum development capacity, an amendment to Table 1(b) is proposed.

Consistency with Planning Communities Map and Acreage Allocation Numbers

Policy 1.7.6 provides for the proposed distribution, extent, and location of generalized land uses for the year 2030. The proposed Comprehensive Plan Amendment would revise Table 1(b) to recognize the future land use map amendment. The approved planned development, existing infrastructure, and proposed comprehensive plan amendment provides for a suburban level of density which is more consistent with the type of development existing and proposed in this area of the Fort Myers Shores Planning Community. Consistent with the vision for the Caloosahatchee Shores Planning Community, the proposal seeks to promote interconnectivity between the proposed development and nearby schools and conservation lands through multi-use pathways and trailheads. It is noted that Lee County is unable to issue final development orders or extensions which would allow acreage in Table 1(b) to be exceeded.

Additional Requirements for Specific Future Land Use Map Amendment

Urban Sprawl

The basis for evaluation of whether a comprehensive plan amendment discourages the proliferation of urban sprawl was significantly revised by the 2011 Florida Legislature. Under

the Community Planning Act, Rule 9J-5 of the Florida Administrative Code was repealed and with it the detailed urban sprawl methodology. In its place the Legislature adopted the following key provisions.

> *163.3177(5)(a) Each local government comprehensive plan must include at least two planning periods, one covering at least the first 5-year period occurring after the plan's adoption and one covering at least a 10-year period. Additional planning periods for specific components, elements, land use amendments, or projects shall be permissible and accepted as part of the planning process.*
>
> *1673.3177(6)(a)4 The element shall accommodate at least the minimum amount of land required to accommodate the medium projections of the University of Florida's Bureau of Economic and Business Research for at least a 10-year planning period unless otherwise limited under s. 380.05, including related rules of the Administration Commission.*

Note that the law has shifted from providing maximum land use allocations to an emphasis on ensuring minimum land use allocations.

The urban sprawl test is carried out through the following provisions. The River Hall amendment achieves at least four of the factors and therefore it must be concluded it discourages the proliferation of urban sprawl.

> *163.3177(6)(a)9.b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:*
>
> *(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*
>
> *(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*
>
> *(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*
>
> *(IV) Promotes conservation of water and energy.*
>
> *(V) Preserves agricultural areas and activities, including silviculture,*

and dormant, unique, and prime farmlands and soils.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

(VII) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Sound Planning Principles

The ±1,978 acre River Hall property has historically been impacted and is subject to a suburban-intensity approved plan of development. As discussed earlier, the current Rural future land use classification is inappropriate and the proposed combination of Sub-Outlying Suburban, Wetland Conservation and Upland Conservation is appropriate. The proposed amendment will provide an infill opportunity within a suburban portion of the County that is currently serviced by public infrastructure. The property is adjacent to existing and approved developments, directing new development to an appropriate area within the County. Utilizing the existing footprint for the additional density will ensure existing conservation lands on and off site are not impacted and provides for additional recreational opportunities and connections to off-site resources to be incorporated into the proposed project promoting mobility among the community and surrounding residents. The amendment is therefore consistent with sound planning principles

Adjacent Local Governments

The River Hall Comprehensive Plan Amendments are distant from and will have no effect on other local governments.

Relevant Regional Policy Plan Goals and Policies

When the Florida Legislature enacted the Community Planning Act of 2011 (Chapter 2011-139, Laws of Florida) the consistency requirement between local comprehensive plans and the state comprehensive plan was eliminated.

The following goals and strategies from the Southwest Florida Strategic Regional Policy Plan are relevant to the amendment.

Goal 1: Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.

The increase in residential density will provide additional options for housing types and thereby further this goal.

Strategy: Maintain the physical infrastructure to meet growth demands.

Central water and wastewater services are already provided to the subject property. The required improvements to these systems already provide the capacity necessary for the proposed amendment. The Amendment is also supportive of the following strategies and goal:

Strategy: Maintain and improve the natural, historic, cultural and tourist-related resources as primary regional economic assets.

Strategy: Ensure sustainable volumes of natural resources for economic productivity.

Goal 2: The diversity and extent of the Region's protected natural systems will increase consistently beyond that existing in 2001.

River Hall
Lee Plan Goals 77 and 107 Discussion

Goal 77: Development Design Requirements – To require new development to provide adequate open space for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.

No reductions or modifications to the previously approved indigenous preserves, conservation easement areas, or recreational/golf course areas are proposed with this comprehensive plan amendment. The existing open space areas on-site provide sufficient area to meet the needs of the residents, as well as meet the requirements of the Lee County Land Development Code. Over half of the required open space was met through the preservation of existing native plant communities. Through innovative design; large, contiguous indigenous areas have been provided throughout the community which provides visual relief and buffers to adjacent land uses. Specifically, indigenous open space has been provided along the entire eastern boundary of the project to complement the adjacent Hickey's Creek Mitigation Park. In addition, indigenous preserves have been provided adjacent to other uses, where feasible. These indigenous open space areas are of adequate width to allow for the continued growth and viability of the native trees. In addition, these indigenous wetlands and uplands have been enhanced through the removal of prohibited invasive exotic plant species to enhance habitat for native flora and fauna species.

Goal 107: Resource Protection – manage county's wetland and upland ecosystems so as to maintain and enhance native habitats, floral and faunal species diversity, water quality and natural surface water characteristics.

The existing conservation easement areas and indigenous preserves provide long-term protection of natural upland and wetland habitats on-site. Indigenous habitats most suitable for protection, enhancement, and conservation were previously identified and retained. Specifically, wetlands and sensitive and/or high quality uplands in and around wetlands were preserved to provide habitat diversity, enhance edge effect, and promote wildlife preservation. These preservation areas are interconnected, where feasible, and function as maintainable hydro-ecological systems which function as a productive unit and resemble the original landscape prior to development. These balanced ecological systems provide for wildlife diversity and habitat which is needed to maintain or enhance existing population numbers of listed flora and fauna species. Habitat enhancement through the eradication of prohibited invasive exotic plant species promotes which optimal conditions for these natural systems. Also, proper storm water management design has maintained appropriate seasonal water elevations on-site. The development has not altered or disrupted the natural function of significant natural systems within the development.

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916
Phone (239) 337-3993 | (866) 337-7341
www.morris-depew.com

August 5, 2013

To: Lee County Community Development Staff

From: River Hall Consultant Team

RE: River Hall Comprehensive Plan (CPA2012-00001) and Planned Development Amendment (DCI2013-00003)

River Hall is a 1,978 acre master planned community located along State Road 80 (Palm Beach Boulevard), which opened for sales in 2006. The community is currently approved for 1,999 dwelling units, a golf course, public school, fire station and 45,000 SF of commercial uses. During the downturn in the global economy and the homebuilding industry in Southwest Florida, homes sales within the community became stagnant. The original community developer filed for bankruptcy, yet some of the original development team saw the value in the community and in doing business in Lee County. As a result they sought new investment partners, and purchased the property in the foreclosure action. During the transition of ownership, the golf course and amenities of River Hall have remained open and staffed for residents. GreenPointe Communities, since purchasing River Hall, has invested more than $20 million in the community, eliminating debt and undertaking a significant commitment to revitalize River Hall for the benefit of current and future residents as well as the greater Southwest Florida community. GreenPointe Communities is continuing that investment with the proposed development plan and amendments currently under review by Lee County.

The proposal for River Hall seeks to enable the community to positively respond to changing market demands. Policy 21.1.5 within the Community Plan for Caloosahatchee Shores includes language that amendments to the Future Land Use Map require a finding of overriding public necessity by three members of the Board of County Commissioners. The Lee Plan does not provide a definition or criteria for public necessity. In a meeting held with Lee County Staff on June 21st, Paul O'Connor indicated 'public necessity' is greater than 'public interest' but was unable to provide additional details as to how to demonstrate fulfillment of this concept. The applicant has utilized the goals, objectives, and policies of the Caloosahatchee Shores Community Plan to demonstrate how the proposed amendment meets the 'public necessity' test for Lee County and the Caloosahatchee Shores Community.

Demonstration of Necessity

The River Hall Community opened for home sales in 2006. As a result, it was caught in the downturn of the global economy and homebuilding industry in Southwest Florida. As with many existing subdivisions across Southwest Florida, the River Hall Community was only partially complete when this occurred. The subsequent foreclosure action, acquisition by GreenPointe, additional lot purchases, and bond redemption involved great expense, and the owner is now attempting to restore the property values and marketability of the development. The existing development approvals need to be adjusted to allow the community to succeed and flourish on both an economic and a social level. The updated development plan for the River Hall Community is a public necessity

to establish and promote a viable, successful subdivision that will enable residents to grow/age in place, utilize the amenities and natural features to create a healthy lifestyle type of development, promote infill in an area where infrastructure capacity is available, and handle population growth within this area of the County without negatively impacting open space, natural resources, or existing agriculture.

The River Hall Community is a ±1,978 acre subdivision that was permitted for the current development plan by Zoning Resolution Z-05-051. The proposed comprehensive plan amendment requests ±1,287ac to be placed within the Sub-Outlying Suburban Future Land Use Category, which has a density range of 1du/ac to 2 du/ac. The proposed amendment would increase the overall density of the community to 1.5 units per acre[1]. Currently, the community consists of three separate subdivisions; the Cascades at River Hall, Hampton Lakes, and the River Hall Country Club. Together, these subdivisions provide active adult housing for those 55 and over (Cascades), family oriented housing with a variety of housing types (Hampton Lakes), and amenity based predominantly single family housing (River Hall Country Club). These subdivisions bring together multiple generations, offer amenities to promote healthy lifestyles for the residents, and provide a range of housing options.

The proposed amendments seek to utilize this development mix while providing additional public recreational and civic opportunities and increasing interconnectivity between internal uses as well as the surrounding neighborhoods, public schools, shopping pazas and parks to create a balanced and healthy community. The updated development proposal will utilize the existing infrastructure capacity to locate the requested density and proposed multi-modal facilities within the existing development area of the subdivision. The density of the community will increase from 1 unit per acre to 1.5 units per acre with the requested amendment, consistent with the low-density community character desired by the Caloosahatchee Shores Community. The River Hall community is in an appropriate location for such an amendment. The community is not remote; immediately adjacent to the West are existing built out residential subdivisions with densities ranging from 2 to 4 units per acre, to the South is Lehigh Acres at ± 6 units per acre, and to the north, across SR 80, is an existing commercially designated property. Adequate roadway, utility, fire, EMS, and school capacity exists to meet the projected needs of the community as evidenced by the provided Letters of Availability. The proposal is a public necessity to accommodate population growth in this area of the County without impacting or decreasing open space, natural resources, or agricultural lands. As demonstrated by the attached Overall Public Necessity exhibit, the development plan will cluster density in a compact and contiguous form ***within the existing approved development footprint***, utilizing the existing infrastructure capacity and enhancing the rural residential character of the Caloosahatchee Shores Community. Additional public recreational uses and multi-modal trails are included to increase opportunities and access for residents of River Hall and the surrounding community to recreation and open space and meet public necessities of the Caloosahatchee Shores Community as outlined in the Community Plan, Goal 21 of the Lee Plan (see attached Pedestrian and Trailways Exhibit).

[1] This is actually consistent with the initial development plan that was presented when the very first rezoning and Lee Plan amendment was requested. The proposed MCP does not expand the development area beyond the currently approved development footprint.

Additional Uses

The requested amendments propose additional uses to incorporate multi-family units into the existing CPD, increase public recreational opportunities, and establish public multi-modal connections to surrounding residential developments, public schools, shopping plazas, Lee Tran bus stops, and Lee County's Park system. These additional uses serve a public necessity by creating a publicly accessible mixed use center and providing additional public facilities available to all residents of Caloosahatchee Shores (see attached Overall Public Necessity exhibit). The existing commercial center within River Hall aligns with the existing commercial future land use across Palm Beach Boulevard to create a node of commercial uses accessible to all residents of Lee County. The center has been set back from SR 80 to provide adequate area for a native buffer and water management area, ensuring a "unified and pleasing aesthetic/visual quality" is promoted along SR 80, consistent with the Caloosahatchee Shores Community rural character and future vision. Furthermore the main entrance, River Hall Parkway, is not gated, enabling all residents of the surrounding community and River Hall to access the commercial uses, fire station, elementary school, and proposed public park and multi-modal facilities. The existing sidewalks along River Hall Parkway connect SR 80 to the commercial center and adjacent public facilities. The proposed amendment will assist in connecting the existing pedestrian infrastructure to the proposed multi-modal trails, increasing access, promoting alternative transportation, adding to healthy lifestyle alternatives, and providing internal capture, not just for the River Hall Community but also the Caloosahatchee Shores Community. These are specifically stated needs of the Caloosahatchee Shores Community Plan (see attached Pedestrian and Trailways Facilities Exhibit) in Goal 21, Policy 21.4.1, and Objective 21.5 and its supporting policies.

Between the commercial center and existing elementary school, GreenPointe Communities has proposed to construct and maintain in perpetuity a public park that will provide active recreational opportunities and include a trailhead for the proposed multi-modal trails (see attached Pedestrian and Trailways Facilities Exhibit). The final design of the park will be developed in cooperation with the residents of Caloosahatchee Shores, River Hall, and Lee County Staff. The proposed public park and trailhead will provide a hub between the adjacent public uses and the multi-modal trails, ultimately connecting to Hickey's Creek Mitigation Park as well as other open space and recreational opportunities within the Caloosahatchee Shores Community. These uses will promote the types of community facilities desired by the Caloosahatchee Shores Community as articulated in the Community Plan Objective 21.5 and its supporting policies. The facilities constructed will be integrated into the existing development to provide both active and passive recreational opportunities for residents of River Hall as well as Caloosahatchee Shores, meeting a need stated in Community Plan policies 21.5.1 and 21.5.3.

Access

The River Hall Community has an existing access point off of State Road 80, River Hall Parkway, providing public access on the northern boundary of the community. The parkway is a 2-lane divided roadway with sidewalks on both sides providing safe pedestrian and bicycle opportunities for residents of River Hall and Caloosahatchee Shores. The permitted commercial uses, Fort Myers Shores Fire Station, existing River Hall Elementary School, and proposed multi-family, recreational, and civic uses will be located in this portion of the community along River Hall Parkway increasing accessibility for the Caloosahatchee Shores Community. This location provides the opportunity to utilize the existing infrastructure and additional capacity along River Hall Parkway to establish connections between these public facilities. The proposed amendments include establishing a

connection between these facilities and the proposed multi-modal trails, which will extend to the East and West River Hall property boundaries to connect River Hall to the surrounding residential neighborhoods and ultimately, Buckingham Road (see attached Pedestrian and Trailways Facilities Exhibit). GreenPointe Communities has agreed to coordinate with Lee County to establish a connection to Hickey's Creek Mitigation Park as well. Together, the proposed public park, trailhead, and trails meet the public necessity test, providing publicly accessible interconnections between other residential, commercial, and recreational uses and promoting alternative transportation, a stated need in the Caloosahatchee Shores Community Plan Objectives 21.4 and 21.5 and the supporting policies.

The River Hall Community also has a second entrance permitted along the southern boundary of the property adjacent to Lehigh (see attached Access and Transportation Exhibit). Under the current zoning resolution for River Hall, this entrance is not required to be constructed until 1,598 units have been constructed within River Hall. Based upon discussions with Lee County staff, GreenPointe Communities has agreed to expedite construction of the south access upon the approval of the proposed amendments. This access will be a controlled, full vehicular access that will also enable emergency services and the school district to travel through the River Hall Community to meet service calls and reach River Hall Elementary.

The existing development plan for the River Hall Community includes sidewalks along River Hall Parkway throughout the community. GreenPointe Communities will continue this design with the proposed amendments. This design is a public necessity to allow future residents convenient access to the proposed commercial and recreational center and the existing elementary school. The overall development plan will also enable convenient access to the proposed multi-modal trails which will ultimately connect to the existing infrastructure along Buckingham Road enabling access to Riverdale High School and the commercial plaza at Buckingham and State Road 80. To further improve accessibility to the surrounding uses and existing Lee Tran route, GreenPointe Communities has agreed to coordinate with the Florida Department of Transportation to propose and fund an 8 foot wide pathway from the River Hall entry to the intersection of Buckingham Road and State Road 80 (see attached Pedestrian and Trailways Facilities Exhibit). This connection is identified by the County as a public necessity on Map 3D-1 of the Lee Plan as a planned facility. It is also identified in the Lee County MPO Bicycle and Pedestrian Master Plan as a pedestrian priority need.

In addition to these design features, there are additional benefits that address the public necessity of the proposed project. During many of the community meetings held to discuss the proposed amendments, many of the residents commented that their desire was to have a traffic light at the intersection of River Hall Parkway and State Road 80 (see attached Access and Transportation Exhibit). While a traffic light cannot be constructed until traffic warrants are met, GreenPointe Communities has agreed to escrow up to $500,000 for the construction of a traffic light at this intersection.

Lee County Staff has requested GreenPointe Communities to consider a third vehicular access. The River Hall Community, as currently approved, has two full access points. This design is consistent with Lee County Land Development Code Section 10-291(3) which requires "more than one means of access." In addition, the development plan for the community has 2 emergency access points to address circulation in and out of the community in the event of an emergency (see attached Access

and Transportation Exhibit). The proposed development includes additional public recreational uses and multi-modal trails to increase opportunities and access to recreation and open space for the residents of River Hall and the Caloosahatchee Shores Community. The proposed multi-modal infrastructure will promote additional access and interconnectivity between internal uses as well as surrounding neighborhoods and parks.

Community Character

The Caloosahatchee Shores Community is committed to retaining the area's low density, old Florida character. The objectives and policies of the community all support this goal. The proposed project to update the development of the River Hall Community meets the public necessity of maintaining the community character of Caloosahatchee Shores.

The proposal is a public necessity to accommodate population growth in this area of the county without impacting or decreasing open space, natural resources, and agricultural lands or diminishing the existing character of the Caloosahatchee Shores Community. The existing approvals for River Hall have deemed it to be consistent and compatible with the surrounding residential neighborhoods, Hickey's Creek Mitigation Park, and Caloosahatchee Shores Community. The proposed development plan remains consistent and compatible by clustering density in a compact and contiguous form within the existing approved development footprint, utilizing the existing infrastructure capacity, and protecting and enhancing the existing rural residential character.

The design of structures and amenity features within River Hall are consistent with the Old Florida Vernacular desired by the Caloosahatchee Shores Community and outlined in Objective 21.1 and the supporting policies of the Community Plan. This is evidenced by the existing infrastructure at the entry as well as the Sales Center and Town Hall. GreenPointe Communities has committed to continuing this design throughout the proposed commercial center and recreational facilities. The existing commitment to 100% native landscaping within required buffers will also be maintained during future development. The existing native buffer along SR 80 and constructed public amenities demonstrate how the River Hall Community will provide a "unified and pleasing aesthetic/visual quality" as desired by the Caloosahatchee Shores Community Plan Objective 21.2. The future development plan will ensure these qualities are maintained by setting the commercial uses back from SR 80 and fronting on River Hall Parkway. This design promotes the low density, Old Florida character desired when traveling along SR 80 through the Caloosahatchee Shores Community.

Water Management

Another public necessity of the proposed project is additional flood relief which may be provided to the East County Water Control District (ECWCD). The ECWCD has requested the stormwater management system within River Hall be designed to include provisions for drainage from the ECWCD to pass through the River Hall system in order to lower flood stages within the District. The River Hall system would provide for a stormwater conveyance from the existing ECWCD canal along the southern boundary during major storm events (see attached Overall Public Necessity Exhibit). This consideration provides a public necessity to the surrounding properties within the East County Water Control District by providing a needed stormwater outfall to the District

Conclusion

The benefits described herein are believed to be more than adequate to demonstrate the proposed Lee Plan amendment is a public necessity. As discussed above, these benefits include, but are not limited to, the following:

1. Provision of public multi-modal trail facilities within the project to provide enhanced and greater non-vehicular access to amenities within the project as well as recreational, shopping, and school facilities outside of River Hall for the residents of River Hall as well as the Caloosahatchee Shores Community.
2. Greater utilization of existing infrastructure to accommodate growth in the area.
3. Greater utilization of land areas already committed to development within River Hall.
4. Expediting construction of a second access point to the south, which will facilitate school district and emergency vehicle access to River Hall.
5. Escrowed funds for the construction of a stoplight when warrants are met at the entrance to River Hall.
6. Construction of an 8-foot wide pathway along SR 80 between River Hall and Buckingham Road.
7. Providing enhanced public recreational opportunities for residents of River Hall and Caloosahatchee Shores, including dedication of a new park within the community that will be open to the public.
8. Accommodating drainage needs for the East County Water Control District.
9. Re-establishing the economic vitality and property values of the project in the post-recession era.

Further, because the proposal meets the public necessity criteria, it is also by definition consistent with the Lee Plan as it now exists. Finally, because the proposed land use application has been accompanied by a request to modify the RPD zoning Master Concept Plan, additional conditions can be recommended in order to assure compatibility.

N
W E
S
0 300 600 1200
SCALE IN FEET

STATE ROAD 80

(SEE SR 80 SIDEWALK INSERT)

LEGEND

- CPD
- PROPOSED INFILL
- CONSERVATION AREA
- PARK
- FIRE STATION
- SCHOOL
- PLANNED EAST LEE COUNTY WATER CONTROL DISTRICT FLOWWAY
- ACCESS
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- PROPOSED TRAILWAY

RIVER HALL
PROJECT BOUNDARY

CONNECTS TO HICKEY CREEK MITIGATION PARK

STATE ROAD 80 SIDEWALK INSERT

STATE ROAD 80
SIDEWALK 0.81 MILES
EXISTING LEE TRAN STOP
RIVERDALE SHOPPING CENTER
RIVERDALE BRANCH LIBRARY
RIVERDALE HIGH SCHOOL
BUCKINGHAM ROAD

DENSITY SUMMARY

REQUIRED INFRASTRUCTURE EXISTING

DENSITY WILL INCREASE BY ½ A DWELLING UNIT PER ACRE

ADDITIONAL UNITS WILL BE LOCATED WITHIN THE EXISITING DEVELOPMENT FOOTPRINT

AMENDMENTS PROMOTE DEVELOPMENT OF EXISTING CLEARED AND VACANT LANDS

MULTI-FAMILY UNITS WILL NOT EXCEED 10% OF THE TOTAL DEVELOPMENT

PROPOSAL INCREASES ACTIVE RECREATION AND CONNECTIVITY TO SURROUNDING NEIGHBORHOODS AND LEE COUNTY PARKS

PUBLIC NECESSITY COMPONENTS

1) COMMERCIAL
2) INFILL
3) SCHOOL
4) FIRE STATION
5) STATE ROAD 80 SIDEWALK
6) PUBLIC PARK
7) PROPOSED TRAILWAY
8) CONSERVATION AREA
9) EXISTING STATE ROAD 80 ACCESS
10) EMERGENCY ACCESS
11) FUTURE ACESS

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	PUBLIC NECCESSITY EXHIBIT.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21088\DWG\ZONING\2012 REZONE\
PLOT DATE	FRI. 7-10-2013 - 2:30 PM
PLOT BY	ANGELICA CARLEY
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

4-1-13	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT 1

OVERALL PUBLIC NECESSITY

PROJECT / FILE NO.	SHEET NUMBER
21854	1

N
W E
S
0 300 600 1200
SCALE IN FEET

STATE ROAD 80

(SEE SR 80 SIDEWALK INSERT)

RIVER HALL
PROJECT BOUNDARY

CONNECTS TO HICKIES CREEK MITIGATION PARK

STATE ROAD 80 SIDEWALK INSERT

STATE ROAD 80

SIDEWALK 0.81 MILES

EXISTING LEE TRAN STOP

EXISTING COMMERCIAL PLAZA

RIVERDALE HIGH SCHOOL

BUCKINGHAM ROAD

LEGEND

- PARK
- SCHOOL
- CPD
- FIRE STATION
- PROPOSED INFILL
- CONSERVATION AREA
- PLANNED EAST LEE COUNTY WATER CONTROL DISTRICT FLOWWAY
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- PROPOSED TRAILWAY

PUBLIC NECESSITY COMPONENTS

1) COMMERCIAL
2) INFILL
3) SCHOOL
4) FIRE STATION
5) STATE ROAD 80 SIDEWALK
6) PUBLIC PARK
7) PROPOSED TRAILWAY
8) CONSERVATION AREA

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2600
FORT MYERS, FLORIDA 33902-2600
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
©COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	PUBLIC NECCESSITY EXHIBIT-2.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21088\DWG\ZONING\2012 REZONE\
PLOT DATE	FRI. 7-19-2013 - 2:31 PM
PLOT BY	ANGELICA CARLEY
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

4-1-13	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT 2

PEDESTRIAN AND TRAILWAYS FACILITIES

PROJECT / FILE NO.	SHEET NUMBER
21854	1

STATE ROAD 80

(SEE SR 80 SIDEWALK INSERT)

RIVER HALL
PROJECT BOUNDARY

CONNECTS TO HICKIES CREEK MITIGATION PARK

LEGEND

- EXISTING SPINE ROAD
- EXISTING ROAD
- PROPOSED ROAD
- ACCESS
- PROPOSED INFILL

PUBLIC NECESSITY COMPONENTS

2) INFILL

9) EXISTING STATE ROAD 80 ACCESS

10) EMERGENCY ACCESS

11) FUTURE ACESS

N
W E
S

0 300 600 1200
SCALE IN FEET

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	PUBLIC NECCESSITY EXHIBIT-3.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\ZONING\2012 REZONE\
PLOT DATE	FRI. 8-9-2013 - 11:18 AM
PLOT BY	ANGELICA CARLEY
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

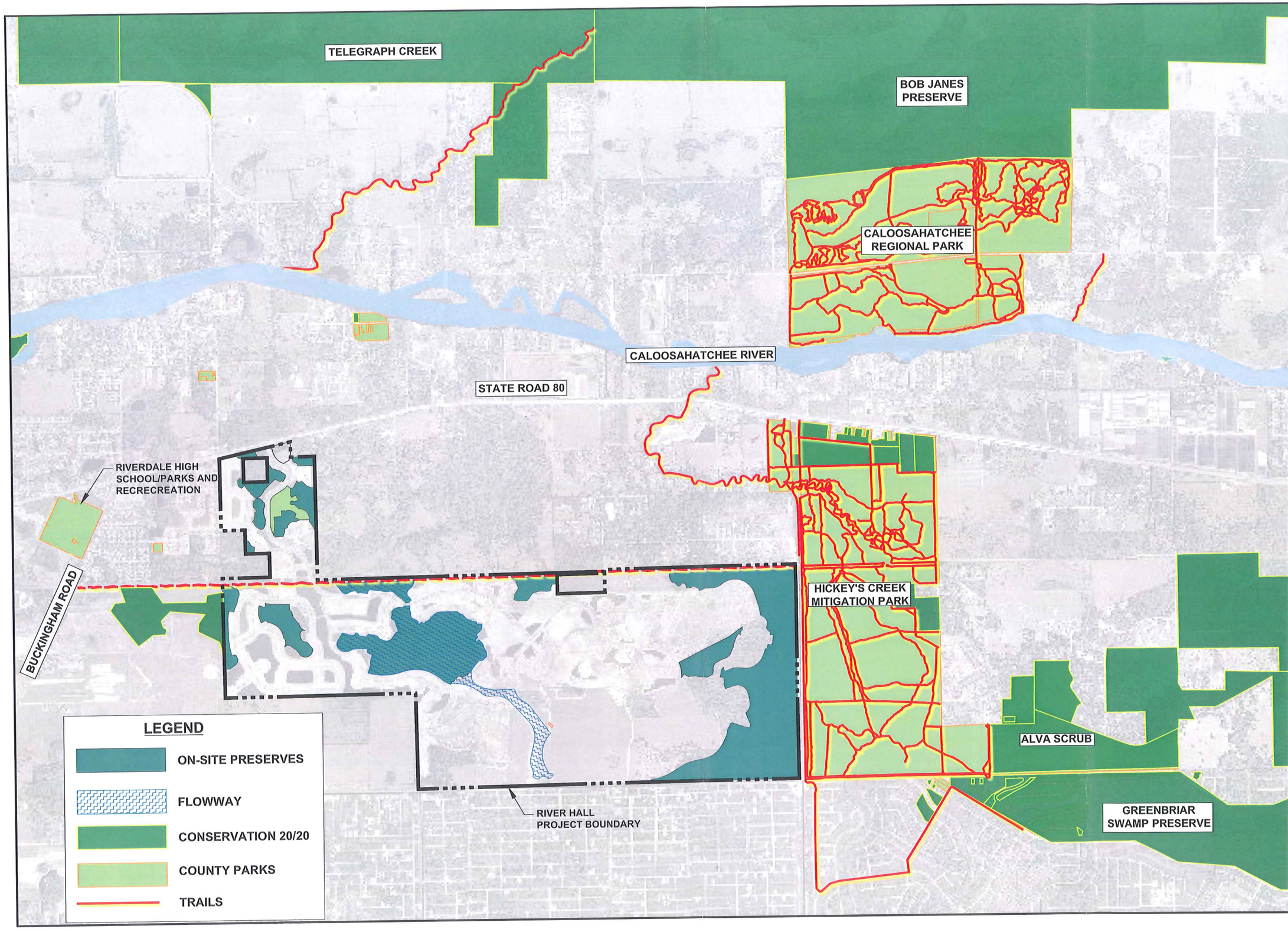
PLAN REVISIONS	
4-1-13	REVISED AMENDMENT AREA

PLAN STATUS

EXHIBIT 3

ACCESS AND TRANSPORTATION

PROJECT / FILE NO.	SHEET NUMBER
21854	1



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	PUBLIC NECCESSITY EXHIBIT-4.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\ZONING\2012 REZONE\
PLOT DATE	FRI. 8-9-2013 - 11:18 AM
PLOT BY	ANGELICA CARLEY
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

8-5-13	

PLAN STATUS

EXHIBIT 4

PUBLIC NECESSITY NATURAL FEATURES

PROJECT / FILE NO.	SHEET NUMBER
21854	1

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

January 11, 2013

Mr. Brandon Dunn
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

RE: River Hall (MDA# 12061)
CPA2012-00001

Dear Mr. Dunn,

The purpose of this letter is to respond to the insufficiency comments dated November 20, 2012. The River Hall Community is the subject of a Comprehensive Plan Amendment and a concurrent Planned Development Amendment. The Comprehensive Plan Amendment Application materials have been revised to reduce the amendment area, provide clarity regarding the ownership and representation of the community, adjust the scope of the Comprehensive Plan Amendment and outline additional details regarding the future development of the property which is within the scope of the Planned Development Amendment. All items that have been revised are attached to this sufficiency response. Please note that an electronic copy of the entire Planned Development Amendment is provided as Attachment # 1.

On December 21, 2012 a meeting was held with Lee County Planning Staff and the County Attorney's Office where it was agreed that the Map Amendment would only be requested on properties represented by GreenPointe Communities. This reduces the amendment area for the River Hall Community to approximately ±1,278 acres. A Text Amendment was also agreed upon to Policy 5.1.10 to allow density from the future land use categories within the project to be allocated within other areas of the community and allow density from lands placed in the Conservation Uplands Future Land Use Category and under conservation easement to be transferred to contiguous uplands at the requested Sub-Outlying Suburban rate. Revised exhibits and narratives are attached to this response letter to reflect this request.

On December 10, 2012 a meeting was held with Ms. Derheimer to discuss the scope of the Environmental Review for both applications. At that meeting it was agreed that the Environmental Review will be limited to the Southern Portion of the property that is currently undeveloped. Passarella and Associates has prepared the necessary materials related to Section IV.C of the Comprehensive Plan Amendment Application, which are included in this submittal. The limited Protected Species Survey, also prepared by Passarella and Associates, required for the Planned Development Amendment is provided in Attachment #1.

Comment: III B. a. Property Information, Total Acreage of Property
Please check the acreages provided for upland and wetland areas included in the request and the areas of the existing future land use categories. These numbers do not appear to add up.

Response: Please see the revised proposed future land use map and narratives which reflects the revised CPA request, the revised application, and includes the corrected acreages.

Comment: III E. 1. a. Potential development of the Subject Property, Calculation of maximum allowable development under existing FLUM, Residential Units/Density.
The Sub-Outlying Suburban future land use category will support commercial development consistent with "neighborhood centers" (Policy 6.1.2). Please revise the Calculation of maximum allowable development under the proposed FLUM to reflect the potential commercial development.

Response: The applicant acknowledges that commercial development is permitted within the Sub-Outlying Suburban Future Land Use. The applicant also acknowledges in situations where the development parameters are not defined, a theoretical maximum is calculated and utilized for the purposes of a Comprehensive Plan Amendment Application. However, as demonstrated by Attachment #1, the concurrent Planned Development Amendment does not propose to increase the commercial square footage associated with the project. The concurrent rezoning application provides the limitation to the request, and is the basis for the analysis of the situation without an increase in the commercial intensity theoretically possible. The existing, approved square footage has thus been provided in the appropriate field for the Comprehensive Plan Amendment Application, and is limited by the accompanying rezoning request. Please see the attached revised application for reference.

Comment: IV A. 2. General Information and Maps, Existing Future Land Use Map
The map provided to identify the current Future Land Use Categories (Exhibit IV.A.2), identifies 251 acres of Conservation Lands Wetlands. However there are currently no Conservation Lands on the subject property. If these were meant to be identified as the Wetlands future land use category, please revise the exhibit accordingly.

Response: Please see the revised Existing Future Land Use Exhibit which includes corrected acreages and has been modified to reflect the revised CPA request and application.

Comment: IV A. 4. General Information and Maps, Map and describe existing land uses
Staff acknowledges the receipt of the Map that identifies exiting land uses (Exhibit IV.A.4). Please provide the required discussion concerning compatibility with the current surrounding uses identified on the exhibit with the proposed future land use categories.

Response: Please see the attached, revised Lee Plan Consistency Narrative which includes an expanded discussion of compatibility with surrounding uses.

Comment: IV A. 6. General Information and Maps, The legal description(s) for the property

Legal descriptions are currently under review. Should the proposed legal descriptions change based on comments in this letter or for any other reason please provide updated legal descriptions with the next submittal.

Response: Please see the attached ownership exhibit and proposed future land use exhibit. These exhibits reflect the revised amendment area. Legal Descriptions and Sketches to accompany these areas will be provided after meetings between Lee County Staff and the applicant's consultants occur to develop an approach to revising these documents.

Comment: IV A. 9. General Information and Maps, If applicant is not the owner, a letter authorizing the applicant to represent the owner.
Due to the proposed amendment to the Future Land Use Map affecting numerous properties with different owners the Letter of Authorization is not sufficient. Please provide a resolution of the Property Owners Association Authorizing Greenpoint Communities LLC to act as the applicant, and a separate Letter of Authorization from Greenpoint Communities LLC authorizing an agent that will represent them in this proposal.

Response: Please see the attached authorizations provided to allow GreenPointe Communities, LLC to represent the lands included in the revised amendment request

Comment: IV B. 3. a. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Fire protection with adequate response times
Please provide a letter from the Fort Myers Shores Fire Protection and Rescue Service District determining their ability to provide adequate services to the subject site with the proposed future land use category.

Response: Please see the attached letter from the Fort Myers Shores Fire Protection and Rescue Service District indicating the ability to service the River Hall Community.

Comment: IV B. 3. b. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Emergency medical service (EMS) provisions
Please provide a letter from Lee County Division of Public Safety determining their ability to provide adequate services to the subject site with the proposed future land use category.

Response: Numerous requests have been made to obtain a Letter of Availability from the Lee County Division of Public Safety. Please see the attached correspondence, when a letter has been received it will submitted to the zoning counter and e-mailed to the case reviewer.

Comment: IV B. 3. c. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Law enforcement
Please provide a letter from the Lee County Sheriff's Office determining their ability to provide adequate services to the subject site with the proposed future land use category.

Response: Please see the attached letter from the Lee County Sherriff's Office indicating the ability to service the River Hall Community.

Comment: IV 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. Please provide the required environmental analysis of the subject property that includes numbers 1 through 6 identified below.

Comment: IV C. 1. Environmental Impacts, A map of the Plant Communities C. 2. Environmental Impacts, A map and description of the soils found on the property

Response: Please see the attached Environmental Assessment prepared by Passarella and Associates.

Comment: IV C. 3. Environmental Impacts, A topographic map

Response: Please see the attached Topographic Map

Comment: IV C. 4. Environmental Impacts, A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.

Response: Please see the attached Flood Rate Insurance Rate Map.

Comment: IV C. 5. Environmental Impacts, A map delineating wetlands, aquifer recharge areas, and rare & unique uplands

Response: Please see the attached Environmental Assessment prepared by Passarella and Associates.

Comment: IV C. 6. Environmental Impacts, A table of plant communities by FLUCCS

Response: Please see the attached Environmental Assessment prepared by Passarella and Associates.

Comment: IV E. 2. Internal Consistency with the Lee Plan, List goals and objectives of the Lee Plan. Include an evaluation of all relevant policies under each goal and objective.
Please provide additional Lee Plan analysis concerning Caloosahatchee Shores, Goal 21 including the subsequent objectives and policies. Please provide additional Lee Plan analysis concerning Mass Transit, specifically Policy 43.1.4, Policy 43.1.6, Policy 43.1.7, Policy 43.1.8, Objective 43.2, Policy 43.2.1, Policy 43.3.2, Policy 43.4.2, and Policy 43.4.3. LeeTran Staff has provided the following concern: "Changing the land-use designation from rural to a sub-urban land-use category could imply a need for services that are either found in urban setting or feed urban settings. In the case of fixed route mass transit or the transportation of ADA riders through the LeeTran Passport Service, I did not find sufficient response to determine how an increase in demand for these services would be funded. As was stated above, there are no plans for expanding the service in this area which would create another potential unfunded need for transit services within the horizon of the 2012-2021 Transit Development Plan. Additionally, a development of this size also requires an expansion of other public uses ranging from parks/open spaces to additional

demands on schools. Both could create new demands for transit services beyond the existing service boundaries. These potential additional needs and expansion of services will only be met by an increase in funding or a decrease in system wide transit service."

Response: Please see the revised, attached Lee Plan Consistency. In response to the comments provided by Lee Tran Staff, a copy of the concurrent Planned Development Amendment is provided as Attachment #1 to this sufficiency letter. The concurrent rezoning seeks to limit the development to 2,999 dwelling units to ensure the public services within the area can continue to serve the community. A review of public facilities was completed as part of the Comprehensive Plan Amendment Application, adequate capacity is currently available for utilities, parks/open spaces, and schools to serve the addition 1,000 dwelling units requested. The applicant notes the Lee County Transit – Lee Tran Title VI Program Update 2012-2014 indicates the Lee Tran System has "Substantial Capacity remaining." The report also indicates Route 100, which has the closest bus stop to the River Hall Community, has 80% capacity available. Additionally, please be advised that the applicant is proposing to establish a mobility corridor in the form of a multi-use path along the northerly project boundary in Sections 25, 26, & 27. This mobility feature would also connect with the development's primary access roadway and SR 80. The applicant is looking for options to connect the westerly terminus of this path to Buckingham Road.

Miscellaneous Comments
Please address the following miscellaneous comments:

1. *There are numerous properties that are proposed to be changed from the Rural future land use category to the Sub-Outlying Suburban future land use category that are not identified in this application.*

   Response: Please see the revised proposed future land use map exhibit and ownership exhibit which demonstrate the area proposed for the comprehensive plan amendment. Authorizations are provided from demonstrating the ability of GreenPointe Community to represent the acreage included in the revised request and submit an amendment on these lands.

2. *Is there an Army Corps of Engineers permit for the existing development? If so, please provide a copy.*

   Response: An electronic copy of the Army Corps of Engineers permit is attached.

3. *Does the applicant propose to put the preserves identified on the approved Master Concept Plan within the existing suburban FLU into Conservation Lands? If so please revise application documents to reflect.*

   Response: The existing Suburban Future Land Use Category is not included in this Comprehensive Plan Amendment. There are no proposed changes to the Future Land Use Categories in this portion of the development.

4. *Please note the key maps provided for the upland and wetland preserve areas do not depict CE-14. Please revise documents to include CE-14.*

Response: Please see the attached Amendment Preservation Exhibit and Recorded Preservation exhibits which demonstrate the Conservation Easements located on the property and the acreage of the associated wetlands and uplands.

5. *Please note ES staff cannot verify the wetland and upland preserve acreages provided. The application does not include acreage for the FWC easement or the indigenous preserve areas not in a conservation easement. And only a portion of CEs 2 and 8 are within the amendment area. Please itemize in a table format the proposed wetland and upland preserve conservation land acreages to illustrate how the total were obtained.*

   Response: Please see the attached Amendment Preservation Exhibit and Recorded Preservation Exhibit.

6. *Staff has not conducted a site inspection at this time; as such staff may have additional comments pending site inspection.*

I believe that addresses all of the identified issues. We will schedule a meeting to discuss the appropriate method to revise the legal descriptions and sketches within a few days of the submittal. If you have any additional questions or concerns regarding the revisions to the amendment request, please do not hesitate to contact me.

Sincerely,
MORRIS-DEPEW ASSOCIATES, INC.

Tina Ekblad

Tina M. Ekblad, MPA, AICP, LEED AP BD+C
Project Manager

Cc: Mr. Grady Miars
Mr. Roger Postlethwaite
Mr. Russell Schropp, Esq
File

River Hall
Comprehensive Plan Amendment
Environmental Responses

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.

Please provide the required environmental analysis of the subject property that includes numbers 1 through 6 identified below.

IV C. 1. Environmental Impacts, A map of the plant communities

Response

Please refer to Exhibits B and C of the enclosed Environmental Assessment.

IV C. 2. Environmental Impacts, A map and description of the soils found on the property.

Response

Please refer to Exhibits E and F of the enclosed Environmental Assessment.

IV C. 3. Environmental Impacts, A topographic map

Response

Please refer to Exhibit H of the enclosed Environmental Assessment.

IV C. 4. Environmental Impacts, A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.

Response

Please refer to Exhibit I of the enclosed Environmental Assessment.

IV C. 5. Environmental Impacts, A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.

Response

The on-site wetlands are depicted on Exhibits B and C of the enclosed Environmental Assessment. No aquifer recharge areas were identified on-site. Also, no rare or unique uplands exist on the property since the project is located outside of the Lee County Coastal Planning Area.

IV C. 6. Environmental Impacts, A table of plant communities of FLUCFCS

Response

Please refer to Exhibit D of the enclosed Environmental Assessment.

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
#LC26000330

April 1, 2013

Mr. Brandon Dunn
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

RE: River Hall (MDA# 12061)
CPA2012-00001

Dear Mr. Dunn,

The purpose of this letter is to respond to the insufficiency comments dated February 12, 2013. Since the previous sufficiency submittal, the applicant has held meetings with Lee County Staff and made revisions to the proposed amendment based on staff's comments. The areas proposed for conservation have been reviewed and revised to eliminate any areas that were previously cleared or identified as general open space. These areas are now identified as part of the Proposed Sub-Outlying Suburban Category. As a result, new acreages and density calculations are provided.

ES Staff has reviewed the application re-submittal and has the following comments and questions:

1. With regards to the Amendment Preservation Exhibit:
    - Please revise to correct (switch) the wetlands and uplands conservation lands label within the Land Use Breakdown.
    - Please provide a Land Use Breakdown with corresponding hatching and acreage for the area outside the amendment. Then please revise any related application documents to correct the Land Use acreage.
    - Please note the CPA Amendment total 1276.14 is not consistent with other documents provided. Please revise documents for consistency.

Response: Please see the attached revised Amendment Preservation Exhibit. Acreage calculations have been included for the areas outside the amendment and the acreage has been revised to reflect the amended CPA are boundary.

2. With regards to the Recorded Preserve Exhibit:
    - The exhibit indicates that the dark purple hatching as Platted Preservation Tracts Not within a Conservation Easement. Please note the plats label these areas as open space not preserve AND some of the areas (±8.0 acres) are cleared and do

not contain indigenous vegetation. Are any enhancements (restoration) proposed for these non-indigenous areas?

Response:
Please see the revised Recorded Preserve Exhibit. The areas that have been cleared and do not contain indigenous vegetation have been removed from the "Platted Preservation Tracts Not Within A Conservation Easement" Category and are now represented as Sub-Outlying Suburban.

Lee County Department of Natural Resources has reviewed the application re-submittal and has the following comments and questions:

3. According to Lee County DNR's database, a historical flow-way and small tributary named as "Olga Creek" run through the northwestern portion of the project site and drains north toward Caloosahatchee River across SR 80. It is not clear whether or not these flow-way and creek capacity have been preserved by the already developed roads (Summersweet Dr and Ligustrum Ln) and houses. Please provide the following to address this issue:
    - Identify/explain local historical drainage pattern at this location at the vicinity of Olga Creek and provide the flow-way map.
    - Describe what is the current condition and function of the flow-way and creek.
    - Provide how they will be preserved (if not already been impacted by those structures) or restored.

Response: The response below was prepared by Barraco and Associates.

An on-site meeting was held with County Staff on February 22, 2013 to inspect the existing Olga Creek tributary. As discussed during the meeting, Olga Creek is located outside of the proposed Comprehensive Plan Amendment (CPA) area. However, the existing structural measures which accommodate the flowway were inspected, including two (2) 20" x 45" elliptical culverts located under Ligustrum Lane within the Cascades site. In addition to the Olga Creek tributary, two other areas which convey existing offsite drainage were inspected and found to be in satisfactory condition. It was agreed during the on-site meeting that no adverse impacts to the existing offsite conveyances will result from the proposed CPA.

Planning Staff has reviewed the application re-submittal and has the following comments and questions:

4. Due to the questions about the acreages of proposed Conservation Lands, Wetlands and Sub-Outlying Suburban future land use category areas, staff has not been able to determine the units that would be permitted based on the correct density of the project. Staff has additional questions concerning density:

- It appears that the Wetlands density was calculated at 1 dwelling unit per 10 acres. According to Table I(a) of the Lee Plan wetlands that are adjacent to areas proposed to be Sub-Outlying Suburban, and are not impacted should be calculated at the same density as the adjacent uplands; while impacted wetlands, and wetlands that are only adjacent to the Rural future land use category must be calculated at 1 unit per 20 acres. Please revise the density calculations to be consistent with Table I(a), Clarification #8(b).

Response:
The land use calculations have been revised per comments from Environmental Sciences Staff. Please see the revised density calculations below as well as the revised Project Summary attached. The applicant notes that all Proposed Conservation Wetlands have been calculated consistent with Table 1(a), Clarification #8(b).

Total Project

	FLU	Acreage	Dwelling units/acre	Dwelling units permitted
Non-Amendment Area	Suburban	±79	6 du/ac	474
	Wetland	±28	1du/20 ac	1.4
	Rural	±584	1 du/1 ac	584
Amendment Area	Sub-Outlying Suburban	±870	2 du/ac	1,740
	Conservation Wetland	±153	2 du/ac	306
	Conservation Upland	±264	2du/ac**	528
TOTAL ACRES		**1,978**	**TOTAL DWELLING UNITS**	**3,633**

**Per proposed Text Amendment to Policy 5.1.10

- In addition to the density calculations that have been provided, please provide separate density calculation for the "Amendment Area" and the areas that are not subject to the project within the River Hall project.

Response:
The land use calculations have been revised per comments from Environmental Sciences Staff. Please see the revised density calculations below as well as the revised Project Summary attached.

Amendment Area

Proposed FLU	Acreage	Dwelling units/ acre	Dwelling units permitted
Sub-Outlying Suburban	±870	2 du/ac	**1,740**
Conservation Wetland	±153	2 du/ ac	**306**
Conservation Upland	±264	2du/ac**	**528**
TOTAL ACRES	1,287	**TOTAL DWELLING UNITS**	**2,574**

- It is unclear where the additional requested density will be developed. The areas subject to the applications for the rezoning case (DCI2013-00003) and the Comprehensive Plan amendment (CPA2012-00001) are not the same. Will any areas that are to remain in the Rural future land use category within the project be developed at a density greater than 1 dwelling unit per acre?

Response:
The requested density will be developed within the Area designated for the Planned Development Amendment, which corresponds with lands owned by RH Venture II, LLC and RH Venture III, LLC. The Roadways are included to demonstrate access only, authorizations from the Homeowners Associations maintaining the roadways have been provided. It is not anticipated that lands within the Rural Future Land Use Category would be developed above a theoretical density of 1 dwelling unit per acre.

5. Please clarify the total area that is to be amended. The Future Land Use maps identify 1,278 acres, while the exhibits that show the preserves indicate that there are 1,276.14 acres in the Amendment Area.

Response:
The area of the Comprehensive Plan Amendment is 1,287 acres. Please see the attached revised Proposed Future Land Use Map for the areas of the River Hall Community included in the amendment.

6. The submittal dated January 10, 2013 provides Letters of Authorization from RH Venture III, LLC; RH Venture II, LLC; River Hall Country Club Homeowners Association, Inc; Hampton Lakes at River Hall Homeowners Association, Inc; Town Hall Amenities Center Association, Inc; and River Hall Community Development District. Please clarify the ownership of the various proposed Comprehensive Plan Amendment area.

   The materials submitted January 10, 2013 also provide an "Ownership Exhibit" which includes areas owned by RH Venture II, LLC (406.67 acres); RH Venture III, LLC (235.47 acres); River Hall Golf, LLC (175.38 acres); and River Hall THC, LLC (11.20 acres). The total area owned by the entities identified on the Ownership Exhibit is 828.72 acres. This is approximately 450 acres less than identified in the amendment area.

   Please clarify who owns the approximately 450 acres not identified on the Ownership Exhibit. The Ownership exhibit should be updated to reflect the total proposed amendment area. In addition Letters of Authorization and Affidavits for Public Hearing must be provided from each of the owners identified on the revised Ownership Exhibit.

Response:
The area of the Comprehensive Plan Amendment is 1,287 acres. A revised ownership map is attached demonstrating the lands owned by each authorizing entity. The following is a summary table of the acreage owned by each entity.

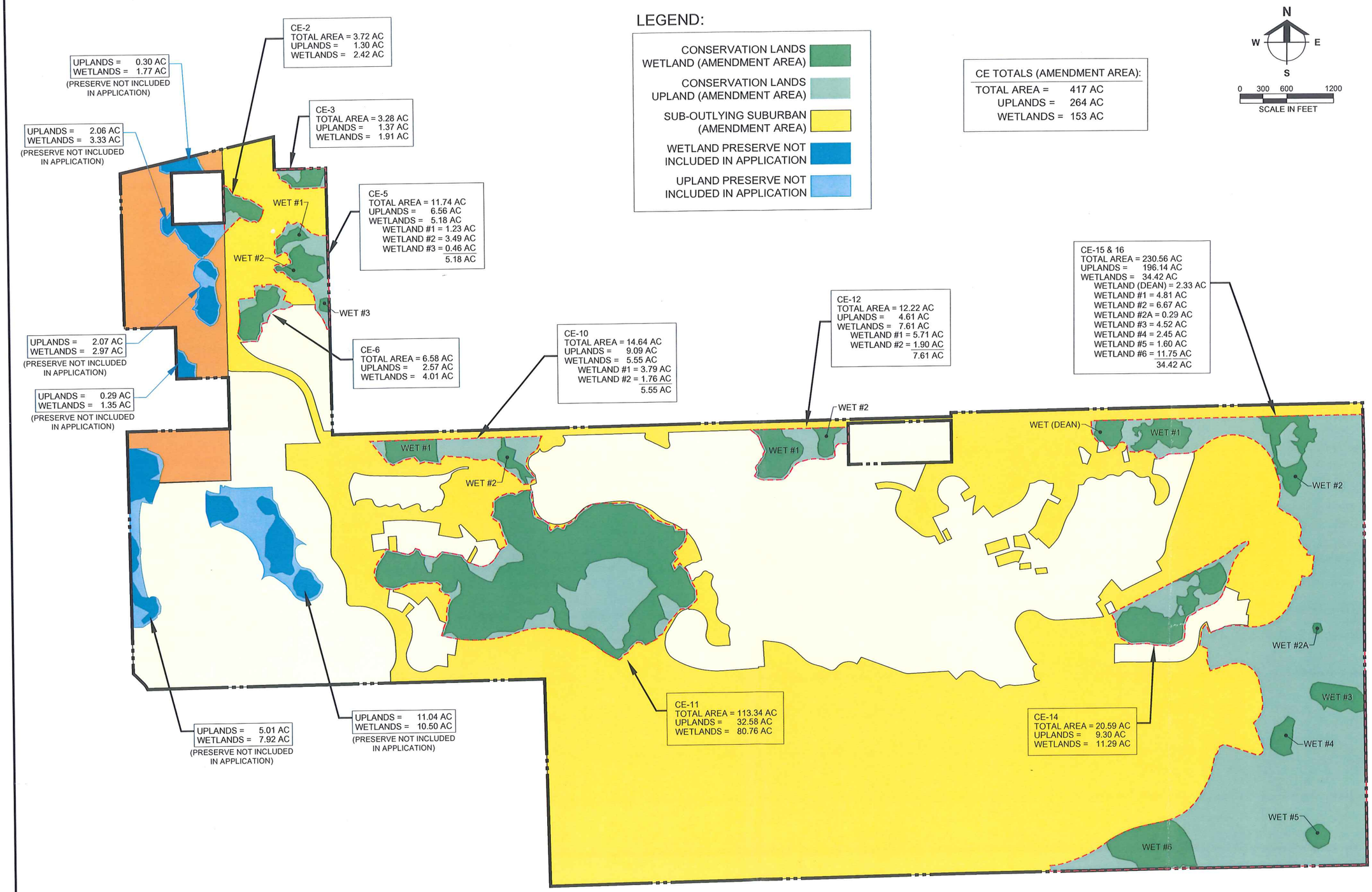
AMENDMENT AREA		
Authorizing Entity	**Acreage**	**Notes**
RH Venture II, LLC	±359	Authorization Provided
RH Venture III, LLC	±235	Authorization Provided
River Hall Country Club HOA	±30	Authorization Provided
Hampton Lakes at River Hall HOA	±18	Authorization Provided
River Hall CDD	±645	Authorization Provided
TOTAL ACRES	**±1,287**	

I believe that addresses all of the identified issues. If you have any additional questions or concerns regarding the revisions to the amendment request, please do not hesitate to contact me.

Sincerely,
MORRIS-DEPEW ASSOCIATES, INC.

Tina M. Ekblad, MPA, AICP, LEED AP BD+C
Project Manager

Cc: Mr. Grady Miars
Mr. Roger Postlethwaite
Mr. Russell Schropp, Esq
File



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
©COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	PRES BREAKDOWN PER LEGALS.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\ENVIRO\
PLOT DATE	TUE. 3-26-2013 - 2:32 PM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

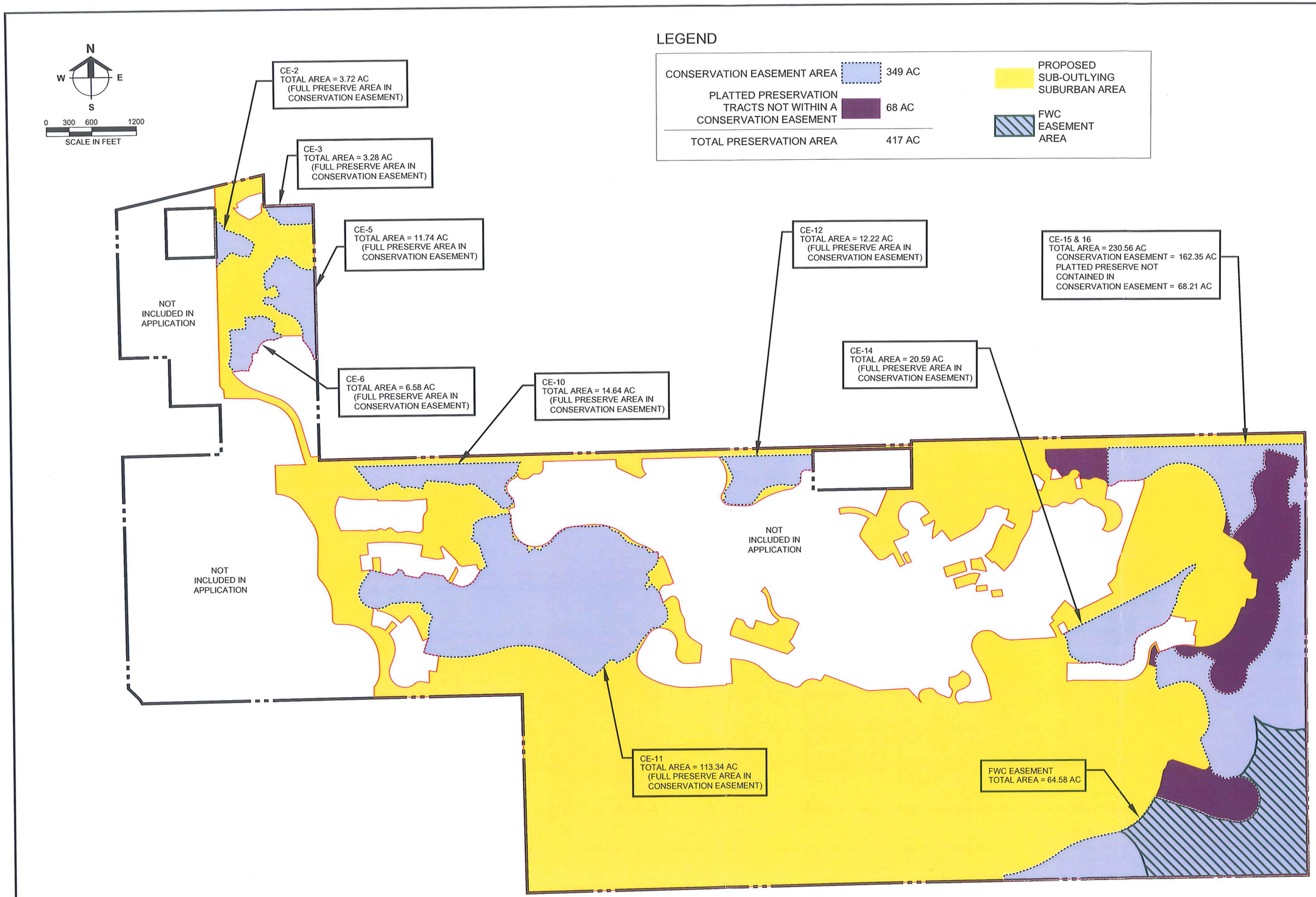
PLAN REVISIONS

12-31-12	NEW AMENDMENT BOUNDARY
3-26-13	REVISED AMENDMENT AREA

PLAN STATUS

AMENDMENT PRESERVATION EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
21988	1



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	CONS EASE VERSUS PLATTED PRES-1
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\ENVIRO\
PLOT DATE	TUE. 3-26-2013 - 2:26 PM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

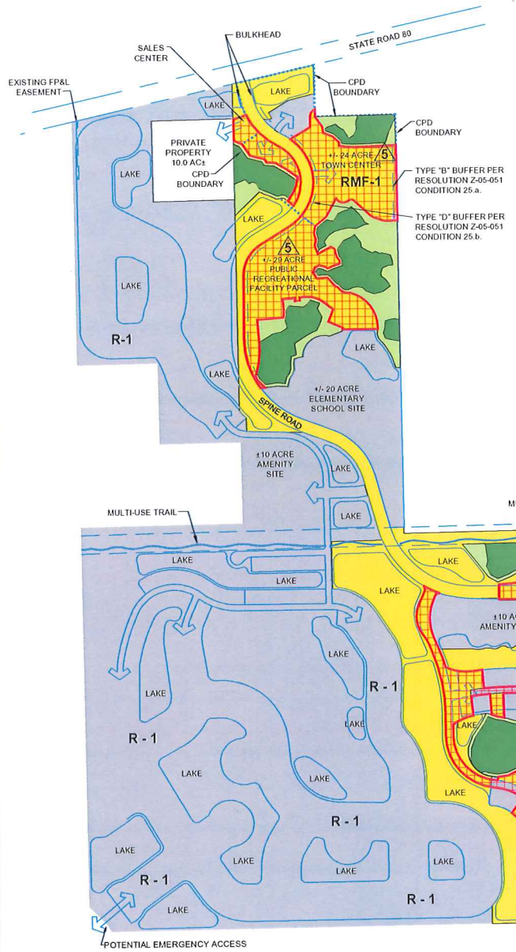
PLAN REVISIONS

1-2-13	NEW AMENDMENT BOUNDARY
3-26-13	REVISED AMENDMENT AREA

PLAN STATUS

RECORDED PRESERVES EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
21988	1



ZONING AMENDMENT AREA
643 AC

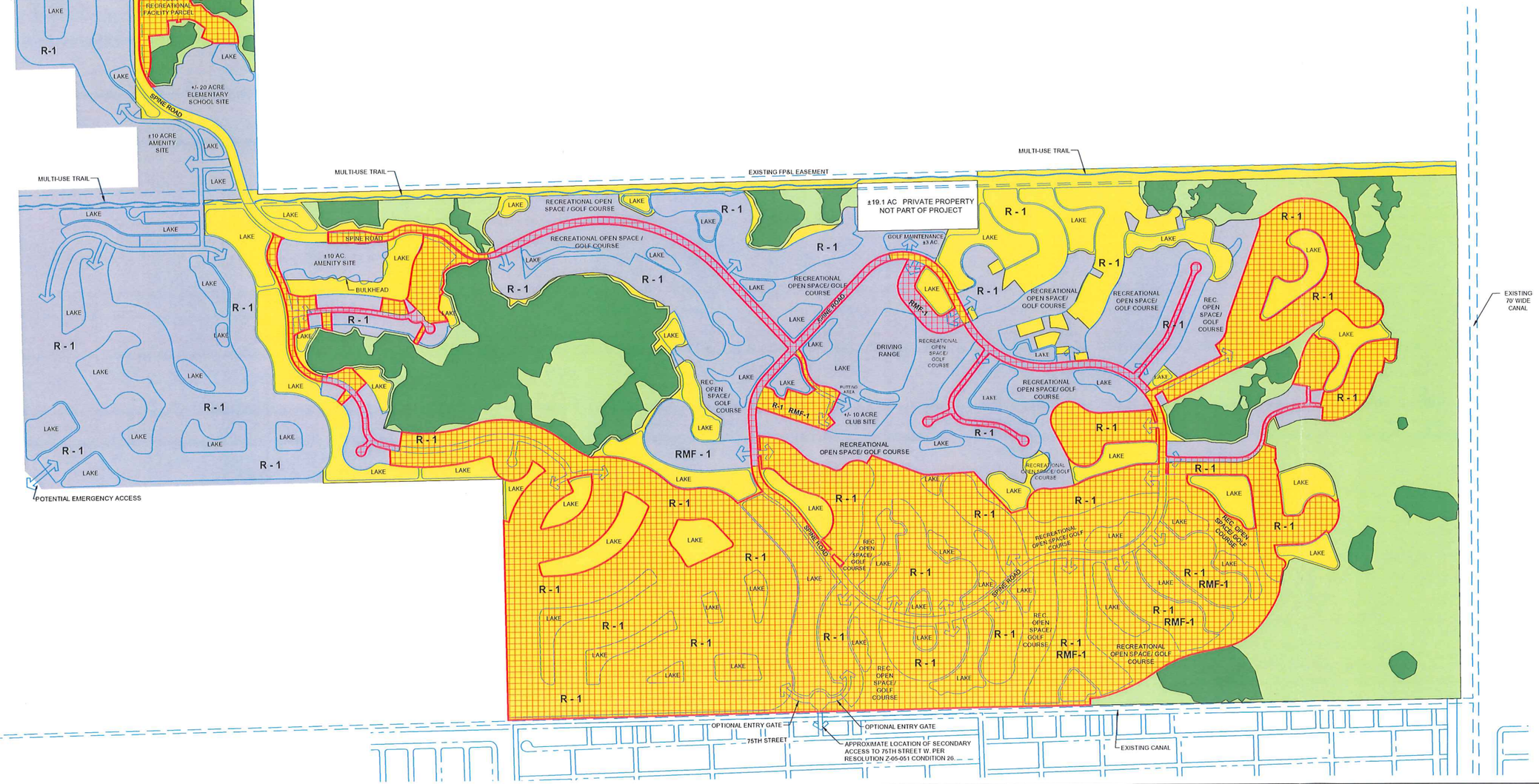
CPA - PROPOSED SUB-OUTLYING SUBURBAN
870 AC

CPA - PROPOSED CONSERVATION LANDS WETLAND
153 AC

CPA - PROPOSED CONSERVATION LANDS UPLAND
264 AC

NO COMPREHENSIVE PLAN AMENDMENT PROPOSED
691 AC

N
W E
S
0 300 600 1200
SCALE IN FEET



Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

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

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

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2013, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	MCP-CPA-OVERLAY.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\ZONING\2012 REZONE\
PLOT DATE	WED, 3-27-2013 - 9:30 AM
PLOT BY	JENNIFER SAPEN
DESIGN BY	TOM HOLMLUND

CROSS REFERENCED DRAWINGS

BASEPLAN = 21988Z00.DWG

PLAN REVISIONS

3-27-13	REVISED CPA AND PD AREAS

PLAN STATUS

ZONING AND CPA EXHIBIT WITH MCP OVERLAY

PROJECT / FILE NO.	SHEET NUMBER
21988	

PUBLIC COMMENTS

RECEIVED
JUN 27 2013
COMMUNITY DEVELOPMENT

June 25, 2013

Mr. Brandon D. Dunn, Senior Planner
Lee County Division of Planning
1500 Monroe Street
Fort Myers, FL 33902-0398

Dear Mr. Dunn:

RE: CPA2012-00001 and DCI2013-00003

I was one of two River Hall residents elected to the River Hall Community Development District Board of Supervisors (CDD) in November 2012. The remaining three seats on the CDD are held by GreenPointe owners and/or employees, including Grady Miars, who is chairman of the CDD. As I am sure you are aware, Mr. Miars is also both part owner and President of GreenPointe Communities, LLC.

Some River Hall residents received a letter from Morris Depew outlining what GreenPointe Communities is hoping to accomplish with the Comprehensive Plan and Planned Development Amendments referenced above. I believe you have a copy of the letter.

The second paragraph of the letter states that GreenPointe Communities, LLC, as representative of the owners of River Hall, received authorization from, among others, the CDD, "to undertake the Comprehensive Plan and Planned Development Amendment". Included in the file for the amendments in River Hall is an affidavit titled: PART I – AFFIDAVIT A2 (Exhibit PH-1.B.2). A copy is enclosed. The affidavit was signed on January 4, 2013 by Grady Miars, as Chairman of the CDD. There may be a problem with the validity of that document, if that is the authorization from the CDD that is referenced by the Morris Depew letter.

I asked the CDD's manager to provide me with the minutes of the meeting at which the CDD's authorization was granted. She replied that no minutes existed, since there was no meeting held to vote on providing that authorization. Therefore, Mr. Miars "did not" receive authorization from the CDD, with a formal vote, to sign the form giving GreenPointe Communities authorization to undertake the amendments. Consequently, the authorization to GreenPointe actually came from GreenPointe, through one of its owners, Grady Miars.

The CDD attorney informed me that no vote was necessary since the authorization was ministerial. Therefore, Mr. Miars could provide that authorization without CDD approval. I wholeheartedly disagree. As an attorney, I am aware that Florida law states that a ministerial act leaves no room for discretion, where the performance being required is directed by law. That is most certainly not the case in this situation.

The CDD's actions are not ministerial. As a matter of fact, it has a great deal of discretion in how it conducts its business. That includes whether it would either agree with, or oppose, at a public meeting, the requested amendments to the comprehensive plan and the zoning, especially since the proposed amendments will impact the infrastructure of the CDD. That impact could prove detrimental to both the CDD and the residents it represents. As it stands, the CDD did not have the opportunity to hear from the

residents, discuss the matter openly, and vote on it at a public meeting. There is no doubt that if the matter had been brought before the CDD for a vote, I would have voted against it.

What is even more troubling about the authorization is that it was signed on January 4, 2013, almost two months after the new members were elected. Unfortunately, the December 2012 meeting was unilaterally cancelled by Mr. Miars, and there was no scheduled meeting in January. It would have been very easy to hold the regularly scheduled December 2012 meeting and place the matter on the agenda to be discussed openly. In addition, a special meeting could have been called to discuss the issue. As a matter of fact, three regularly scheduled meetings were unilaterally cancelled by Mr. Miars following the November 2012 election. Therefore, the first time the new CDD met was in April 2013, five full months after the election.

The residents were not notified of the proposed amendments until the January 15, 2013 HOA meetings, which were postponed from December 2012. Why the form was signed without formal authorization from the CDD, at a public meeting, two weeks before GreenPointe Communities chose to disclose to the residents what it is trying to accomplish, is a question that should be answered. In addition, the Morris Depew letter is the only written communication sent by the developer, to the residents, concerning the changes. That letter was received in late May or early June by some, but not all residents. The point is that the residents were kept in the dark until the process was well underway.

Finally, I do not know the legal ramifications of the fact that Mr. Miars did not receive formal authorization from the CDD to sign the form. Nevertheless, I respectfully request that the process be halted, and hearings delayed, until the issue is clarified. I also request that the matter be forwarded to the County Attorney for review to determine what actions, if any, should be taken.

Sincerely,

Paul D. Asfour

Paul D. Asfour
17131 Easy Stream Court
Alva, FL 33920
239-693-6131

cc: Alvin Block

Enclosure

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

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

I, Graydon E. Miars, as Chairman of the River Hall Community Development District, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

River Hall Community Development District
*Name of Entity (corporation, partnership, LLP, LC, etc.)

Signature

Graydon E. Miars
(Typed or printed name)

Chairman
(title of signatory)

ELLEN JOHNSON
MY COMMISSION # EE 084559
EXPIRES: May 28, 2015
Bonded Thru Notary Public Underwriters

STATE OF FLORIDA
COUNTY OF Hernando

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 02/04/13 (date) by Graydon E. Miars (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Ellen Johnson
Signature of person taking oath or affirmation

Ellen Johnson
Name typed, printed or stamped

Title or rank

Serial number, if any

Notes:
- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

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

Miller, Janet

From: Steveb239@aol.com
Sent: Tuesday, August 13, 2013 11:22 PM
To: Local Planning Agency
Subject: Fwd: opposition to River Hall density increase

From: h.brand@comcast.net
To: jim@jimgreenrealty.com, apiercegardner@gmail.com, mhutchcraft@cclpcitrus.com, nandress@comcast.net, happyoldfogey@aol.com, rstrelow@comcast.net, steveb239@aol.com
CC: reznitsky@comcast.net, carolbubu@comcast.net
Sent: 8/13/2013 4:54:45 P.M. Eastern Daylight Time
Subj: opposition to River Hall density increase

We are residents of the River Hall community, and live at 15364 Yellow Wood Drive. We are opposed to any increase in density within River Hall for a number of reasons, some of which are:

(1) There is currently a serious problem exiting River Hall onto SR 80 at least twice each weekday due to the number of arrivals and departures at the Elementary School AND the fact that no traffic light exists at the intersection with SR 80. We have witnessed several accidents at that intersection, in one case involving a school bus!

(2) We are lead to believe that such a density increase to the River Hall community would include providing an entrance to the River Hall community from the south; i.e., from Lehigh Acres. There are already problems with crime and having an easier entrance to the community for criminals from the Lehigh Acres area into River Hall would only make the existing problems worse. We do not mean in any way to demean law-abiding residents of Lehigh Acres but we all follow the local news regularly and recognize what happens there.

Harvey and Carol Brand

15364 Yellow Wood Drive

Alva, FL 33920-4610

Miller, Janet

From: Jim Green [jim@jimgreenrealty.com]
Sent: Tuesday, August 13, 2013 8:35 AM
To: Local Planning Agency
Subject: FW: Oposing GreenPointe´s Request to increase the density at River Hall as per CPA 2012-00001 and DCI2013-00003

From: Joern Erdmann [mailto:joern.erdmann@edlconsulting.de]
Sent: Tuesday, August 13, 2013 1:17 AM
To: jim@jimgreenrealty.com; apiercegardner@gmail.com; mhutchcraft@cclpcitrus.com; nandress@comcast.net; happyoldfogey@aol.com; rstrelow@comcast.net; Steveb239@aol.com
Subject: Oposing GreenPointe´s Request to increase the density at River Hall as per CPA 2012-00001 and DCI2013-00003

Dear Sir or Madam:

For the reasons below we , residents of Ashton Oaks at River Hall, oppose to the approval of GreenPointe´s request to increase the density at River Hall:

1. Roads were not designed to handle another potential 1,500 vehicles. (1,000 units multiplied by approximately 1.5 people per unit).
2. Increased traffic at the intersection of River Hall Parkway and Palm Beach Blvd., especially since there is no traffic light.
3. Increased traffic could affect the safety of the children attending River Hall Elementary School.
4. Increase in multi-family units would lower property values and diminish the attractiveness of River Hall as an single family neighborhood.
5. Investors could purchase multi-family units and rent them for the week, month, etc., resulting in more non-residents.
6. Golf course will not handle another potential 1,500 members (1,000 units multiplied by approximately 1.5 people per unit).
7. Resident control of River Hall will take longer to occur since more lots will have to be sold to reach the 90% threshold necessary for turnover.

Sincerely,

Monika & Joern Erdmann

MONIKA & JOERN D.F. ERDMANN
ASHTON OAKS AT RIVER HALL
16570 GOLDENROD LANE 201
ALVA, FL 33920

Miller, Janet

From: Jim Green [jim@jimgreenrealty.com]
Sent: Tuesday, August 13, 2013 8:36 AM
To: Local Planning Agency
Subject: FW: GreenPoint density request

-----Original Message-----
From: Thomas Ricker [mailto:tomricker@hotmail.com]
Sent: Monday, August 12, 2013 10:38 PM
To: jim@jimgreenrealty.com
Subject: GreenPoint density request

Mr. Green, I will not be able to attend the board meeting on the above.
As a River Hall resident, I have chosen to live in this community based on the concept of 864 homesites as presented and promised from GreenPoint.
This "SIZE" development (864) is not just an arbitrary number. It is related to one, 18 hole golf course, which, by standard real estate guidelines, can support ONLY 800 homesites. The rationale for adding 1000 more homesites appears to be based purely on greed and the inability to market and promote the complex as approved. Why would anyone think they will market, promote, and SELL 2000 homesites when they haven't been able to sell more than 300 in seven years. Let's let them "try" to do what they promised before we compound the multitude of problems already existing.
Thank you for your consideration. Tom & Jeanne Ricker, 16968 Oakstead Drive, RHCC.

Sent from my iPad=

Miller, Janet

From: Steveb239@aol.com
Sent: Tuesday, August 13, 2013 11:20 PM
To: Local Planning Agency
Subject: Fwd: GreenPointe's Density Request

From: skip@seal-360.com
To: Steveb239@aol.com
Sent: 8/13/2013 10:07:33 A.M. Eastern Daylight Time
Subj: GreenPointe's Density Request

Good Morning Steve,

I respectfully ask that you please consider voting against GreenPointe's request to increase the density in Riverhall.

Lee County home values have plummeted and the density increase will only add to the inventory of home sites which could further impact values.

David Depew agrees a recent US Supreme Court ruling bottom line is: once a permit is issued, any environmental issues become the responsibility of the tax payers, *not the developer*.

The environmental impact of the current density is not a proven fact. The question then is what will the environmental impact and the increased carbon footprint be from 1000 more home sites, potentially 2500 more people and 1500 more vehicles?

There is the issue of past due taxes that went unpaid by GreenPointe. How does that show good citizenship by the company?

In view of these and other issues and the fact that there is no overriding necessity, please vote against the request.

Unfortunately, I will be traveling for the next two weeks and cannot attend the meeting on the 26th.

Thank you for your consideration in this matter.

--
Skip Seal
LEED AP, I.C.E. GB, GCS
918 607 5597
skip@seal-360.com
www.seal-360.com

Miller, Janet

From: Jim Green [jim@jimgreenrealty.com]
Sent: Tuesday, August 13, 2013 2:09 PM
To: Local Planning Agency
Subject: FW: GreenPointe's request to change the density at River Hall

From: Jill Seal [mailto:jillmseal@gmail.com]
Sent: Tuesday, August 13, 2013 12:41 PM
To: jim@jimgreenrealty.com
Subject: GreenPointe's request to change the density at River Hall

Dear Jim,

I am a year round homeowner in RiverHall and I am requesting for you to vote NO to GreenPointe's request to change the density and add 1000 new home lots.

GreenPointe has not been able to pay the required taxes due. This has caused River Hall to be called a "failed community" and therefore many banks do not want to loan to new home owners.

GreenPointe still has not been able to keep up the regular maintenance of existing buildings and developed areas.

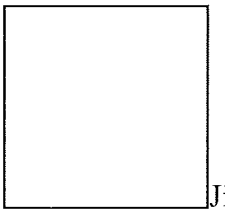
The Clubhouse "Grill" and the Amenity Center will not accommodate another 1000 plus residents.

Builders have been discouraged by GreenPointe.

So I ask: Why would GreenPointe be awarded more lots when they have not been good stewards of the existing lots?

Thank you for your consideration,

Jill



Jill Seal
239-271-1138

Karen Asfour

From: Joern Erdmann [joern.erdmann@edlconsulting.de]
Sent: Tuesday, August 13, 2013 1:17 AM
To: jim@jimgreenrealty.com; apiercegardner@gmail.com; mhutchcraft@cclpcitrus.com; nandress@comcast.net; happyoldfogey@aol.com; rstrelow@comcast.net; Steveb239@aol.com
Subject: Oposing GreenPointe´s Request to increase the density at River Hall as per CPA 2012-00001 and DCI2013-00003

Dear Sir or Madam:

For the reasons below we , residents of Ashton Oaks at River Hall, oppose to the approval of GreenPointe´s request to increase the density at River Hall:

1. Roads were not designed to handle another potential 1,500 vehicles. (1,000 units multiplied by approximately 1.5 people per unit).
2. Increased traffic at the intersection of River Hall Parkway and Palm Beach Blvd., especially since there is no traffic light.
3. Increased traffic could affect the safety of the children attending River Hall Elementary School.
4. Increase in multi-family units would lower property values and diminish the attractiveness of River Hall as an single family neighborhood.
5. Investors could purchase multi-family units and rent them for the week, month, etc., resulting in more non-residents.
6. Golf course will not handle another potential 1,500 members (1,000 units multiplied by approximately 1.5 people per unit).
7. Resident control of River Hall will take longer to occur since more lots will have to be sold to reach the 90% threshold necessary for turnover.

Sincerely,

Monika & Joern Erdmann

MONIKA & JOERN D.F. ERDMANN
ASHTON OAKS AT RIVER HALL
16570 GOLDENROD LANE 201
ALVA, FL 33920
PHONE 239-344-7524
MOBILE 239-848-6097
JERDMANN@EDLCONSULTING.DE

Miller, Janet

From: Jim Green [jim@jimgreenrealty.com]
Sent: Wednesday, August 14, 2013 9:16 AM
To: Local Planning Agency
Subject: FW: Greenpointe

From: Betsy Seligman [mailto:betsyseligman@aol.com]
Sent: Wednesday, August 14, 2013 8:46 AM
To: jim@jimgreenrealty.com
Subject: Greenpointe

In a community that will increase to another at least 2500 cars and an elementary school with children ages 5-12, there is a tremendous safety issue. We do not have a traffic light at Palm Beach Blvd and school buses and cars are going in and out into traffic going 60 miles an hour...what a dangerous situation that now exists...adding more is disastrous.

Betsy Seligman
General Manager
Olde Hickory Golf & Country Club
239-768-2400 ext. 202

Karen Asfour

From: Don Frank [Don@kanakuk.com]
Sent: Friday, August 16, 2013 12:03 PM
To: Karen Asfour (karenaz4@comcast.net)
Cc: 'Joern Erdmann' (joern.erdmann@edlconsulting.de)
Subject: River Hall Planned Development Amendment

Karen

I just finished sending this email to each of the seven board members individually. I read Paul's article first (good job Paul!) and thought I would address issues that they may not have heard about until now. Let me know if you see anything else I should do. Thanks for staying on task in this cause.

Don

Hello ---------

First let me say thank you for taking your time to serve on this board. I understand the commitment it takes to invest your personal time to serve the community.

This email is intended to express my concerns with the proposed changed that Green Pointe would like to make to River Hall.

My wife and I first starting visiting this area 10 years ago as a winter retreat. We rented in the area for many years as a snowbird and then purchased a home in River Hall in March of 2009. We were attracted to the spacious design and the ample green areas that we saw in the design. We felt that any growth in the development could easily be handled based on the "Planned Development Design" that we reviewed.

I understand the economic changes that have taken place over the last four years which required most companies to make adjustments. But I don't understand how the original management team who were also the principles in the former development company could buy the same company out of bankruptcy and now ask everyone to make major changes in the community to include increasing the number of lots by ~~50%~~ 70% with little regard to the original commitments that were made to the homeowners.

I read their recent amendment letter and see that they state that they have "invested $20 million in the community". Please understand that to my knowledge no improvements have been made in the community by Greenpointe. If they spent this money it was to restructure

loans or something not visible to any homeowner. They have made no attempt to market any lots to builders in the last two years. It appear to most homeowners that they intend to get approval from your committee for their plan and then sell the entire community to another party.

The concerns that I have are the following:

1. The gated area currently requires all homeowners to join the Country Club. The additional lots connect to the current gated area. No explanation has been offered to address the issue of how these new lots will figure into the current plan for the golf course. The existing golf course and club house could not handle a 1000 new members and I see no concrete commitment to add the additional 9 holes as required by the original documents.
2. The amenity center was not designed to handle an additional 2,500 people.
3. There has been no mention of what the restrictive covenants will be on the 1,000 new lots. Will they be compatible with the existing covenants? Since the new lots are 33% smaller then we can only assume the homes will be of less value and thus depreciating the value of the existing homes.
4. Can the infrastructure of roads, water and sewer handle the 50% increase in population?

Green Point has operated with no input or regard for us the original investors in this community. They control all board s and schedule their meetings when most residents will not be in the area which is usually in August. The CDD board meeting is August 16. This creates a level of mistrust between the homeowners and developers.

I ask that this board hold Green Pointe accountable for the original planned development and not make an amendment to ad 1,000 lots.

Thanks for listening.
Don Frank
16571 Goldenrod Lane.

Karen Asfour

From: Peter Manhoff [petethemaid@yahoo.com]
Sent: Friday, August 16, 2013 2:43 PM
To: apiercegardner@gmail.com
Subject: Fw: River Hall Land Use Change

Sorry, I had the wrong e-mail address on the original.

----- Forwarded Message -----
From: Peter Manhoff <petethemaid@yahoo.com>
To: "jim@greenrealty.com" <jim@greenrealty.com>; "apieriegardner@gmail.com" <apieriegardner@gmail.com>; "mhutchcraft@gmail.com" <mhutchcraft@gmail.com>; "nandress@comcast.net" <nandress@comcast.net>; "happyoldfogey@aol.com" <happyoldfogey@aol.com>; rstrelow@comcast.net; "steveb239@aol.com" <steveb239@aol.com>
Sent: Friday, August 16, 2013 2:36 PM
Subject: River Hall Land Use Change

Dear LPA Members,

My name is Peter Manhoff, and my wife and I are owners of a condo in River Hall at 16521 Goldenrod Lane #203 Alva, Florida. We presently reside in NE Ohio and spend the winters at our home in Florida. We hope to move to Florida full time in the near future.
We are writing to you to voice our opposition to the proposed land use changes of the River Hall community that are about to be voted on by your board. We believe the proposed changes would not only diminish the value of our property over time but they would also change the planned lifestyle we originally bought into.
It is extremely disappointing that the developer has not lived up to their responsibility of promoting and selling homes as promised in the past with 2,000 homes planned. We do not see the benefit to home owners to add an additional 1,000 home sites, but there definitely is a profit opportunity to the developer. We do not trust the developer to develop the property and possibly they have plans to sell it once the proposal is passed.
Thank you for listening and we are hopeful for a no vote on the pending proposal.

Best regards,

Peter and Dolores Manhoff

August 18, 2013

Commissioner Frank Mann
Old Lee County Courthouse
2120 Main Street, Fort Myers, Florida 33901

Cc: Commissioners - John E. Manning, Cecil L. Pendergrass, Larry Kiker, Tammy Hall
LPA – Jim Green, Ann Pierce, Mitch Hutchcraft, Noel Andress, Wayne Daltry, Roger Strelow, Steve Brodkin

Re: River Hall Comprehensive Plan (CPA2012-00001) and Planned Development Amendment (DCI2013-00003)

Commissioner Mann,

We are full time residents of the River Hall (Country Club) community and are writing you to express our concerns about the above referenced land usage amendment applied for by GreenPointe Communities, LLC.

As you are aware, the adopted Lee Plan policy language for the Caloosahatchee Shores Community Plan discourages amendments to Rural lands unless there is a finding by the Board that there is an "overriding public necessity" for the amendment. We have reviewed the Public Necessity Narrative transmitted by Morris-Depew Associates, as representative for GreenPointe Communities LLC, to the Lee County Division of Planning and found their "Demonstration of Necessity" lacking in any real substance or justification to support approval of the requested amendment on that basis.

To justify the "overriding public necessity" and have the amendment approved, GreenPointe Communities has expressed a desire to:

1. Update the River Hall development plan to "establish and promote a viable, successful subdivision." Yet, to date, they have demonstrated a total lack of interest in building homes on the lots already in place and approved. There are already sufficient building lots (units) available, without the additional 1000 units requested in the amendment, to handle population growth in our area of Lee County under the current River Hall development plan. Re-establishing the economic vitality and property values of the project (including the current and future residents) will occur when the developer shows a willingness to "develop" the property - the plan amendment notwithstanding.

2. Provision of public multi-modal trail facilities to provide non-vehicular access to amenities, recreational, shopping and school facilities. In fact, the proposed multi-use trail is a part of the existing River Hall development plan and has yet to be built – nothing new here to require an amendment. Actually, the proposed access already exists via the roadway/sidewalk infrastructure that is currently in place. As an alternative, we propose adding marked bicycle lanes to all main roads within the River Hall Community. We live directly adjacent to the designated trail location and, on numerous occasions, have witnessed trucks, motorcycles and ATV's running back and forth on the unpaved (utility) trail. We can only imagine the increase in motorized traffic that we'll experience when the trail is paved. Also, the River Hall CC is a gated, restricted access, community and the addition of public access on the adjacent trail raises security concerns.

3. As a component of the "overriding public necessity" justification, expediting a second access point to the south (Lehigh Acres – Ruth Ave) is proposed. This southern access point is a part of the current River Hall development plan and does not require a plan amendment to include it – it merely needs to be built. The concern we have with the southern access point is community safety and security. We routinely review the local crime reports (see attached) and are aware of the high numbers of property crimes, assaults and registered sex offenders in the Lehigh Acres community. Currently River Hall is insulated somewhat from that criminal activity by a canal system that borders the two communities. Building a southern access point across the canal, gated or not, increases the probability that River Hall residents will be victimized.

4. GreenPointe is offering to escrow funds for the construction of a stoplight at the entrance to River Hall – when warrants are met. We believe that the stoplight, when warrants are met, will eventually be added with or without GreenPointe's contribution and view this as nothing more than the developer attempting to win amendment approval by "sweetening the pot."

5. While we welcome additional paved multi-modal trails along SR 80 (eg., between the entrance to River Hall and Buckingham Road), as well as other areas of Lee County, we don't believe it meets the "overriding public necessity" litmus test required to justify granting approval of this amendment.

In summary, as detailed above, we respectfully disagree with the findings of the Lee County Planning Division Staff Report for CPA2012-00001 (dated August 16, 2013) that the current character of River Hall will not be substantially altered by the proposed amendment. As property owners and full time residents of the River Hall CC, we are requesting that the Board of County Commissioners does not approve or transmit the proposed amendment to the Lee Plan.

Respectfully,

Thomas Migliore
Sandra Migliore
16444 Windsor Way
Alva, FL 33920
River Hall Country Club

Miller, Janet

From: Jim Green [jim@jimgreenrealty.com]
Sent: Wednesday, August 21, 2013 4:10 PM
To: Local Planning Agency
Subject: FW: Proposed River Hall Land Use Amendment

From: Raymond Seals [mailto:ray5955@hotmail.com]
Sent: Wednesday, August 21, 2013 1:23 PM
To: jim@jimgreenrealty.com
Subject: Proposed River Hall Land Use Amendment

Dear Mr. Green:

- As one of the original purchasers of property in the River Hall Community my wife and I strongly object to the proposed amendment to the River Hall development that seeks to increase the density of the community to the detriment of the residents. We purchased our property based on the original developers representations regarding the land use approved at that time. If we would have known that a new developer, GreenPointe, (its principals were a part of the original development team) would seek to change the character of the community we would not have purchased property in the development.
- There is no public interest served by granting the developer's request to amend the existing approved land use for the property. In fact, the original River Hall land use approval recognized that it was consistent with the surrounding areas. To permit GreenPointe to change the character of the community, as would occur if the proposed amendment is approved, would send a signal to every developer that the original land use approvals for projects in Lee County can be changed at the whim of the developers. This certainly is not a message that Lee County should want to send to residents and prospective home purchasers as it would only have the effect of inhibiting prospective Lee County residents from purchasing homes in the area.

Cordially,

Ray and Joanne Seals

Miller, Janet

From: Jim Green [jim@jimgreenrealty.com]
Sent: Wednesday, August 21, 2013 8:30 PM
To: Local Planning Agency
Subject: FW: Opposition to the River Hall Developer's Application to Change the Land Use Plan
Attachments: Opposition to River Hall Density Application.pdf

---

From: r.thornberry@comcast.net [mailto:r.thornberry@comcast.net]
Sent: Wednesday, August 21, 2013 7:32 PM
To: Jim@jimgreenrealty.com
Subject: Opposition to the River Hall Developer's Application to Change the Land Use Plan

Mr. Green,

I am a resident of River Hall. As you will probably remember from our discussions at the Alva Community Planning Meeting I am strongly opposed to the developer's applications to change the River Hall Land Use Plan and to increase the home site density by one thousand units.

The basis for my opposition is contained in my attached letter. I respectfully request that you review this letter prior to the Board meeting on 26 August. I look forward to seeing you at the meeting.

Respectfully,

Roger W. Thornberry
Colonel, U. S, Army (ret)

Karen Asfour

From: hgang1@aol.com
Sent: Thursday, August 22, 2013 5:38 PM
To: jim@jimgreenrealty.com; apiercegardner@gmail.com; mhutchcraft@ccipcitrus.com; nandress@comcast.net; happyoldfogey@aol.com; rstrelow@comcast.net; Steveb239@aol.com; karenaz4@comcast.net; hgang1@aol.com
Subject: Letter to East Lee County Land Plan Committee

To: ~~LPA Board~~
From: Michele Holcomb
~~River Hall Community~~ resident
Date: August 22, 2013

Reference:
Monday August 26, 2013 at 8:30 am LPA Hearing
regarding Proposal to Change River Hall Golf Community from Rural Designation in order to Increase Density

Dear Sirs:

I have been a resident of River Hall Golf Community for 6 years. My husband and I built in this community to enjoy the rural nature of this upscale golf community.

I do not want the ordinances and regulations changed from rural to allow a higher density in our community. It would affect the character and rural atmosphere that initially attracted us to River Hall.

In addition, safety is a major concern, as we do not want increased density traffic for us or River Hall Elementary School that is in our community.

Thank you for your consideration.

Sincerely,

Michele A. Holcomb
16016 Herons View Dr.
Alva, Fl. 33920

Miller, Janet

From: Jim Green [jim@jimgreenrealty.com]
Sent: Friday, August 23, 2013 7:37 AM
To: Local Planning Agency
Subject: FW: Letter to East Lee County Land Plan Committee

From: hgang1@aol.com [mailto:hgang1@aol.com]
Sent: Thursday, August 22, 2013 5:38 PM
To: jim@jimgreenrealty.com; apiercegardner@gmail.com; mhutchcraft@ccipcitrus.com; nandress@comcast.net; happyoldfogey@aol.com; rstrelow@comcast.net; Steveb239@aol.com; karenaz4@comcast.net; hgang1@aol.com
Subject: Letter to East Lee County Land Plan Committee

To: LPA Board
From: Michele Holcomb
River Hall Community resident
Date: August 22, 2013

Reference:
Monday August 26, 2013 at 8:30 am LPA Hearing
regarding Proposal to Change River Hall Golf Community from Rural Designation in order to Increase Density

Dear Sirs:

I have been a resident of River Hall Golf Community for 6 years. My husband and I built in this community to enjoy the rural nature of this upscale golf community.

I do not want the ordinances and regulations changed from rural to allow a higher density in our community. It would affect the character and rural atmosphere that initially attracted us to River Hall.

In addition, safety is a major concern, as we do not want increased density traffic for us or River Hall Elementary School that is in our community.

Thank you for your consideration.

Sincerely,

Michele A. Holcomb
16016 Herons View Dr.
Alva, Fl. 33920

CONSERVANCY of Southwest Florida
OUR WATER, LAND, WILDLIFE, FUTURE.

Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.

To: Lee County Land Planning Agency
Date: August 23, 2013
From: Julianne Thomas, Growth Management Specialist

Re: River Hall Privately Sponsored Amendment to the Lee County Comprehensive Plan, CPA2012-00001

The Conservancy of Southwest Florida has long been active in providing comments to protect the environment and quality of life in Southwest Florida. Our goal is not to stop all development. We understand that development will happen, and we strive to help that development occur at a time and in a location that balances the need for growth with the protection of natural resources and community character. This proposal, however, does not balance the need for growth with protection of environmental resources or community character.

Pursuant to **Objective 2.4**, modifications of the future land use map are to be made in light of new information and changed conditions. The existing map is presumed to be correct. There are no changed conditions or new information which supports this proposed change. **Policy 2.4.3** specifically states that it is Lee County's policy to not approve further urban designations. **Policy 5.1.5** states that Lee County must protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. This proposal does this very thing by seeking to change the existing rural character of the community.

Additionally, in 2009, the Board of County Commissioners (BoCC) adopted a text amendment specifically protecting the remaining rural lands in this planning area. This amendment prohibits amendments to the Future Land Use Map within the Caloosahatchee Shores Community Planning Area that increase the density of rural lands without a finding of "overriding public necessity". Increasing the number of buildable lots in a planned development, in Lee County is not a public necessity. There is no benefit to the public. The only entity that benefits from this is the developer.

The staff report has focused on the phrase "overriding public necessity", and while that language is important, there is other language in Policy 21.1.5 that is just as important. The stated goal is to retain rural character and rural land uses. Nothing about this proposal does this, and, in fact, this proposal would

★★★★ CHARITY NAVIGATOR Four Star Charity
Conservancy of Southwest Florida has been awarded Charity Navigator's prestigious 4-Star top rating for good governance, sound fiscal management and commitment to accountability and transparency. Charity Navigator is America's largest and most respected independent evaluator of charities.

provide additional erosion of existing rural lands by removing property rights and creating enclaves.

The language "overriding public necessity" is commonly used in policy statements and court decisions as meaning "no other reasonable option is available." This phrase is commonly part of eminent domain policies and proceedings, and requires that the entity wanting to change property rights literally have no other reasonable options. Additionally, the public benefit from altering the subject property must be so great that it is easily apparent and defensible. **This is not true for this request**.

In 2007, before the housing crash, the BoCC voted 4-1 to not adopt a proposal that would have limited development on the site to 2,800 units.

Since 2007, the need for additional housing in Lee County has dramatically decreased. There are no changed conditions that provide a reasonable basis to approve this request which is for 2,999 units. Changed ownership is not new information or changed conditions. The applicant knew or should have known what development rights were included with their purchase. Lee County should not allow the creation of enclaves or stealing the property rights of others just so one property owner can increase their residential entitlements for speculative development. It is not right. It is not fair. It is not in compliance with the Lee Plan, and it is contrary to good planning policy.

Denying this application does not impact property rights of the applicant - the purchaser knew or should have known what development rights were approved when the property was purchased. The purchaser should have based their price on approved property rights, not potential property rights. Put another way - if you purchase a piece of property, it comes with a zoning and future land use designation. It is not reasonably foreseeable that you can increase your development rights. This request is speculative, which, by its very nature cannot be a valid investment backed expectation.

Approving this action could, however, give rise to a cause of action for property owners in the community who bought their property because they wanted to live in a rural subdivision. These people invested their money with the expectation that the community they live in and the property they own would remain rural, without density increases. Their investment backed expectation is real and not speculative.

This request is also bad planning which would cause inconsistency with community character. The staff report states that because the applicant does not have unified control over all the lands, there are tracts of land that will remain rural that will be surrounded by sub-outlying suburban lands.

In annexations, enclaves are prohibited. The 2013 Florida States, Section 171.046(1) states that "[t]he Legislature recognizes that enclaves can create significant problems in planning, growth management, and service delivery, and therefore declares that it is the policy of the state to eliminate enclaves."

It is the policy of the state to eliminate enclaves. Although this is on a future land use map, and is not an annexation, it is clear that enclaves are against public policy. There is no reason to think that enclaves on a future land use map are beneficial or good public policy. Lee County should not approve the creation of new enclaves on their future land use map and should deny amendments which create enclaves such as this one.

On page 18 of the staff report, staff states that density will be utilized from Suburban areas not included in the amendment or rezoning area *and* that there is a question of who really owns these lands and is entitled to any currently unused density on these Suburban lands. They don't know whose density they are taking to use. This is a huge problem. If there is a question of ownership, it is irresponsible of Lee County to authorize any changes to that property. Doing so is not in the best interest of property owners or Lee County.

On page 20, staff describes additional taking of property rights to other property owners in the Fort Myers Shores Planning Community. According to the staff report, approving the change as requested would preclude vacant rural parcels from being able to utilize their as-of-right residential development, and could, in fact remove all remaining residential building rights from all rural parcels in the Fort Myers Shores Planning Community. **The applicant's proposal removes existing as of right residential development rights from other properties.** There is absolutely no reason to Lee County to be exposed to this liability by adopting this policy. It is unclear to me whether the alternate plan as proposed by staff would allow all property owners to retain their as of right residential property rights.

Please vote no, and request that Lee County staff re-evaluate their recommendation. It is not in Lee County's best interest to approve this request. Their recommendation and yours to the Board of County Commissioners should be for denial.

To: The LPA Members August 23, 2013

From: Georgette and Joseph Lundquist

Subject: Comments relating to River Hall CPA 2012-00001

We are writing this letter to all of you to express our opposition to the above referenced zoning request by GreenPointe. We moved to River Hall for the specific reason of having quiet rural surroundings for our retirement. Gated, safe, quiet, surrounded by nature.

We were among the first residents to own property in River Hall in December 2006. We took a leap of faith when we came here as the golf course and amenities were hardly started let alone complete. At the Welcome House at the River Hall entrance there is a model of the development with all the amenities. We watched as the golf course was completed and the Town Hall amenity center was opened. Included on that model you will see the trail along the FPL power lines to Hickey's Creek for walking and biking and also a canoe/kayak out post. Beautiful artist concept pictures were presented all around the inside of the Welcome House showing the development.

In the beginning there were 6 builders within River Hall. Hampton Lakes had Pulte and Ryland. River Hall Country Club had Pulte, Ryland, David Weekley, Taylor-Woodrow and Arthur Rutenberg. Later Morrison Homes was added.

Everyone coming through the doors of the Welcome House was given this "River Hall Storybook" about the concept of River Hall. Quoting from the book "River Hall is a master-planned community designed to include three distinct villages, a school, proposed fire station, Town Hall and a Town Square. Set among 2,000 acres of oak hammocks, where half of the land is set aside for open space and lakes, our gated community is connected by meandering trails and sidewalks".

As we continue through the book you will see that everything within River Hall is geared toward nature and the rural setting we have. But if this density increase is approved this will all change to the detriment of the existing plan. From the book "In this new hometown under clear FL skies, you'll find a community built around nature. Reflecting the casual comfort of old FL, River Hall is peacefully positioned outside Fort Myers yet close enough for convenience. With just the right mix of activity and relaxation, River Hall is a recipe for the balanced life".

In these last 6 ½ years, nothing except the Town Hall Amenity Center and the golf course has been completed by the developer. We have been told many times at Annual Meetings about a builder coming to start building only to find out later it would not happen. This developer has lied to us many times and how are we as residents to believe them if they get this rezoning density increase approved. They have not lived up to any of the initial promises they made to us when we bought into this rural community.

Here are some of the things we were promised that have never happened:

1. **Community Trail** along the power lines – There was to be a secure and safe bike/walking trail accessible only to River Hall residents. Now it is being proposed again with this density change, but it is not clear who will have access, raising security issues for residents.

2. **Town Square** - This included the elementary school (completed in Sept 2008) but also the other items on the list - shops, offices, fire station and village green – have not even been started.

3. **PR and building construction-** Over the years we were promised that builders would be coming. Jan 2012 we heard 5 builders were coming in the fall. No ads or promotions have been seen as of yet. GreenPointe's own

building company was going to start building in 2013. Nothing yet. A newspaper from Feb 2007 was the last ad we have seen for promoting River Hall.

As we read on in the book we find the Landmar Story. Yes, the developer is now GreenPointe, but the same 3 principals from Landmar are the same ones in GreenPointe. The money for the restructuring might be from a hedgefund, as we are told, but the principals are the same. Landmar states in the book that "Our record of performance and rock-solid financial strength enables us to work with the finest homebuilders, designers and construction firms." Where are these home builders who want to build in River Hall? No one is jumping at this chance to work with this developer.

This is also the same entity that has control of the River Hall CDD, River Hall Country Club HOA, Hampton Lakes HOA and Town Hall HOA. Residents have no say or are not even informed as to what is being done, supposedly on their behalf. We pay our quarterly fees to them and do not even have a say in what they might do to jeopardize our future as River Hall residents. They can't even manage to pay the property taxes on time as all of us must. They only do things when forced to.

The developer initially stated it had permission of all landowners to pursue this amendment. As you have probably noticed by some of the emails you have received that was not the case. We as homeowners have had no say whatsoever in any of this. In fact, we were told that we would get a letter in the mail about any hearings, etc and so far to date we have received nothing. The only way we knew this meeting was being held was by contacting the county planners once we knew the developer was trying to get this density change. This is the third such change requested by Landmar/GreenPointe for River Hall. We are now finding out that GreenPointe VP on site, Grady Miars, has requested that he be able to sign documents on behalf of the CDD without even having a meeting. Yes, we have 2 homeowner board members on the 5 member developer controlled board now, but as you can see that 3 against 2 gives them the majority vote. Again we have no say in what is being done within our borders. We are just supposed to pay our money and keep our mouths shut.

In Sept 2012 the density change request was made to Lee County by GreenPointe. There was a meeting held at River Hall by the developer in Jan 2013, 4 months later. This was a meeting to convince the residents that the developer had our best interest at heart. The engineering company, Barraco, who drew up the rezoning plans and maps, made a presentation, but when some homeowners asked tough questions they were offended. Just a month ago we received an email from Tina Matte of Gravina, Smith, Matte and Arnold, a marketing and PR firm representing GreenPointe Communities. As you can see this was a gesture to get residents on board again with the rezoning, but we think it might have backfired as no one who attended had anything positive to say about the developer. The information they gleaned from the people who participated will only give GreenPointe fuel for rebuttal.

River Hall is a planned community with 2000 acres and lots of open space and wetlands. Within the community were 1999 original planned units as homes or multi family units. Of this number, 575 is in Cascades, a completely private entity now owned by someone other than GreenPointe. This leaves a total of 1424 within Hampton Lakes and River Hall Country Club. The increased density request is for an additional 1000 units of which size and composition we have no clue. This would mean an increase of 70% over the original density that we all bought into from the original plans.

Since GreenPointe principals are also the same as Landmar, these developers knew what they were buying as approved originally by the county before River Hall ever came into existence. What they want to do is not smart growth for our rural area of Lee County. Our existing roads cannot handle the traffic from at least 2500 extra people and 1500 extra vehicles.

We see potholes all the time and the only way they are fixed is if a homeowner calls the management company for repair. We only have 2 lane roads within the development. With this increased density we would need a 4 lane road going from the front entrance to the proposed rear entrance. This can only result in safety and security issues for the residents.

To go a step further for safety when the River Hall Elementary School is in session, it is a nightmare at Rt. 80 getting out of the

development at the school start and end times. There are hundreds of cars coming and going to drop off and pick up children. I personally contacted the state of Florida to request a light at the intersection. I was told there has to be 100 vehicles an hour for this to happen or maybe a death has to occur. The school buses will not even turn left onto Rt 80 now and have to turn right and then do a u-turn at the next crossover. I know of at least one accident and it is a surprise that not more accidents have occurred.

Simply stated the developer is asking the Land Planning Agency and the County Commissioners to help break a promise it made to the county, surrounding communities and residents who invested in River Hall over 7 years ago. We all bought here for the rural ambiance that was River Hall and now they want to take that away. Please vote against this rezoning/density increase.

Georgette and Joe Lundquist

17005 Sunny Lakes Court, Alva, FL 33920

239-590-6927 and 239-634-1593

Savor Life's Pleasures



The central gathering point for residents of River Hall will be a made-from-scratch Town Square. As this new hometow grows, residents will find quaint shops, retail services, offices and dining opportunities right in the neighborhood.





RIVER HALL.

A RECIPE FOR A NEW HOMETOWN.

The best hometowns are a great mix of activity and relaxation. Their people and places hold your interest. It's easy to connect with others and reconnect with yourself.

✓ River Hall is a master-planned community designed to include three distinct villages, a school, proposed fire station, Town Hall and a Town Square. Set among 2,000 acres of oak hammocks, where half of the land is set aside for open space and lakes, our gated community is connected by meandering trails and sidewalks. Six miles east of I-75 in Lee County, River Hall is near Fort Myers but a world unto itself. River Hall feels like Old Florida – comfortable, friendly and fun.

River Hall families, active adults and golf enthusiasts will each have their own village. Like a true community, residents will interact – at our pools, clubhouse, fitness center, park, trails and golf course.

DISCOVER YOUR TRUE NATURE



There's a place nestled among ancient oak hammocks, wetlands and nature preserves. Here, you'll discover trails and a future direct connection to a tributary of the Caloosahatchee River.

✓ In this new hometown under clear Florida skies, you'll find a community built around nature. Reflecting the casual comfort of Old Florida, River Hall is peacefully positioned outside Fort Myers yet close enough for convenience. With just the right mix of activity and relaxation, River Hall is a recipe for the balanced life.

Prepare for your next River Hall adventure!

Stock a backpack with outdoor gear and keep it near your door.

Suggested contents:

- ☐ Camera
- ☐ Water bottle
- ☐ Hat
- ☐ Sunglasses
- ☐ Binoculars
- ☐ Band aids
- ☐ Energy bar
- ☐ Sunscreen
- ☐ Insect repellent
- ☐ Antiseptic ointment

THE LANDMAR STORY



Roger Postlethwaite, LandMar COO, Ed Burr, LandMar Founder, and MG Orender, Hampton Golf and PGA President

At LandMar Group, we built our leadership in the industry like we build our communities – with a strong foundation in quality. Since 1987, LandMar has set the quality and value standard for premier residential properties throughout Florida and the Southeast.

✓ Our record of performance and rock-solid financial strength enables us to work with the finest homebuilders, designers and construction firms. And our nationally-known golf management professionals at Hampton Golf provide unparalleled management of our top-rated courses.

Today, as an affiliate of Crescent Resources and Duke Energy, we're expanding our leadership position with an even wider array of residential, commercial and mixed-use properties throughout the Southeast – all built with unequaled attention to the surrounding community and the environment.

CRESCENT COMMUNITIES

LandMar
Creating communities for life.

Miller, Janet

From: Steveb239@aol.com
Sent: Saturday, August 24, 2013 9:34 PM
To: Local Planning Agency
Subject: Fwd: Comments on River Hall - CPA 2012-00001
Attachments: rv.1.comments.docx; hallAug.Comments.docx

From: kimelk@netzero.net
To: apiercegardner@gmail.com, mhutchcraft@cclpcritus.com, nandress@comcast.net, happyoldfogey@aol.com, rstrelow@comcast.net, jim@jimgreenrealty.com, steveb239@aol.com, jim@jimgreenrealty.com
Sent: 8/24/2013 2:10:13 P.M. Eastern Daylight Time
Subj: Comments on River Hall - CPA 2012-00001

To All Members of the LPA,

As the President of The East Lee County Council, a consortium of four planning areas (Alva, Bayshore, Buckingham and Fort Myers Shores) , and Chairman of the Caloosahatchee Shores Planning Committee; it is my obligation to provide you with a brief summary of our rationale for NOT supporting the application,

Please see the attachments to this message for further details.

Ed Kimball

One Weird Trick
Could add $1,000s to Your Social Security Checks! See if you Qualify...
newsmax.com

Comments relating to the River Hall CPA 2012-00001 Application:

1. Private investment performance is based on, how planned risk is managed in order to provide a successful outcome. The River Hall property venture had financially failed before the current acquisition by Greene Pointe LLC; with some of the same partnership. The application seeks to provide increased density to enhance the probability of profitability, serving a private need and not a public necessity. Every construction venture was negatively impacted by the economic turn-down in recent times and few areas more than Lee County.

2. This application is a precedent setting proposal that puts forth a concept that jeopardizes **ALL** Community Plans. It proposes utilizing the Plans as a "Bail-out" mechanism based on density increases, as a tool for attaining profitability. In essence this application, if approved, would decimate "smart growth planning" County wide. ME TOO! most certainly would be a common refrain.

3. As the Land Use Map does indicate, every land use category abuts another and contains different density parameters. Each category has an entitlement assigned to its name. The category is important in the Real Estate Market, as it has more or less value based on the entitlement. Approval of this application would have a negative Real Estate Market impact, as it would provide artificially lower building lot costs for River Hall; to the determent of competing private ventures.

4. In recognition of the potential density attack, by development interests, and to protect the diversity of use concept; Four Community Plans in East Lee County restrict Rural Land Use changes to cases where an Overriding Public Necessity can be demonstrated.

East Lee County Community Plans Lee Plan Policy Statements on Rural Land Use

Caloosahatchee Shores (aka Fort Myers Shores) Plan pg.124

POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its rural character and rural land use where it currently exists. Therefore, no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 09-06)

Alva Community Plan pg147

POLICY 26.2.2: Land use amendments that would increase the allowable total density of Alva are discouraged. Land use amendments that would decrease the allowable total density of the area and that are otherwise consistent with the objectives and policies of this goal are encouraged in Alva. No land use amendments to a more intensive category will be permitted unless a finding of overriding public necessity is made by a supermajority of the members of the Board of County Commissioners. (Added by Ordinance No. 11-21)

Bayshore Plan pg122

OBJECTIVE 20.1: LAND USE. The existing land use designations of the Lee Plan (as of September 30, 2001) are appropriate to achieving the goal of the Bayshore Plan. No land use map amendments to a more intensive category will be permitted after March 11, 2003, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 03-02)

Buckingham Community Plan pg106

OBJECTIVE 17.1: LAND USE. The primary land use designation for the Buckingham Community is 'Rural Community Preserve'. Other land use designations exist within the Buckingham Community, such as Rural, Sub-Outlying Suburban, Conservation Lands, and Wetlands. Public Facilities have also been designated as appropriate. No land in the Buckingham Community will be changed to a land use category more intense than Rural Community Preserve (including public facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners. Land use decisions will be guided by preserving the rural and agricultural land use pattern. (Amended by Ordinance No. 00-22, 10-15)

In order to meet the "overriding public necessity" requirement, the entirety of the project would have to be providing public service functions and ancillary support facilities, as a total project. The existing River Hall project is a Residential Planned Development and was approved as such; it will continue to be under the current proposal. In its entirety it is a private enterprise for private benefit.

5. The Staff Report analysis of each of the Applicants points of contention does not use the word "necessity" to describe any subject matter in the application. (Attached is a word key that I found helpful in my evaluation).

River Hall

Word Key:

Over-all: as a whole, generally

Overriding: prevailing, dominate, above all else.

Necessity: indispensible requirement, an urgent need.

Enhancement: improvement, desirable, or attractive

Entirety: whole of something, completeness, totality

Need: a lack of something desirable or useful.

Amenities: a convenience

Adequate: lawfully and reasonably sufficient, satisfactory, and merely marginal.

Bail-out: to help from a predicament

Public: the people in a region as a whole, a group of people having common interests.

Private: restricted to a specific use or benefit to a particular group or entity.

Requirement: necessity, paramount essential condition.

LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Tammy Hall
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Andrea Fraser
Interim County Attorney

Laura B. Belflower
Acting Chief Hearing Examiner

August 26, 2013

Brandon D. Dunn, Senior Planner
Lee County Division of Planning
1500 Monroe Street
Ft. Myers, FL 33902-0398

Re: CPA2012-00001 and DCI2013-00003

Dear Mr. Dunn,

The purpose of this letter is to provide comments on the proposed amendments to the River Hall Planned Development.

The River Hall Development Agreement (drafted 8/14/2013) states that "Upon completion of design, the Developer will proceed with permitting and construction of the park facilities, provided, however, that Developer's maximum contribution towards permitting and construction of the park will be $250,000.00. Any additional funding necessary for construction will be provided by the County. Operation and maintenance of the park facilities will be the responsibility of the Developer, and this obligation may be assigned to a Community Development District (CDD)..." The Lee County Department of Parks and Recreation (LCPR) would categorize this as a neighborhood park and has moved away from funding these types of parks. **As a result, any monies required for the construction of this proposed park or future maintenance will not be provided by LCPR.**

Hickey's Creek Mitigation Park (HCMP) is situated east of the River Hall Community. The park was established through the cooperative efforts of Lee County, the Florida Fish and Wildlife Conservation Commission (FWC) and the Florida Communities Trust (FCT) to establish a mitigation park for listed wildlife species, primarily gopher tortoises (*Gopherus polyphemus*), and to support FWC's off site mitigation program. Public access trails were established to provide for ***public use compatible with resource protection***.

Exhibit 4 in the revised Public Necessity Narrative dated August 5, 2013 from Morris Depew inaccurately depicts the trail system within Hickey's Creek Mitigation Park (HCMP). In addition to the public access trails, this exhibit highlights service roads, firelines water bodies and the parking lot as "trails". This exhibit provides the erroneous interpretation that public access trails run haphazardly through the park. LCPR staff sent the corrected shapefile to Ms. Ekblad, Morris Depew via email on 8/21/2013. HCMP provides five miles of "hiking only" trails. The actual trail system was designed to utilize existing trails to minimize disturbance to native plant communities. Location of trails was determined with emphasis on limiting disturbances to the federally threatened Florida scrub-jay (*Aphelocoma coerulescens*) population on site. The multi-modal trails that have been proposed

by the developers (Greenpointe Communities, LLC and RH Venture I, LLC) to "eventually connect to HCMP" would not be compatible with the use of the park.

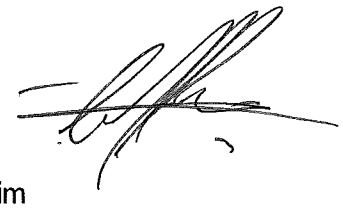
In terms of site security, LCPR has had to deal with trespass issues with motorized vehicles on the western boundary of the park. If a multi-modal trail were to end on the outside of HCMP, this could encourage more unauthorized use of the park. Public access to the park has been designated at 17980 Palm Beach Blvd. in Alva Florida. This designated entrance was designed to ensure appropriate use of the park during operational hours and to ensure that when HCMP is closed for land management activities, that the designated entrance area could be appropriately blocked.

The Right-of-Way Consent Agreement between the Florida Power and Light Company (FPL) and the Lee County Board of County Commissioners dated July 24, 2000 limits the use of the Power line Easement (see attached map) to the construction, maintenance and use of a walking trail within HCMP to the crossing of the Palmetto Pines Trail. The County does not have an agreement for any other public access trails across or on the FPL easement and would not pursue such an agreement.

Currently, the FPL crossing over the East County Water Control District canal (see attached map) just west of the boundary to HCMP is blocked by concrete structures to prevent any safe access to the site. LCPR recommends that if a multi-modal trail is constructed, that its east/ west path terminate on the western side of the canal and continue north or south on the west side of the canal.

LCPR acknowledges that the developers propose to increase density within the existing approved development footprint. The increase in density within this area will increase the number of people that may come into contact with smoke from prescribed fires conducted within HCMP – especially with the addition of multi-family units. Fire is a vital, natural process in many Florida plant communities. Prescribed fire is used to reduce fuel loads, improve wildlife habitat – especially for listed species, decrease the rate of invasion by certain exotic species, reduce pest insect populations, aid in the restoration of native fire-dependent ecosystems and reduce the risk of catastrophic wildfires. Periodic prescribed fires are essential to the proper management of HCMP. Consequently, FWC and LCPR will continue to use fire as a management tool on HCMP. Additionally, River Hall's own conservation lands, when managed with fire (or as the recipient of lightning strikes) will produce smoke that may affect the increased population of the development. LCPR requests that future home owners are made aware that they would be living in close proximity to a Conservation Area that uses prescribed fire as a management tool.

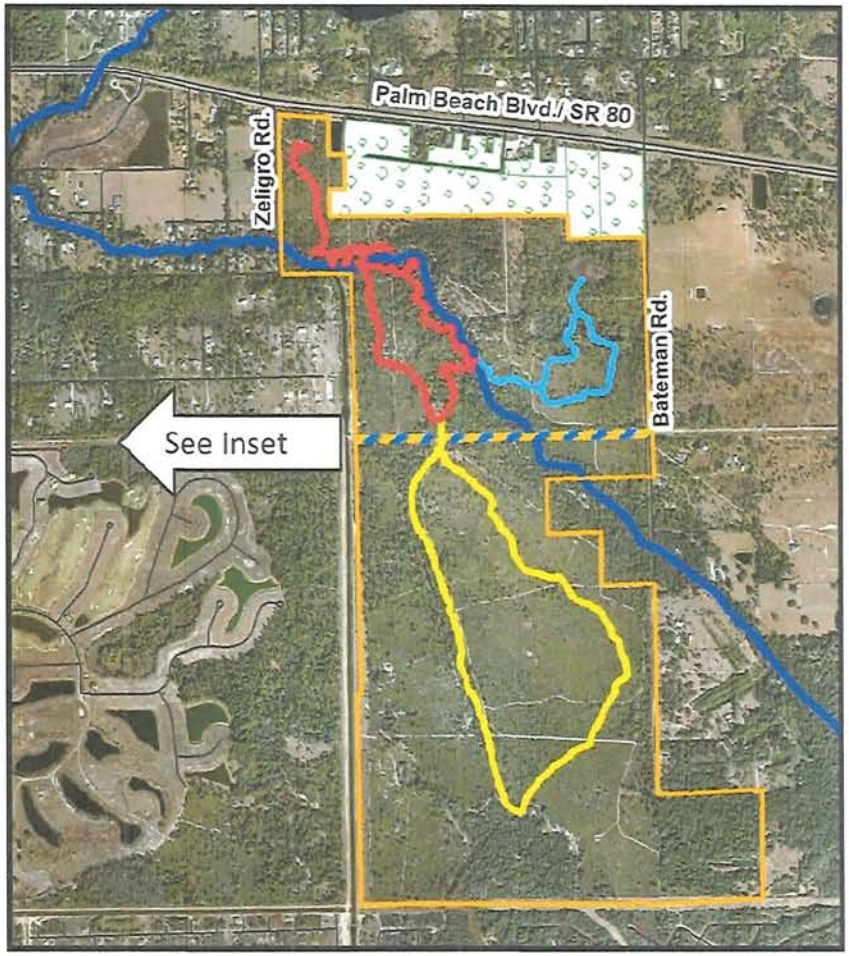
Thank you,



Annisa Karim
Senior Supervisor, Conservation Lands
Lee County Department of Parks and Recreation

Hickey's Creek Mitigation Park (HCMP) and area west of the Powerline Easement





Legend

- HCMP
- Conservation 20/20 Parcels incorporated into HCMP
- Powerline Easement
- Hickey's Creek
- Hickeys Creek Trail (1.8 miles)
- North Marsh Trail (1.0 miles)
- Palmetto Pines Trail (2.2 miles)

0 0.25 0.5 Miles

This map is not a survey and is intenced for informaticnal purposes only.

H:\Hickey's Creek Mitigation Park\Maps\HCMP_RiverHall-Map
Map created by Annisa Karim (AKarim@LeeGov.com)
Aerial image: 2012
Created: August 2013

GOOD MORNING

MY NAME IS MILTON SAGER
I REPRESENT MICHAEL AND GLORIA SCHARFMAN
OF 1280 BLUFFS CIRCLE,DUNEDIN,FLORIDA
WHO OWN PROPERTY ON HIGHWAY 80
ACCROSS FROM THE RIVER HALL DEVELOPMENT
HERE IS A COPY OF THE LEGAL DESCRIPTION OF THAT PROPERTY.
THEY INSTRUCTED ME TO SUPPORT THE REQUEST
FROM RIVER HALL FOR THE ADDITIONAL 1000 UNITS
TO BE ADDED IN THEIR DEVELOPMENT.

Lee County Property Appraiser

Tax Year

Next Lower Parcel Number Next Higher Parcel Number Tax Estimator Tax Bills Print

Property Data for Parcel 27-43-26-00-00001.0020

Owner Of Record

SCHARFMAN MICHAEL + GLORIA
1280 BLUFFS CIR
DUNEDIN FL 34698

Site Address

15131 PALM BEACH BLVD
ALVA FL 33920

Legal Description

PARL IN NW 1/4 OF NW 1/4
N OF SR 80 DESC
IN OR 1021 PG 255

Classification / DOR Code

VACANT COMMERCIAL / 10

[Tax Map Viewer]



[Pictometry Aerial Viewer]

Seal 360 Consulting, Inc.
16550 Goldenrod Lane #103, Alva, FL 33920

I respectfully ask that you please consider voting against GreenPointe's request to increase the density in Riverhall.

Lee County home values have plummeted and the density increase will only add to the inventory of home sites which could further impact values.

David Depew agrees a recent US Supreme Court ruling bottom line is: once a permit is issued, any environmental issues become the responsibility of the tax payers, *not the developer*.

The environmental impact of the current density is not a proven fact. The question then is what will the environmental impact and the increased carbon footprint be from 1000 more home sites, potentially 2500 more people and 1500 more vehicles?

There is the issue of past due taxes that went unpaid by GreenPointe. How does that show good citizenship by the company?

In view of these and other issues and the fact that there is no overriding necessity, please vote against the request.

Unfortunately, I will be traveling for the next two weeks and cannot attend the meeting on the 26th.

Thank you for your consideration in this matter.

Skip Seal
LEED AP, I.C.E. GB, GCS
918 607 5597
skip@seal-360.com
www.seal-360.com

Presentation to LPA on Monday, August 26, 2013

I am reading this for Jimmy and Peggy Savin who live at 17255 Walnut Run Drive. Jimmy had a stroke on August 18 and is presently in Lee Memorial ACUTE Rehab Center after having had the stroke while visiting with friends in Missouri.

We have lived in River Hall Country Club since 2009. We moved there to be close to nature and bought a spec home that is the farthest home back in the community. We have wildlife all around us. We walk our golden retriever several times every day in what we call "The Outback". It is a preserve area where we see panthers, bobcats, turkeys, eagles, wild boars, otters, many kinds of shore birds and ducks, great horned owls, barred owls, and burrowing owls. But most importantly we have seen panther tracks, scat and a tree stripped by a panther to designate his territory. This was confirmed by someone from Florida Wildlife who saw a photo we took of the tree. Many other River Hall residents have also reported panther sightings. Both of us have taken University of Florida courses to become certified Florida Master Naturalists. Because of our love of wildlife, we volunteer at Manatee Park, Hickey Creek Mitigation Park and Caloosahatchee Regional Park.

The management company at River Hall has been using trappers to get rid of alligators from the lakes within River Hall. We agree that larger alligators should be removed, but if we remove all of the smaller ones we will be upsetting the eco-system. In fact they are using recordings to call the alligators that we understand is highly against the law. Once the alligators are captured we were told by the trappers that they are killed and sold for their parts.

In the years that we have been in River Hall, we have not seen any promotional advertising for River Hall anywhere in newspapers, on TV or radio. The original developer Landmar, now Greenpointe, has not done anything to retain builders to develop the existing lots. In fact they have impeded getting builders to come by making it next to impossible. At least 5 builders have wanted to get into the development and have been turned away for one reason or another. The developer did allow a builder to come into the country club area, but did not make them adhere to the standards of the other existing homes, size of homes and the type and amount of landscaping around the homes. We have at least 80% of the original development that has not been built on yet. Why do they need more lots when they are not using what they already have? Why are they not promoting the development as a wonderful rural community with nature at your back door? We don't understand why the developer wants to change the entire original development concept from rural to outlying suburban.

Jimmy and Peggy Savin

17255 Walnut Run Drive

Alva, FL 33920

239-689-5151

jsps1@comcast.net

Sandhill Crane - Threatened



Black Bear – Managed



The adopted policy language for the Caloosahatchee Shores Community Plan discourages amendments to Rural lands unless there is a finding by the Board of an overriding public necessity. We have reviewed the GreenPointe Communities proposal and found their demonstration of public necessity lacking in any real substance or justification to support approval of the requested amendment.

As justification for an overriding public necessity, GreenPointe has proposed the following:

1. Update the River Hall development plan to establish and promote a viable, successful subdivision. Yet, to date, they have demonstrated a total lack of interest in building homes on the lots already in place and approved. There are already sufficient building lots available at River Hall to handle population growth in East Lee County, without the additional 1000 units requested in the amendment. Re-establishing the economic vitality and property values of the project will occur when the developer shows a willingness to develop the property to the current approved plan.

2. Provide public multi-modal trail facilities for non-vehicular access to amenities, recreational, shopping and school facilities. In fact, the proposed multi-use trail is part of the existing River Hall development plan and has yet to be built – nothing new here to require an amendment. We live directly adjacent to the designated trail location which runs along the FPL utility easement and, on numerous occasions, have witnessed the unlawful use of this currently unpaved trail by operators of trucks, motorcycles and ATV's. Paving the trail will increase its unlawful use. River Hall is a gated, restricted access community and the addition of a paved, public access trail, raises serious security and safety concerns.

3. Expedite a second, southern, access point to Lehigh Acres near Ruth Avenue. The southern access is a part of the current River Hall development plan and does not require a plan amendment to include it – it merely needs to be built. Our concern again is related to community safety and security. Review of the local crime reports show high numbers of property crimes, assaults and registered sex offenders in the adjacent Lehigh Acres community. Currently River Hall is insulated somewhat from the criminal activity by a canal system that borders the two communities. Adding southern access across the canal, gated or not, increases the probability that River Hall residents will be victimized.

4. Escrow funds for the construction of a stoplight at the entrance to River Hall. We believe that the stoplight will eventually be added with or without GreenPointe's contribution and view this as nothing more than the developer attempting to win approval by sweetening the pot.

In summary we respectfully disagree with the findings of the Lee County Planning Division Staff Report that the current character of River Hall will not be substantially altered by the proposed amendment...it will be. As property owners and full time residents of the River Hall CC, we are requesting that your recommendation to the County Commissioners is for denial.

Thank you,

Tom and Sandi Migliore
16444 Windsor Way
Alva, FL 33920

Dear Board Members,
My name is Connie Dennis.

I live in Alva, I am a taxpayer, and concerned about how our county taxes are being spent. Many thousands of dollars have been allocated to community groups to create plans representative of the people in the community. I am a member of Alva Inc and a volunteer who has spent many hours working on these plans over the years. We have spent many hours consulting with county staff to develop these plans to meet the criteria of the Lee County Comprehensive Plan and ~~many~~ thousands of dollars working with a community planner. One of the most important issues that we included as a rural community is not to increase density. It distresses me that a group in charge of a development that is currently only 30% filled is applying to unnecessarily amend a plan that so many people have worked on together, costing many tax dollars and hours of time. These are some of the reasons I object to an increase in density at River Hall that involves changes in their community plan. Please vote no for this proposed amendment.

like Caloosa shores

Connie Dennis

Ruby Daniels

Alva Inc is here to support the residents of Riverhall and the Planning Community of Caloosahatchee Shores ~~Fort Myer Shores~~ in their opposition to proposed amendment 2012-01. We have several issues with this proposal. The first is density. The primary motivation for community planning in rural areas is to maintain rural character and rural land use by keeping the density low, i.e., 1 unit per acre. When rural density is doubled 1.0 → 1.5 that is urban sprawl. It changes the character from rural to urban. ~~When the area is surrounded by other land categories that is an enclave of urban sprawl~~. We strongly oppose taking away rural lands. We see no benefits to the residents of Riverhall and other rural communities in Lee County in this proposal.

Our next issue is the way the language "overriding public necessity " has been skewed to define ~~accept~~ enhancements as overriding public necessities.

All of the East Lee County Planning Communities have language in our plans similar to Caloosahatchee Shores ~~Fort Myers Shores~~ - no increase in density without a finding of "overriding public necessity" by the BoCC. Staff points out the Lee Plan does not provide a definition of "overriding public necessity ". We say the language defines itself. All of us learned the difference between a need and a want when we took Economics 101 in college or through life experiences in our youth, commonly referred to as the School of hard knocks" A need is something that cannot be done without, it ~~prevails~~ priority over everything else. Public means all of us, not a select few. And overriding means prevailing, more important than anything else. If a legal definition is desired, then look to legal proceeding that have been used to defined the term. There are other ways to provide the enhancements listed as "needs" in Riverhall than to take away the rights of the residents who live there and degrade their community. If the list of proposed needs were truly needs you would see groups of civic minded people meeting to discuss the problem and seek solutions, and perhaps people demonstrating on the streets, demanding government action to correct the problem. That is not happening. The developer has not demonstrated how the enhancements equal need . If the rural lands in Riverhall can be reclassified designated from rural to suburban on a made-up list of needs, then the same thing can happen to the Communnity Plans in Alva, North Olga, Buckingham, Bayshore, Pine

Ruby Daniels

Island and any other community that tries to protect its rural lands. Approval of this proposed amendment will be a precedent we should not set. .

Our third issue is the EAR amendments. What will happen to the EAR amendments if this proposal is ultimately approved. How well will a TDR program work if a developer can get ~~free~~ extra density by creating a list of ~~needs~~ amenities and calling them needs that are at best amenities. How will we write a new mobility plan that encourages development in urban areas instead of rural lands?

We ask you to stand up for our rural communities ~~and~~ uphold our Community Plans. not accept such a flimsy interpretation of overriding public need necessity When a true overriding public necessity arises, we will advocate for it as strongly as we oppose this very bad plan. Deny it, please. → in East Lee County

Whenever somebody says they will or will not do something, their trustworthiness immediately comes into play. That is especially true in this case.

The developer, same people, different name, made a promise to the county, surrounding communities, and River Hall residents that it would develop River Hall based upon what had been approved, 1,999 units. Almost immediately following the approval, the developer began the process to increase the number of approved units. This makes the third attempt.

When I mentioned the credibility issue to a member of the Lee County Planning Department, he stated he would make sure anything the developer committed to would be in a legally binding document. In my opinion, that doesn't mean much.

The developer controlled CDD Board decided not to abide by a legal document it willingly signed, and which was filed with the court...a mediation settlement agreement. My wife and I had to file a lawsuit to compel the CDD to maintain a berm on our property, which is part of the stormwater drainage system in River Hall. It agreed to maintain and repair the berm in the mediated settlement agreement, but when it came time to do so, it refused, until the South Florida Water Management District threatened to fine it $10,000 per day. Then, and only then, was the repair made.

The chairman of the CDD, also the president of GreenPointe, signed an affidavit stating that he had the authority to commit the CDD controlled property to the land use change. He did not have that authority, and when I contacted the interim county attorney to insist the process be halted because of that fact, the affidavit had to be brought back before the CDD and ratified, 7 months after it had been signed. It was ratified by a 3 to 2 vote, with the developer controlled board members voting in favor, and the two resident members voting against. Neither I nor the other resident of the CDD board was informed of the fact that CDD property had been committed to this change until it was discovered months later.

Times that are too numerous to mention, the developer made promises to the residents, only to back off those promises. The residents no longer have any faith in anything this developer says.

This developer has repeatedly demonstrated that it cannot be trusted. That is just one of the many important reasons why this request should be denied.

Paul D. Asfour, River Hall resident and member of the River Hall Community Development District.

Karen Asfour
River Hall
17131 Easy Stream Ct.

I am requesting that you oppose transmittal of this amendment.

1. First, it is in conflict with the Community Plans Ordinance 09-06, when it comes to meeting the overriding public necessity requirement.

   Necessity is defined as great or imperative need; something that cannot be done without.

   Public is concerning the people as a whole or the community at large.

   Overriding is most important or highest in priority.

Public Necessity as defined in the Florida Administrative Code means improvements required for the protection of the health and safety of the public.

The staff report states: "The applicant has committed to a variety of improvements to address "overriding public necessity" by providing needed and desirable community amenities."

Amenities are attractive or desirable features, conveniences.

This change does not meet the meaning of necessity, much less overriding public necessity.

2. This application promotes spot planning by setting up enclaves of different Land Use categories that would eventually lead to spot zoning within one gated community. This would change the character of the community as established by the original plan. The purpose of ordinance 09-06 is to have a balance of growth and retain the rural atmosphere that attracts people to this part of the county. According to the staff report, this would remove most rural acreage in the Ft. Myers Shores Planning Community.

These issues alone could set disastrous precedents within <u>all</u> Lee County.

3. There are Safety Issues concerning Emergency access, Hurricane Evacuation and school opening and dismissal. The additional entrance suggestions of Ruth and Tena are accessed by substandard roads. The Fire and Rescue efforts for River Hall are from the Ft. Myers Shores station on Palm Beach Blvd. Traveling down Buckingham Road would add miles and time for

emergency vehicles. From Buckingham Road to the Ruth entrance requires 6 turns on narrow roads.

Routing even half the residents onto this maze of substandard roads is not a smart hurricane plan. The main entrance on Highway 80 by way of River Hall Parkway would be the primary evacuation route.

Increased traffic in front of River Hall Elementary school will be terrible, especially since construction workers arrive and depart during school arrival and departure times. This makes it very dangerous, especially to those students who walk.

4. The developer claims that the community may fail if this change is not approved. That problem is self-imposed. While building is increasing throughout Lee County, this developer has done nothing to promote River Hall since it bought it three years ago. Happy residents with nothing but praise for the developer will do more to make it succeed than additional bike paths and walkways .

5. There is concern in the state with increased human contact and pollution of endangered species and their habitat. This increase will impact the endangered, protected and managed species living in the preserves and adjacent Hickey's Creek area, specifically, the Black Bear, River Otter, Sand Hill Crane and Gopher Tortoise found on the property.

I am requesting that you vote against transmitting CPA 2012-00001 for the following reasons.

1. This application is in conflict with the Community Plans Ordinance 09-06 that states:

"One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its rural character and rural land use where it currently exists. Therefore, no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of **overriding public necessity** is made by three members of the Board of County Commissioners."

Webster's Dictionary defines Necessity as great or imperative need; something that cannot be done without.

Public is defined as concerning the people as a whole or the community at large.

Overriding is defined as most important or highest in priority.

The items listed on the applicants Demonstration of Need, are not things of imperative need or of highest priority to the community at large. They are amenities. In fact, the staff report notes that "The applicant has committed to a variety of onsite and offsite improvements to address the Board's required finding of "overriding public necessity" by providing needed and desirable community amenities."

Amenities, according to Webster, are attractive or desirable features, conveniences.

This change does not meet the meaning of necessity, much less overriding public necessity.

2. This application promotes spot planning by setting up enclaves of different Land Use classes that would eventually lead to spot zoning within **one** gated community. This would change the whole character of the community as established by the original plan development order. Ordinances were established with the help of civic associations to assist with proper growth in east Lee County. The purpose of ordinance 09-06 is to have a balance of growth and retain the rural atmosphere that attracts people to this part of the county.

These first two issues alone could set disastrous precedents within Lee County, generally, and East Lee County, specifically.

3. There are several Safety Issues concerning Emergency access, Hurricane Evacuation and school opening and dismissal. The additional entrance suggestions of Ruth and Tena are accessed by substandard roads. The Fire and Rescue efforts for River Hall are from the Ft. Myers Shores station on Palm Beach Blvd. Traveling down Buckingham Road would increase the Buckingham Preserve traffic and ultimately add miles and time to the trip by taking the emergency vehicles out of the way. From Buckingham Road, the Ruth entrance requires 6 turns on narrow roads. This would be the same problem with evacuating the 7,500 residents during a hurricane. Dumping even half that number of residents onto the maze of substandard roads to the South is not a smart hurricane plan. The main entrance on Highway 80 by way of River Hall Parkway would be the primary route to evacuate the residents. Also, the increased traffic in front of River Hall Elementary school will be incomprehensible. The increase in construction workers

arriving and departing during school arrival and departure times makes it even more dangerous, especially to those students who walk.

4. This developer is not a good steward to the county, the surrounding community, or River Hall residents.
   Taxes were not paid to the county for several years on much of the property and there is still $140 thousand dollars overdue on the golf course alone.
   The developer agreed to the development plan as previously approved and made a promise to the surrounding community to maintain this plan. However, they have tried to change it three times including this present amendment.
   And finally, the residents were promised a way of life if they bought in River Hall one of "serene open spaces". Now the developer wants to break that promise by changing the character of the community from a rural setting to a suburban one.

5. The applicant stated in the application that the proposed additional units will be constructed within the development footprint that has already been approved, with no impacts to existing or approved conservation areas or community amenities.
   The amendment would increase the number of residents within the River Hall community to approximately 7,500. This will definitely impact the endangered, protected and managed species living in the preserves and adjacent Hickey's Creek area by increasing human contact with them. An increase in the pollution of their habitat is inevitable. The species known to be on the River Hall property include Black Bear, River Otter, Florida Panther, Alligator, Sand Hill Crane and Gopher Tortoise.

6. The staff report states that the character of the community will not change if this amendment is approved. That is incorrect. Adding 2,500 more people to a community that was designed for 5,000 will definitely change the character of the community. The Golf Course and Amenity center will not be able to handle 7,500 people, and neither will the main roads within the community, namely River Hall Parkway and River Golf Circle on which most, if not, all residents will travel.

7. The developer claims that the community may fail if this change is not approved. But that problem is self-imposed. The developer has done nothing to promote the community since it bought it three years ago. Other developers in the area have continued to market their communities and have increased building in the last few years. Residents in River Hall are concerned about the commitment made to them upon their investment in the community. Many residents have stated that if this amendment is approved, they will not be able to trust what will happen in the future. They can't trust the developer now and they wonder if they can trust the county to uphold the ordinances made to protect residents. This question of trust will do more to "fail" a community than continuing with the previously promised development. Happy residents with nothing but praise for a development do more good than bike paths and walkways to a defunct shopping center.

Thank you,
Karen Asfour
17131 Easy Stream Ct.
River Hall


3514


Tena Av N



DIRECTIONS

Starting Address:	8701 Astronaut Blvd Cape Canaveral FL FL 32920
Destination Address:	5645 N Atlantic Ave 32931
Total Distance:	1.9 miles

Directions	Distance
1. Start out on SR-A1A (Going Southeast)	1.87 miles



YAHOO! Maps

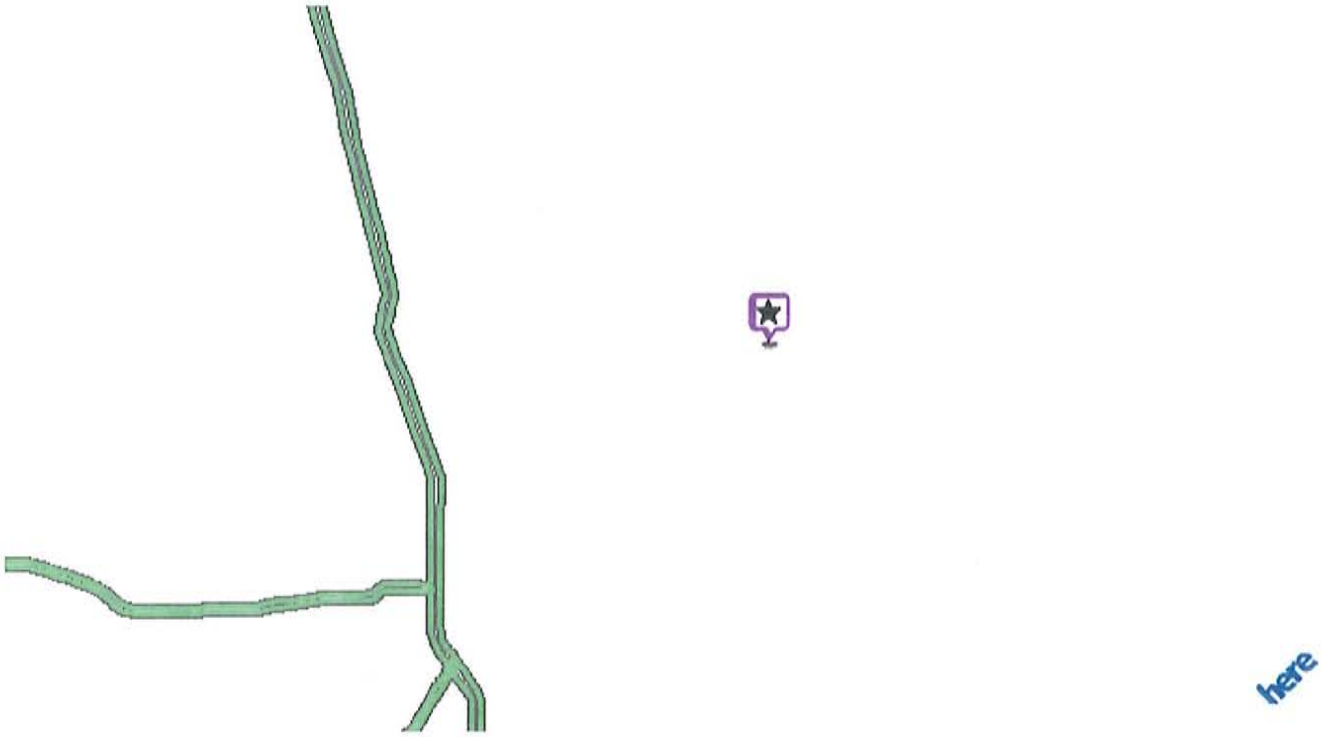
8701 Astronaut Blvd, Cape Canaveral, FL 32920-4307



When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

YAHOO! Maps

8701 Astronaut Blvd, Cape Canaveral, FL 32920-4307



When using any driving directions or map, it is a good idea to double check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning

CPA2012-00001

Original number of units-River Hall CC, Hampton Lakes & Cascades	1,999
Cascades units - not included in CPA2012-00001	575
Balance of units - River Hall CC & Hampton Lakes	1,424
Additional units requested - River Hall CC & Hampton Lakes	1,000
Total proposed units - River Hall CC & Hampton Lakes	2,424
Percentage increase in units - River Hall CC & Hampton Lakes	70.22

Proposed emergency access - intersection



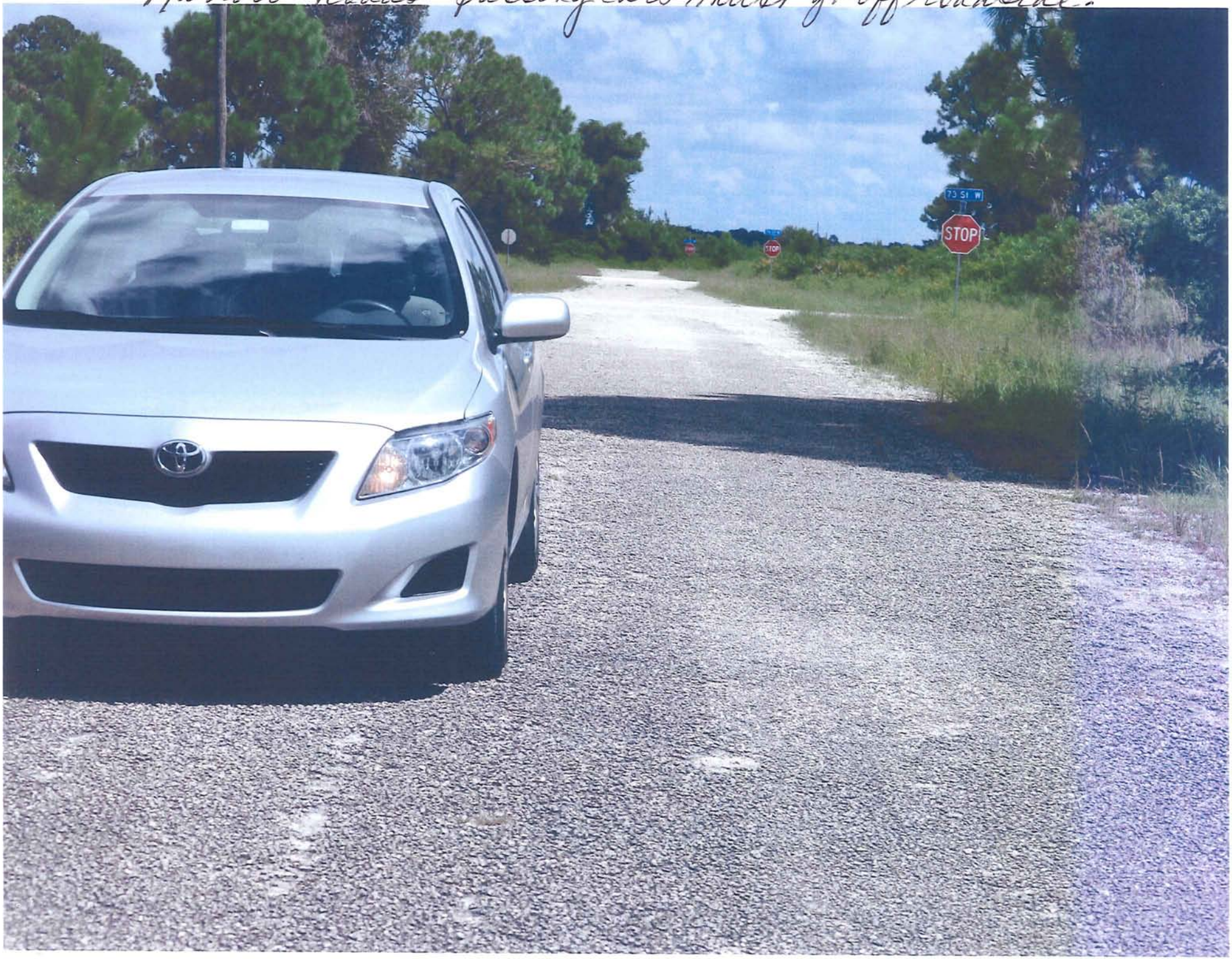
Proposed emergency access



Looking down Ruth from 75th



Narrow roads: passing cars must go off roadside.



SAFETY

I am requesting that you vote against transmitting this amendment because:

There are several Safety Issues concerning Emergency access, Hurricane Evacuation and school opening and dismissal.
The additional entrance suggestions of Ruth and Tena are accessed by substandard roads. The Fire and Rescue efforts for River Hall are from the Ft. Myers Shores station on Palm Beach Blvd. Traveling down Buckingham Road would increase the Buckingham Preserve traffic and ultimately add miles and time to the trip. From Buckingham Road, the Ruth entrance requires 6 turns on narrow roads.

This would be the same problem when evacuating the 7, 500 residents during a hurricane. Routing even half that number of residents onto the maze of substandard roads to the South is not a smart hurricane plan. The main entrance on Highway 80 by way of River Hall Parkway would be the primary route to evacuate the residents.

Also, the increased traffic in front of River Hall Elementary school will be incomprehensible. The increase in construction workers arriving and departing during school arrival and departure times makes it even more dangerous, especially to those students who walk.

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

Copies

COMMUNITY: CASCADES @ RIVER HALL

PRINTED NAME	SIGNATURE	ADDRESS		TELEPHONE NO.
		NUMBER & STREET	STATE & ZIP CODE	
STEVEN REZNITSKY		3207 APPLE BLOSSOM DR	ALVA FL 33920	239-690-0059
Joseph E Metcalfe		15399 Yellow Wood Dr.	Alva FL 33920	239 433 6344
Paul D. Pavlick		15391 Yellow Wood Dr.	Alva, FL	239-694-7634
ARLENE DISTACHER		15298 YELLOW WOOD DR.	ALVA, FL	239-433-9759
DAVID MORIARTY		15372 YELLOW WOOD DR	ALVA, FL 33920	239-693-1981
Edward Kincke		15328 Yellow Wood Drive	Alva, FL 33920	239-694-5545
SUSAN ROBBER		15311 YELLOW WOOD DRIVE	ALVA, FL 33920	239 454 8129
KARON HERBST		15067 Citrus Tree Ct	ALVA FL 33920	239400-1956
ROBERT THEISS		15194 YELLOW WOOD	ALVA FL 33920	239-689-195
DON R. KILL		2968 Apple Blossom	ALVA, FL 33920	239-694-7754
William T Herbst		15067 CITRUS TREE CT	ALVA FL 33920	573-552-115
Harry Kiser		15126 LIGUSTRUM	ALVA FL 33920	302 697-12
HARVEY BRAND		15364 YELLOW WOOD DR	ALVA FL 33920	239.693.9984
Greg Urbank		3109 Apple Blossom Dr.	ALVA FL 33920	239-560-5001
THOMAS HUGHES		2281 Summersweet Dr.	ALVA FL 33920	239-694-4489
Bruce Peterson		3191 Apple Blossom Dr.	Alva, FL 33920	239-694-5
JOE DE MARIA		15360 YELLOW WOOD DR	ALVA FLA 33920	690-1518
Stephen Frey		2813 Apple Blossom Dr	Alva FL 33920	693 5886
Helene Frey		2813 Apple Blossom Dr	Alva FL 33920	693 5886
BETSY SELIGMAN		15360 YELLOW WOOD DR	ALVA FL 33920	690-1518
Sharon Bosworth		15308 Yellow Wood Dr.	ALVA FL 33920	694-1970
IRWIN BOSWORTH		15308 YELLOW WOOD Dr.	ALVA, FL 33920	694-1970
Linda McKinney		15375 Yellow Wood	Alva FL 33920	694-2863
HOWARD GOTTLIEB		15391 YELLOW WOOD Dr	ALVA FL 33920	931-665
CHARLES WETHAM		15298 YELLOW WOOD DR	ALVA FL 33920	239 344-9207
MARLA REZNITSKY		3207 Apple Blossom Dr	Alva, FL 33920	239-690-0059
Marilyn Gottlieb		15392 Yellow Wood Dr	Alva FL 33920	239 931 6657
Roger Schaefer		2312 Summersweet	ALVA 33920	
Sheldon Lippman		15344 Yellow Wood	Alva 33920	239 694 3632
Virginia Whelan		15290 Yellow Wood Dr	Alva 33920	239-344-9207
ANN LIPPMAN		15344 Yellow Wood Dr.	ALVA 33920	239 694 3632
Cheryl Reeves		15396 Yellow Wood Dr	Alva 33920	239 695 0822
BERNICE TURNER		2312 Summersweet Dr	Alva 33920	239-6930692
RALPH DISTACHER		15298 yellow wood dr	ALVA 33920	239-433-9759
SANDRA CARTER		15251 Yellow Wood Dr.	ALVA 33920	239-690-1445
LYNNA METCALFE		15399 Yellow Wood Drive	ALVA 33920	239-437-6341
Jacqueline McGowan		15294 Yellow Wood Dr	Alva 33920	239-694-6086
JOHN J. MC GOWAN		15294 Yellow Wood DR	ALVA 33920	239-694-6086
MARIE RANKIN		15391 Yellow Wood Dr	Alva 33920	239-694-2634
DIANE DOBER		15383 YELLOW WOOD DR	ALVA 33920	239-226-0722
BARRY DOBER		15383 Yellow Wood Dr	Alva 33920	954-610-4113

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: CASCADES @ RIVER HALL

PRINTED NAME	SIGNATURE	ADDRESS		TELEPHONE NO.
		NUMBER & STREET	STATE & ZIP CODE	
Gerald Gartes	G. D. Gartes	15251 Yellow Wood Dr.	Alva, FL 33920	213-690-1445
GAIL PERSONS	Gail Persons	2232 SUMMERSWEET	ALVA FL 33920	239-693-0901
Cynthia Persons	Cynthia Persons	2232 Summersweet Dr.	Alva, FL 33920	239-693-0901
JOYCE Lockwood	Joyce Lockwood	15120 LIGUSTRUM LN	ALVA FL 33920	239-694-1218
MARYANNE TIBUREZI	Maryanne Tiburezi	9944 SummerSweet DR	ALVA FL 33920	610-357-3409
ANGELO TIBUREZI	Angelo Tiburezi	9944 Summersweet DR	ALVA FL 33920	610-547-2955
Bruce J. Peterson	Bruce J. Peterson	3191 Apple Blossom Dr.	Alva, FL 33920	239-694-5117
Bonnie M. Peterson	Bonnie M. Peterson	3191 Apple Blossom Dr.	Alva, FL 33920	239-693-4047
Russell Grant	Russell Grant	15320 Yellow Wood Dr.	Alva, FL 33920	239-693-4047
Joseph P Cea	Joseph P Cea	15285 Yellow Wood Dr	Alva FL 33920	239-334-9585
Mary Grent	Mary Grent	15320 Yellow Wood Dr	Alva 33920	239-693-4047

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: Ashton Oaks

		ADDRESS		
PRINTED NAME	SIGNATURE	NUMBER & STREET	STATE & ZIP CODE	TELEPHONE NO.
GARY T. CARLSON		16540 Goldenrod Lane, #103	FL 33920	(239) 313-753
RENÉ HANCHAR		16550 GOLDENROD LANE #203	FL 33920	(301)961 9460
Cheryl A Gwiz		16540 Goldenrod Lane #101	FL 33920	9898600
Georgia Mojo		16521 Goldenrod Lane #103	FL 33920	978 902-7154
JOANNE M. SEALS		16580 GOLDENROD LANE #101	FL 33920	412-480-47
Timothy R Clark		16571 Goldenrod Lane #101		740 704956
Kathryn J Clark		16571 Golden Rod Ln #101	Alva	740 70 46
BRIDGET YOW		16571 Golden Rd #201	Alva FL 33920	239-676-10
Monika Edmonds		16570 Golden Rd 101	Alva FL 33920	239-344-75
Charles Breeze		16581 Golden Rd 103	FL 33920	239-245-82
Nancy Breeze		16581 Goldenrod 103	33920	239-243-82
RAYMOND SEALS		16580 Goldenrod Lane #101	Alva, FL 33920	(239) 931-5955
JIM CAVEY		16581 GOLDENROD LA 201	33920	239-699-530
DIANA CAVEY		16581 Goldenrod Lane 201	33929	279

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: Ashton Oaks in River Hall

		ADDRESS		
PRINTED NAME	SIGNATURE	NUMBER & STREET	STATE & ZIP CODE	TELEPHONE NO.
Debra Davis	Debra Davis	16571 Goldenrod Ln 203	Alva 33920	239-728-3133
Timothy Davis	Timothy Davis	16571 Goldenrod Ln 203	ALVA 33920	239-728-3133
[redacted]				
Lynda Koestel	Lynda Koestel	16571 Goldenrod #103	ALVA	502 432-1205
W C Koestel	W C Koestel	16571 Golden #103	ALVA	
Ian Cameron	Ian Cameron	16570-102 Golden Rd.	Ont L2N1K9	9059377823
Rachel Cameron	R. Cameron	16570-102 Golden Rd	ONT L2N1K9	9059377823
Charles Young	Charles Young	16571 Goldenrod #201	Alva, FL 33920	239-676-1027
Nancy Day	Nancy Day	16540 Goldenrod #202	Alva 33920	773 701-1740

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: Ashton Oaks

		ADDRESS		
PRINTED NAME	SIGNATURE	NUMBER & STREET	STATE & ZIP CODE	TELEPHONE NO.
Joseph T Lankas	[signature]	16580 Goldenrod 202	Alva FL 33920	
GEORGE ARENAS	[signature]	16540 Goldenrod 202	ALVA FL	773-251-7384
Donna Peddicord	[signature]	16540 Goldenrod Lane #20	FL 33920	239-313-6615
Bill Peddicord	[signature]	16540 Golden Rode #20	FL 33920	239-313-6615
MYRTLE LOUISE HILL	[signature]	16560 Goldenrod Ln #203	ALVA, FL 33920	239-694-6798
JOSEPH EDDY KING	[signature]	16570 GOLDENROD LN 201	ALVA, FL 33920	239-[illegible]-6077

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: Ashton Oaks at River Hall

		ADDRESS		
PRINTED NAME	SIGNATURE	NUMBER & STREET	STATE & ZIP CODE	TELEPHONE NO.
W. Alfred Nolen	W. Alfred E Nolen	16581 Goldenrod	Florida 33912	(847) 867-2151
MJ Seal	MJ Seal	16550 Goldenrod Ln	FL 33920	239-271-4133

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: River Hall

		ADDRESS		
PRINTED NAME	SIGNATURE	NUMBER & STREET	STATE & ZIP CODE	TELEPHONE NO.
[illegible] Chaddie Letson	Chaddie Letson	16068 Herons View	FLA 33920	502 640 0781
[illegible] Thomas	[illegible]	3113 Moss Way	FL 33920	2398495459
Stan & Sara Koslowski	Stan Koslowski	3108 Moss Way, Alva	FL 33920	(860) 729-4884
THOMAS RICKER	[illegible]	16968 OAKSTEAD Dr. ALVA	FL 33920	781-248-8878
Jeanne Ricker	Jeanne Ricker	16968 OAKSTEAD DR. ALVA	FL. 33920	978-640-0528
[illegible]	Jim Aubrey	16994 OAKSTEAD DR ALVA	FL 33920	239-693-1159
[illegible]	Trebe Aubrey	16974 Oakstead Dr ALVA, FL	33920	239-693-1159
Joseph Campolo	Joseph Campolo	16980 - Oakstead Dr ALVA, FL	33920	NA
Angela Campolo	Angela Campolo	16980 - Oakstead Dr ALVA, FL	33920	NA
Mary Ann Liberti	Mary Ann Liberti	16998 Oakstead	33920	~~239~~-913-608-80
Karen Ethier	[illegible]	3113 MOSS WAY	33920	239 8495459
Bud TREML	Bud Treml	3124 MOSS WAY	FL 33920	920-468-1885
Jeanne Treml	Jeanne Treml	3124 Moss Way	FL 33920	239-357-0129
Rollie Mills	Rollie Mills	13448 Windsor Way	Alva FL 33920	239-233-6244
Tina Mills	Tina Mills	13448 Windsor Way	Alva FL 33920	239 233 6244
Don Lucier	Donald Lucier	16962 OAKSTEAD DR.	ALVA FL. 33920	239-939-2027
CAROL BLAIR	Carol Blair	3330 Chestnut Brook Dr. Alva 33920		239-313-6674
Stuart Blair	[illegible]	3330 Chestnut Brook Dr. Alva 33920		239-313-6674
DONALD CROWE	[illegible]	16087 HERONS VIEW DR	FL 33920	330-352-7180
DEBI CROWE	[illegible]	16087 HERONS VIEW DR	FL 33920	330 235 3378
Joel Letson	[illegible]	16068 Herons View	FL 33920	502 [illegible]
Brian D Anderson	Brian D Anderson	16024 Herons View Dr	FL 33920	239 694 4561
Nancy N. Anderson	Nancy N Anderson	16024 Herons View Dr	FL 33920	239 694 4561
Robyn Hanchar	Robyn Hanchar	16550 GOLDENROD LD	FL 33920	863-832-5[illegible]
JIM MITCHELL	[illegible]	2202 Summersweet	33920	693-8789
Cynthia Mitchell	[illegible]	2202 Summersweet	FL 33920	693-8789
Bob Auld	[illegible]	15627 Angelica	33920	288-5782
Noreen Auld	Noreen Auld	15627 Angelica	33920	288-5782
DAVID RUDGE	David S Rudge	15635 Angelica DR	33920	494-8292
LaRee Rudge	LaRee Rudge	15635 Angelica	33920	4948292
Peggy Dessin	Peggy Dessin	17255 Walnut Run Dr	33920	689-5151
Jimmy Savin	Jimmy Savin	17255 Walnut Run Dr	33920	689-5151
James Sabella	[illegible]	15509 Pricklegrass Ct.	33920	470-2186
Doreen Bickes	Doreen Bickes	15509 Pricklegrass Ct.	33920	863-673-1225
GERALD RACE	[illegible]	3296 Hampton Blvd.	33920	239-464-9270
SHERRY RACE	Sherry Race	3296 HAMPTON BLVD	33920	239-464-0215
Lou Ann Sutton	Lou Ann Sutton	3291 Hampton Blvd.	33920	239 694 6440
Donald Sutton	Donald Sutton	3291 Hampton Blvd.	33920	239-694-6440
Virginia Arnott	[illegible]	15707 Angelica Dr	33920	239-313-7915
Randall Arnott	R. Arnott	15707 Angelica Dr	33920	239-313-7915

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: River Hall Country Club

		ADDRESS		
PRINTED NAME	SIGNATURE	NUMBER & STREET	STATE & ZIP CODE	TELEPHONE NO.
Karen Asfour	Karen Asfour	17131 Easy Stream Ct	FL 33920	239-693-6131
Paul D. Asfour	Paul D. Asfour	17131 Easy Stream Ct.	FL 33920	239-693-6131
J. William Corey	J. William Corey	3006 Sagittaria Lane	FL 33920	765-230-0396
Patricia Corey	Patricia Corey	3006 Sagittaria Lane	FL 33920	614-330-2613
Christian Kyllberg	Christian Kyllberg	3099 Sagittaria Lane	FL 33920	781-420-2284
John W. Roeller	John W. Roeller	3106 SAGITTARIA LN	FL 33920	(612) 801-3701
Judith M. Roeller	Judith Roeller	3106 Sagittaria Lane	FL 33920	(651-353-2672
Jeannette Mesick	Jeannette Mesick	3088 Sagittaria Ln	FL 33920	239-288-5253
Roger Thornber	Roger Thornber	16580 Golden Isle Drive 203	FL 33920	706-833-9959
Robert Giovansanti	Robert Giovansanti	3094 SAGITTARIA LN	FL 33920	917-750-6798
GLENN G. GIRESI	Glenn G. Giresi	17100 EASY STREAM CT	FL 33920	239-877-3400
Tom Fulton	Tom Fulton	3100 Sagittaria Ln	FL 33920	937-477-8221
Paula Fulton	Paula Fulton	" " "	" "	937-477-82
Tom Olander	Tom Olander	3037 Sagittarius Ln	FL 33920	414-801-3534
Sue Olander	Sue Olander	3037 Sagittarius Ln	FL 33920	414-801-3534
Georgette Lundquist	Georgette B. Lundquist	17005 Sunny Lakes Ct.	FL 33920	239-590-6927
RALPH E. COREY	Ralph E. Corey	17001 " " "	FL 33920	239 693 8074
JOE LUNDQUIST	Joe Lundquist	17005 " " "	FL 33920	239 590 6927
VINCENT GRUPPO	Vincent Gruppo	2974 Apple Blossom DR	FL 33920	239 344-9762
Susan Gruppo	Susan Gruppo	" "		
Brad Kozlowski	Brad Kozlowski	3108 Moss Way	FL 33920	(860) 729-4844
PJ PHAGAN	PJ Phagan	16963 OAKSTEAD	FL 33920	239-690-2501
KATHLEEN	Kathleen	3113 MOSS	FL 33920	2398495485
KATHLEEN	Kathleen	3113 MOSS	FL 3392	
[redacted]				
Tom Mesick	Tom Mesick	3088 SAGITTARIA LN	FL 33920	239-288-5253
Don Locker	Don Locker	16962 OAKSTEAD DR	FL 33920	239-939-2627

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of the affected areas, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: East Lee County - Alva

		ADDRESS		
PRINTED NAME	SIGNATURE	NUMBER & STREET	STATE & ZIP CODE	TELEPHONE NO.
MICHAEL STOTTLEMYER	Michael Stottlemyer	18400 TELEGRAPH CREEK LN	ALVA, FL 33920	239-693-6663
PAUL FURBAY	Paul Furbay	P.O. BOX 2037	ALVA FL 33920	239 420 -0051
Sally S. Burrow	Sally S. Burrow	18400 Telegraph Ck Ln	" " "	804-306-3003
William Redfern	William Redfern	14651 Duke Hwy	Alva, FL 33920	239 694-7583
Paul Musler	PAUL MUSLER	14821 DUKE HIGHWAY	ALVA FL 33920	694-5374
MARIA MUSLER	Maria Musler	14821 DUKE HIGHWAY	ALVA FL. 33920	6945374
Angela Bailey	Angela Bailey	21620 N. River Rd	Alva FL 33920	849-5019
[illegible]	[illegible]	19190 Parkinson	Alva FL 33920	
Ruby Daniels	Ruby Daniels	18180 Persimmon Ridge Rd	Alva, FL 33920	239 728 3292
Emily Smith	Emily Smith	21121 Wild Horse Drive	FL 33920	239-728-3019
JERRY MURPHY	Jerry Murphy	8420 Chatter Club Circle #1	FL 33919	239-332-8520

Michael and Gloria Scharfman
1280 Bluffs Cir
Dunedin,Fl 34698

RECEIVED
SEP 11 2013
COMMUNITY DEVELOPMENT

Our Property Data for Parcel 27-43-26-00-00001.0020
15131 Palm Beach Blvd.
Alva,FL 33920

September 9,2013

Mr.Brandon D. Dunn
Lee County Planning Division
1500 Monroe Street
Fort Myers,FL 33901

We strongly support the application from River Hall,
to allow 1000 additional dwelling units in their development.
Enclosed please find a copy of our property on Hwy 80,
Palm Beach Blvd,Alva,Florida

Michael Scharfman

Gloria Scharfman

Lee County Property Appraiser

Tax Year

Next Lower Parcel Number Next Higher Parcel Number Tax Estimator Tax Bills Print

Property Data for Parcel 27-43-26-00-00001.0020

Owner Of Record

SCHARFMAN MICHAEL + GLORIA
1280 BLUFFS CIR
DUNEDIN FL 34698

Site Address

15131 PALM BEACH BLVD
ALVA FL 33920

Legal Description

PARL IN NW 1/4 OF NW 1/4
N OF SR 80 DESC
IN OR 1021 PG 255

Classification / DOR Code

VACANT COMMERCIAL / 10

[Tax Map Viewer]



[Pictometry Aerial Viewer]

From: Chrissy G [mailto:themizewell@aol.com]
Sent: Monday, September 23, 2013 6:34 PM
To: Dist1, John Manning; Dist2, Cecil Pendergrass; Dist3, Larry Kiker; Dist4, Tammy Hall; Dist5, Frank Mann; Desjarlais, Roger
Subject: Approve River Hall Comp Plan Amendment

Lee County Commissioners:

Please allow this email to be part of the official record for the River Hall Comp Plan Amendment.

I have bought and sold several land holdings in Lee County and specifically in East Lee County. In fact, I was one of the original owners of a large portion of the land that is now the River Hall Development. I can tell you for a fact that this land was always expected to be developed. The original developer purchased my land for that very purpose. The land I owned is located where the comp plan change is being requested. The only reason it was not done years ago is that everyone knew that the DRI threshold would change from 1999 units to 2999 units once the population of Lee County went over 500,000 people. The original developer would not have purchased a piece of property of this size if that was not their intention.

In addition, I own the land immediately to the North of River Hall entrance and have a comp plan for a commercial node for nearly 400,000 square feet of commercial as per the Caloosahatchee Shores Comp Plan and is currently in the zoning process. In addition there is land adjacent to my land that is comp planned for an additional 100,000 approximate square feet of commercial.

It is clear that this area is a good place for Lee County to grow. There is existing and future commercial to accommodate this growth, all the intersection improvements for SR80 and I-75 interchange are being constructed and the River Hall land has always planned for this growth. They have the necessary infrastructure already in place for Lee County, the amenities are already built and can be expanded and the new development will not impact open space or the environment.

The groups that speak against this project may not fully understand that the additional units will not impact any more open space than what the development already has. If you look at the facts and keep emotions out of your decision you will quickly realize that this is a right place to put future development for Lee County and allows the county to plan long term and is consistent with Lee County's vision to reduce urban sprawl.

I urge you to vote to transmit the River Hall comp plan amendment and allow the continued growth of River Hall which will benefit the area and put the growth where it can be accommodated with existing infrastructure.

Ralph Bond
10660 Deal Road
North Fort Myers, FL 33917

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

CONSERVANCY of Southwest Florida
OUR WATER, LAND, WILDLIFE, FUTURE.

Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.

March 28, 2014

Via email
Mr. Larry Kiker, Chairman
Lee County Commission
2120 Main Street
Fort Myers, Florida 33901

Dear Chairman Kiker and Lee County Commissioners:

These comments are submitted regarding item number 15, regarding an agreement with GreenPointe, the developer for River Hall Privately Sponsored Amendment to the Lee County Comprehensive Plan, CPA2012-00001.

The Conservancy of Southwest Florida has long been active in providing comments to protect the environment and quality of life in Southwest Florida. Our goal is not to stop all development. We understand that development will happen, and we strive to help that development occur at a time and in a location that balances the need for growth with the protection of natural resources and community character. This proposal, however, does not balance the need for growth with protection of environmental resources or community character.

If you trust your staff, there is no need for this agreement. We all expect that staff will process applications in the order received as quickly as possible. Every applicant deserves to be treated fairly, and there is no reason to believe that GreenPointe won't be treated fairly if they submit or resubmit their application for review.

The Lee County code does not guarantee that a project will be presented to a full five member Board of County Commissioners. GreenPointe's request was heard by a quorum of the Lee County BCC. A decision was made - or not made - and it wasn't the decision GreenPointe wanted.

GreenPointe knew or should have known on September 24, 2013 - the day before the hearing- that there would be only four sitting members at the September 25, 2013 meeting. Knowing that there were going to be only four Board Members, GreenPointe knew or should have known that a tie vote was possible. GreenPointe had a decision to make - they could go to the September 25, 2013 meeting knowing that a tie was possible, or they could ask for a continuance.

The choice GreenPointe made was to present their project at the September 25, 2013 meeting. This was their business decision, and they should accept the result. GreenPointe didn't get the result

★★★★ CHARITY NAVIGATOR Four Star Charity
Conservancy of Southwest Florida has been awarded Charity Navigator's prestigious 4-Star top rating for good governance, sound fiscal management and commitment to accountability and transparency. Charity Navigator is America's largest and most respected independent evaluator of charities.

they wanted, so now, they are asking for special treatment. This is not fair. This is not right.

This request of GreenPointe to ask for special treatment for a business decision they made that didn't turn out as they wanted is a reflection of the entire application. The applicant is asking for the real property rights of the individual owners to be ignored so that the applicant may undertake speculative development on the River Hall site. As similar requests have been denied twice, any investment made by the applicant to make a third request is a business decision based on *speculation* that the BoCC would change their mind. It is not your job, or the job of citizens of Lee County to protect people from business decisions that end up not being profitable.

Lee County is not under an obligation to approve a request to transmit a comprehensive plan amendment to the state land planning agency for review, and considering that similar requests from this applicant have been refused two other times in the recent past (one in 2005 and one in 2007), the result should not have shocked the applicant.

Some counties have expedited review processes which usually come with higher fees, some counties don't. Lee County does not. If you think that creating an expedited review process is something that Lee County can benefit from, then we encourage you to develop that process in a way that will be fair to all applicants.

GreenPointe is asking that you create an expedited process just for them, however, and they have provided no basis for this special treatment other than that they wanted a different outcome from the one they got on September 25, 2013.

Unless you are going to be willing to provide an expedited process for every request you don't grant, you should think very carefully about whether to approve this agreement. Approval of this request creates the reasonable belief for any applicant who doesn't get their desired outcome that you will provide them with an expedited way to present their application again.

The action requested in this agenda item is not fair to all applicants.

We are concerned that this is being presented as a mediated agreement. This agreement was not mediated in any sense of the word.

Black's Law Dictionary defines mediation as "the act of a third person who interferes between two contending parties with a view to reconcile them or persuade them to adjust or settle their dispute."

There was no third party used.

The ninth "Whereas" clause states that the County and GreenPointe engaged in a mediation conference on March 5, 2015. There was no mediator or even a third party allowed to participate in the meeting.

Further, only formal mediation are exempt from Florida Sunshine and public records law. This meeting may not have been appropriately advertised, and there were no minutes taken at the meeting. By failing to take and keep minutes at the March 5, 2014 meeting, which exceeded fact finding and resulted in the formulation of a recommendation, the sunshine provisions were violated.

If you are going to approve special treatment for this applicant based on a mediation conference, we request an actual mediation conference actually takes place, or that the language is modified to reflect what actually happened.

We are not comfortable with the language in paragraph 1. Paragraph 1 states that this process will allow for reconsideration of the Plan Amendment.

Reconsideration is a very specific parliamentary term that should not be used in this context. A motion to reconsider can be made by a board member from the prevailing side of a decision **at the same board meeting**(emphasis added). This request to reconsider was not made by a Board member, and the request was not made at the same meeting.

The BOCC general rules of procedure are contained in County Administrative Code (AC)-1-3. Rule 1.01 of that code states: "Except as may be provided for by these rules; question of order, the methods or organization and the conduct of business of the Commission shall be governed by Robert's Rules of Order in all cases to which they are applicable."

We are concerned about the time frame. The May LPA meeting is going to be May 19, 2014. This means the staff report needs to be completed by May 5, 2014. The applicant has until April 11, 2014 to resubmit any materials. The record for the plan amendment right now, without any resubmittal is more than 2,000 pages long. The staff member who wrote the staff report no longer works for Lee County, and any staff report proffered is going to have to be able to stand up to

rigorous review. This means that someone on your staff will have three weeks to review this complicated and lengthy record and write a staff report.

We don't think this time frame is consistent with the Florida Statutes.

Florida Statutes 163.3181(1) states that it is the intent of the Legislature that the public participate in the comprehensive planning process to the fullest extent possible.

Florida Statutes 163.3181(2) states that during consideration of the proposed plan or amendments…the procedures shall provide for the broad dissemination of the proposals and alternatives, opportunity for written comments,…provisions for open discussion, and consideration of and response to public comments.

As this is a continuation or revivification of CPA12-00001, we want to make sure all the issues raised as public comments and from the public meetings in August 2013 and September 2013 are listed so that the new staff report can address them. They are numbered for easier reference.

1. Do you have proof that the River Hall Community Development District Board of Supervisors (CDD) has the authority to make this request? No record has been provided from any meeting of the CDD where this application was discussed and voted on.
2. Will the increase in multi-family units and smaller lots diminish the attractiveness of a "rural" development?
3. Once a permit is issues, any environmental issue becomes the responsibility of the tax payer, not the developer. Do we know what those issues are or how much they will cost?
4. On page 11 of the September 25, 2103 staff report, Lee County Environmental Sciences staff specifically states "that the additional units allowed by the increase in density will lead to increased and possibly negative human/wildlife interactions."
    a. What actions will be required to mitigate these interactions?
    b. Can these interactions be effectively mitigated?
5. There is an issue of past due taxes. Of the 843 properties owned by RH Venture or GP homes, only 2 have taxes paid up to date. Most of these properties have two or three certificates sold to a variety of companies which now have liens on almost all of the property. Does GreenPointe own enough of an interest in this property to pursue any actions or changes?
6. GreenPointe claims to be fiscally responsible, yet owes more than $500,000 in unpaid taxes. Why provide GreenPointe with

more development rights when they are not good stewards of the rights they have?

7. Unless huge tax payments are made by April 1, 2014, additional liens will be available for the majority of the property at issue in this amendment. Do you think it is appropriate to encourage development on lands with delinquent tax bills?
8. Due to the unpaid taxes, new homebuyers in River Hall have difficulty obtaining financing as banks view River Hall as a failed community. Why aren't you requiring GreenPointe to pay the current taxes they owe before letting them subdivide the land further?
9. During the LPA meeting August 26, 2013, GreenPointe stated that some of the land included in the amendment is subject to the standards of Interstate Land Sales of the U.S. Department of Housing and Urban Development. This is a full disclosure act which contains antifraud provisions applicable to subdivisions of 25 lots of more which prohibits developers from engaging in misleading sales practices.[1] At the LPA meeting, GreenPointe stated their intention was always to increase the density. If that was their intention, wasn't it fraudulent to sell lots in a rural community?
10. The applicant only owns 65% of the development, yet, they are asking to make changes that will impact 100% of the development.
    a. Is that legal?
    b. Why would people buy in a planned development if they knew that at any time, the plan which they bought into could be abandoned and a new plan - different from the one they invested in - could be approved?
    c. Does Lee County have a responsibility to protect the real property rights of the land owners who bought in River Hall expecting a rural community with 1,999 dwelling units?
11. The application states that GreenPointe has "invested $20 million in the community". No improvements are visible to the community and the money was not used to pay property taxes leading to the belief that this money was spent to restructure loans. Please ask GreenPointe for a breakdown of how this $20 million has been invested in the community over the past 7 years, and provide this breakdown as part of the staff report.
12. The applicant has states that the community may fail if this change is not approved. Please request the applicant to show what they have done to promote the existing community and to attract builders and buyers to River Hall over the past seven years.
13. There are questions about the Country Club.

[1] http://portal.hud.gov/hudportal/HUD?src=/hudprograms/ils

a. Will the additional residents be required to join the Country Club?
b. If yes, is the Country Club being expanded in order to be able to serve the additional residents?
c. If no, who is going to be required to join?
d. If no one is going to be required to join, how likely is the Country Club to remain solvent?

14. Property Values and smaller lots.
a. How will the new restrictive covenants be structured? Since the new lots are 33% smaller than the existing lots, those homes will likely be of less value.
b. How do we know that allowing these smaller units isn't going to depress the value of the existing larger homes?

15. There is no benefit to the homeowners to subdivide and create more lots. Why is the benefit to the developer more important than the rights of the residents and taxpayers?

16. River Hall is only 16% built out.
a. Why would you consider additional lots when there has not been a good faith effort or success in selling the lots which exist today?
b. Why does GreenPointe think additional lots are needed?

17. Lee County should be protecting the rights of the existing residents. These residents bought homes in a rural community as represented by GreenPointe.
a. Why is it more important to increase development rights to the developer rather than protecting the rights of the existing owners?
b. Doesn't changing the density break a promise to the landowners who have invested in the community for the past 7 years?
c. These landowners pay their taxes….shouldn't their property rights and investment backed expectations to live in a rural community be protected?

18. The proposed increase in density changes the character of the community from rural to suburban. Why are you allowing that?

19. The Florida Statutes (163.3177(1)) require that Lee County have a comprehensive plan which creates predictable and reliable standards.
a. If homeowners cannot rely on the density of their community remaining the same as when they purchased property, does the comp plan actually create predictable and reliable standards?
b. Do you think that Lee County should protect the rights of someone who purchases a home in a rural subdivision to reasonably be able to expect that they will live in a rural

subdivision, at the density and intensity presented at time of purchase?

c. Doesn't this call into question the finality of planned developments which could cause a measure of unreliability and destabilize the housing market?

d. What is the benefit of buying in a planned community if the plans for that community can change over your objections?

20. Please identify the new information and changed conditions which are required by Objective 2.4 of the Lee Plan which would permit a change to be made to the FLUM.

21. Please identify the differences between this request and the requests for higher density made in CPA2004-10 and CPA2005-07.

22. The support letter from Ralph Bond states that "the only reason it [the increased development] was not done years ago is that everyone knew the DRI threshold would change from 1999 units to 2999 units once the population of Lee County went over 500,000 people". During the LPA meeting on August 26, 2013, the applicant stated that the developer laid out the community to reflect a higher density based on a hope that eventually, despite earlier denials, that this higher density would be approved.

a. While the DRI threshold may change, isn't it speculation on the part of the applicant to assume that Lee County would increase development just because the DRI threshold changed?

b. Does Lee County consider this request to be speculative?

c. Does Lee County consider requests based on a hope for a different outcome to be speculative?

d. Should Lee County be responsible for speculative business decisions?

23. **Policy 2.4.3** specifically states that it is Lee County's policy to not approve further urban designations. This request is seeking to change a rural designation to a more urban designation. How is removing 27% of the total rural designation in the Fort Myers Shores Community Plan consistent with Policy 2.4.3?

24. **Policy 5.1.5** states that Lee County must protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Isn't changing the community character from rural to suburban potentially destructive to the character and integrity of the rural residential environment?

25. **Policy 21.1.5** was adopted in 2009 in response to the last time there was an application to increase density for the River Hall projects. The Board of County Commissioners (BoCC) adopted a text amendment specifically protecting the remaining rural

lands in this planning area. How can an act that only benefits the developer (the public has said they don't want this change) meet the requirement of "overriding public necessity"?

26. A need is something that cannot be done without, a priority over other options. Overriding mean more important than anything else. Doesn't the phrase "overriding public necessity" define itself?

27. Is Lee County going to allow the applicant to use enhancements not even desired by the River Hall residents as justification of an "overriding public necessity"?

28. **Policy 21.1.5** also states that its purpose is to retain rural character and rural land uses. How does approving an amendment that takes 27% of the rural designated lands out of a rural designation retaining rural character and rural land uses?

29. The Caloosahatchee Shores adopted a policy specifically in response to the last density increase to River Hall.
    a. Why is that being ignored?
    b. Doesn't the failure to Lee County staff to protect the planning principles and community standards of a planning area undermine all community plans?

30. The September 25, 2013 staff report states that approval of this request will create enclaves of future land uses[2]. Creating enclaves is against public policy and not consistent with good planning practices. Do you think creating enclaves of future land uses is a good idea? If yes, why? If no, why not?

31. Page 18 of the September 25, 2013 staff report states that density will be utilized from Suburban areas ***not included in the amendment or rezoning area even though those landowners have not joined in with this request***.
    a. Is there a question of who really owns these lands and is entitled to any currently unused density on these Suburban lands?
    b. Does Lee County think it is good planning practices to take property rights from other landowners without their consent?

32. In the letters of opposition, there are petitions signed by 147 residents of River Hall asking that Lee County not approve this request. Ms. Amy Snyder details how Ashton Oaks at River Hall - the only homeowner controlled community in River Hall- has not been consulted about these changes and does not support the changes. Does Lee County think it is appropriate to ignore the wishes of individual property owners to provide entitlement to a large developer? If no, considering the near 100% disapproval of the residents of River Hall, why would the recommendation before transmittal?

[2] See pages 3, 4, and 12 of the staff report dated September 25, 2013.

Conclusion

We are requesting you not approve this agreement. It isn't fair. It isn't mediated. And it doesn't provide enough time to adequate review and response to the complicated issues which are part of this request.

It is your responsibility to have standards that create meaningful and predictable results (See Florida Statutes 163.3177(1)). That means protecting the rights of the landowners who bought their individual lots based on the representation of a rural community as presented by the applicant Part of those predictable and reliable standards is to hold all applicants and parties to the same standards. Allowing exceptions for one undermines the reliability and predictability for everyone.

We strongly urge you to reject this agreement. There are legal and ethical reasons to require GreenPointe to be treated like all other applicants. If, however, you decide to grant the request, we request the following:

1. That the public be allowed to attend and participate in the meeting between staff and GreenPointe that is to take place on or before April 4, 2014.
2. That additional materials submitted for the application be made available for public review on or before April 14, 2014.
3. That the new staff report address all the questions listed above, and that staff will meet with the public by April 30 with a draft staff report to go over the response to the public questions and comments.

The Florida Statutes are clear that the intent of the legislature is that the public participate in the comprehensive planning process to the fullest extent possible. If you're going to approve a compressed time frame, it is imperative that other mechanisms are identified to allow for full public participation. We're sure you agree that any process should be as fair as possible.

Thank you for your time in consideration of these issues. If you have further questions or need additional information, please contact me at (239) 262-0304 x 252 or by email at juliannet@conservancy.org.

Sincerely,

Julianne Thomas

Julianne Thomas
Growth Management Specialist

Miller, Janet

From: Dunn, Brandon
Sent: Monday, June 09, 2014 2:03 PM
To: Miller, Janet
Subject: FW: River Hall Amendment 2012-00001(expedited)
Attachments: download on Oct. 16 002.JPG; DSC_0196.JPG

From: Karen Asfour [mailto:karenaz4@comcast.net]
Sent: Thursday, April 17, 2014 12:05 PM
To: Mgibbss@leegov.com
Cc: Dist5, Frank Mann; Dunn, Brandon; Dist4, Brian Hamman; Dist3, Larry Kiker; Dist2, Cecil Pendergrass; Dist1, John Manning; O'Connor, Paul; Jacob, Michael; Wesch, Richard
Subject: River Hall Amendment 2012-00001(expedited)

Dear Ms. Gibbs,

I am sending you a few of my concerns on several issues with regards to CPA2012-00001.

1. The expedited timeline for CPA2012-00001 does not include an expedited timeline to change the Lee Plan by amending the Caloosahatchee Shores Community Plan. THAT was not mediated. Only the request submitted in September 2012 can be expedited. Nothing new. To change the Community Plan would be doing so without the proper procedure that all amendments must go through in order to make a change to the Lee Plan.

To adopt the proposed amendment, the Board of County Commissioners must make a determination that the amendment to the Future Land Use Map, including the proposed amenities *(emphasis added),* constitute an "overriding public necessity." *from staff report* 8/16/13

2. The overriding public necessity language is used in instances of eminent domain, which is granted to governmental agencies only...NOT private corporations or developers. The items listed as public necessities are either amenities or are items that have already been included in the original plan for this development.

   If the county determines that the park and trail are overriding public necessities, then ONLY that portion of River Hall can be changed from rural, if needed. In other words, only the part of the land that will accommodate the "necessities" can have a land use change, not a different section of acreage in which housing units will be built.

   There are 4 county parks within 5 minutes of the developer proposed River Hall park. The River Hall residents also have several parks within the community. There is a fifth park in Alva that is less than 10 minutes away. The park is not a necessity.

   The trail within River Hall and the second entrance were already a part of the original plan as was the commercial designation at the Route 80 entrance area.

The county, by approving the amendment with these two items will be imposing an additional burden on the individual, resident landowners within River Hall. As stated in the draft agreement between GreenPointe and the county, the residents will pay for the maintenance of the park and trail that will be used by the general public. This was also brought up at the Board of County Commissioners meeting on September 25, 2013.

The traffic signal at Palm Beach Blvd. and River Hall Pkwy. will be installed by the state when it is deemed necessary according to the state's guidelines. Nothing this developer does will expedite or affect this in any way.

3. The addition of 2,500 residents to River Hall will alter the character of this community. The end result will be approximately 7,500 people using two main roads to traverse the community. This will also add to an evacuation nightmare. Check the proposed second entry at Ruth Ave. with eyes and mind wide open and you will see this is not a viable evacuation exit.

4. The Lee Development Code protected species list is indicative of many species that live in or traverse the River Hall property. We residents have evidence of Florida Panther, Florida Black Bear, Florida Sandhill Crane, Alligator, Gopher tortoise, snowy and/or reddish egret, burrowing owls, etc. I have taken pictures of several of these wonderful animals in my yard. I have attached two of those pictures. The first is of a pair of Sandhill Cranes and the second is a Black Bear. I also have pictures of alligators, what I think is a falcon and other wildlife species.

This amendment will allow 7,500 River Hall residents to live up close and personal to these protected species. The wildlife are at risk for harm and residents could be at risk also. There have been several instances in the news lately about bears, panthers, etc. interacting with residents because of the encroachment of human dwellings on their habitat. These interactions led to either animal or human harm or death.

As I mentioned above, these are only a few of the many concerns and problems with this amendment. There is NOTHING good about this request as evidenced by the fact that three previous requests for the increased density have been denied.

We are relying on the county staff to look at the law (codes, ordinances, etc.) of the county and write a report that is based on the law and not smoke and mirror promises by a developer that has no permanent connection to Lee County. In order to represent the citizens of Lee County, the staff report must recommend – NO TRANSMITTAL.

Thank you,

Karen Asfour
17131 Easy Stream Ct.
Alva, FL 33920
239-693-6131


17131

Miller, Janet

From: Dunn, Brandon
Sent: Monday, June 09, 2014 1:47 PM
To: Miller, Janet
Cc: O'Connor, Paul
Subject: FW: River Hall CPA2012-00001 Reconsideration Issues

From: Tom Migliore [mailto:tommymigs@comcast.net]
Sent: Thursday, April 24, 2014 12:44 PM
To: Dunn, Brandon
Cc: Gibbs, Mary
Subject: River Hall CPA2012-00001 Reconsideration Issues

River Hall Comprehensive Plan Amendment Reconsideration questions/comments/concerns:

1. The proposed public park and trail are not wanted by the residents of River Hall nor are they needed by the residents of East Lee County. GreenPointe added it to their amendment request solely in an attempt to demonstrate the required overriding public necessity for their amendment request (per Lee Plan Policy 21.1.5, a finding of an "overriding public necessity" by three Commissioners is required to change River Hall's rural land use category). The overriding public necessity language was added to the Lee Plan specifically to protect and preserve the remaining rural land use category acreage within the Caloosahatchee Shores Community.

In the Staff Analysis section of the Staff report dated September 25th, 2013 it is stated that the "proposal meets the public necessity criteria". However, in the Staff Recommendation and Findings of Fact Summary section, a determination is made that "the Board of County Commissioners must weigh these improvements and determine whether or not they satisfy an overriding public necessity. This finding must be made to assure consistency with Lee Plan Policy 21.1.5 which is part of the Caloosahatchee Shores Community Plan." This is a contradiction. Staff cannot on one hand defer to the BoCC to decide a finding of an "overriding public necessity" and then recommend transmittal based on Staff's determination that the criteria has been met. If Staff is saying it is up to the BoCC to make a determination of an "overriding public necessity", then Staff must refrain from making recommendations based on whether or not they believe the items offered in the request have satisfied the requirements.

The Developer's Agreement specifies that the public park and multi-modal trail will be transferred to the CDD. When the transfer occurs, the CDD would be required to pay for maintenance costs through increased assessments and the CDD (property owners) will be exposed to litigation for any injury's to and/or property damage incurred by person(s) using them. This is unacceptable to the residents.

2. GreenPointe Communities, in its Comprehensive Plan Amendment request (CPA2012-00001), calculates the requested new density at 1.5 units per acre. However, the 1000 requested new units would actually be placed on approximately 373 acres on the southern portion of the River Hall project that is directly adjacent to Hickey Creek Mitigation Park. That equates to a density of 2.7 units per acre. The 1.5 units per acre would be a cumulative density for the entire RH project that also requires transferring density from the preserve areas within RH. The CDD properties along with the 373 acre subject property were already used in the calculation to comply with the 1.0 unit per acre requirement of the rural land use category. Again, the actual real density on the parcel of land that would contain the 1000 additional units would be **2.7** units per acre. The manipulation of land use categories and transfer of densities is wrong and should not be allowed.

If approved, this request will have the undesirable affect of creating enclaves of future land use classifications. One lot is rural while an adjacent lot could be suburban.

The requested Future Land Use Map amendment would remove approximately 27 percent of the Rural lands category from the total Rural designation in the Fort Myers Shores Planning Community.

There is not a need for the additional dwelling units that the applicant is requesting.

3. The additional density will lead to increased traffic on Palm Beach Boulevard and the failure of the intersection of River Hall Parkway and S.R. 80 and possible failure of the intersection of Buckingham Road and S.R. 80. The addition of the gated south entrance will not mitigate the traffic issues because it will not be used (the applicant has conceded this point at the residents informational meeting on April 17,2014).

4. It has been previously stated, by Grady Miars, that GreenPointe Communities has $100 million invested in the project...the implication is that they need the additional units to make further development of the project financially feasible. This is simply not true. The original developer (Crescent Resources/LandMar) may have had that level of investment, but they filed for bankruptcy protection in 2009 effectively wiping the slate clean (with the exception of delinquent taxes). According to a law suit filed against Mr. Burr by the Crescent Resources Litigation Trust, in 2010 GreenPointe Communities purchased River Hall (including the golf course) and Southern Hills (two projects) out of bankruptcy for just $1.65 million.

At the April 17th meeting, Ed Burr stated that GreenPointe has paid off the CDD bonds on their properties. Again, this is not an accurate statement. The RH CDD assessments are still listed on the 2013 tax bills for numerous GreenPointe lots. The bonds on the lots GreenPointe purchased out of the Crescent Resources bankruptcy were paid off in 2009 by Crescent Resources -- not GreenPointe. Also, GreenPointe (RH Golf) still has almost $150,000 in 2008 tax certificates outstanding on the River Hall Golf Course and is currently delinquent on 2013 taxes for 53 of the Country Club lots it owns. If there are outstanding tax certificates on the golf course when turnover occurs, the Country Club HOA members (residents) would then become responsible for their redemption (payment).

Before any additional Development Orders can be issued for the River Hall Project, Section 10-108.1 of the Lee County Development Code requires that there are no delinquent taxes or outstanding tax certificates for the project properties...GreenPointe (RH Ventures) must pay their delinquent taxes and redeem the outstanding tax certificates on the subject properties before any new Development Orders can be issued by the County. Since GreenPointe purchased the River Hall Project significantly below it's market value, they **do not** require the additional density to realize a reasonable return on their investment...that can be accomplished by building on the already platted lot inventory (they currently own over 800 vacant lots) and developing the existing commercial property they currently own (and have promised to develop) within in the River Hall Project. Now that GreenPointe Homes has the financial backing of IHP capital Partners, they're in a position to move forward with this option.

5. At the time River Hall was purchased out of bankruptcy (2010) its land use category was designated as rural with a density of one unit per acre. It should not have been purchased with the expectation that the land use category could be changed...what you see, is what you get. Even without the additional 1000 units, GreenPointe got a bargain when they purchased River Hall and stand to make a significant profit from its development or sale.

6. Country Club membership status for the additional units requested: Last August (prior to the LPA meeting), we met with Greenpointe representatives and Depew Associates to discuss our concerns. We specifically asked if the 600 new units proposed for the RHCC (the remaining 400 proposed units would be located in Hampton Lakes) would be required to pay bundled golf fees. We were told by David Depew that golf would not be

bundled on the additional Country Club units. Current RHCC residents cannot opt out of the mandatory golf dues.

At the community meeting on April 17th, Ed Burr stated that, under their proposal, there will be approximately 1400 units within the RHCC community and that memberships would be required. This is contradictory to what his planner told us in August. He further stated that mandatory golf would be required on a first build basis until the 800 member threshold is met -- at that point the additional nine holes would be built only if "the market dictates" (subjective) . Potentially there could be 1400 CC units at build out with only eighteen holes of golf. Those 600 units may not be required to pay mandatory golf dues because the developer is allowed to make a determination when the "market dictates ", whether or not the additional nine holes are required.

7. This density increase has been applied for and failed multiple times. We question why, this time around, GreenPointe is receiving special consideration and, it appears, special treatment. This smacks of cronyism and political favoritism...and that road leads to Tallahassee. We are aware of Mr. Burr's relationship with Governor Scott and his significant contributions to the Republican Party and Republican candidates on the State and National level. From 2000-2014, his contributions to candidates, committees and PACs totaled $201,279 [1]. The appearance is that these contributions and his relationship with the Governor are buying him special treatment in Lee County. It also appears that some officials, in position to decide the fate of this amendment request, are actually advocating for the applicant and looking for any justification to approve it.

8. River Hall will be the first domino to fall. Land speculators throughout Lee County are already lining up to take advantage of the overtly pro-developer climate that seems to now exist. If this density increase is approved, the floodgates will be opened and every land speculator and developer in the County will be making similar demands to allow them to squeeze even greater profits out of their properties.

9. Developer rights should not trump the rights of real property owners. GreenPointe owns a relatively small portion of the properties in the River Hall Community yet they are requesting a change that affects ALL of the River Hall property owners. They claim to have the support of and speak for the members of the HOAs and CDD. They do not. They have controlled the boards of these entities because, by law, they are allowed to appoint a majority of board members. They **do not** speak for us nor do they act in our best interest...the developer does what's best for the developer.

10. Environmental issues: No additional protection measures have been proposed by GreenPointe to minimize the probability and frequency of potentially negative human/wildlife interactions. The loss of habitat for protected and endangered wildlife.

Sandi and Tom Migliore
16444 Windsor Way
Alva, FL 33920

1

http://www.campaignmoney.com/advanced.asp?searchtype=contributors&cycle1=08&lname=Burr&fname=edward&work=&occup=&zipcodes=&fdate=&tdate=&state=FL&cycle2=14&cmtetype=&cmtename=&cmteorg=&igc=&cmteparty=&cycle3=14&cndoffice=&cndtype=&cndlname=&cndfname=&cndstate=&cndparty=&orderby=

BDunn@leegov.com

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Max Forgey, AICP
FORGEY PLANNING SERVICES
4637 Vincennes Blvd.; Ste. #1
Cape Coral, FL 33904
(239) 560-5864
ForgeyPlanning@aol.com

June 9, 2014

Mr. Paul O'Connor, AICP
Planning Director
Lee County Department
of Community Development
PO Box 398
Fort Myers, FL 33902-0398

SUBJECT: RIVER HALL PLAN AMENDMENT CPA2012-00001

Dear Mr. O'Connor:

Purpose of this letter. In this letter, and in the attached report (Attachment A), I propose to set forth the objections of my client, the East Lee County Council (ELCC), to the approval of the above-referenced amendment to the Lee County Comprehensive Plan (Lee Plan) proposed by GreenPointe Communities as detailed in the May 12, 2014 letter by Russell P. Schropp, Esq., to Mary Gibbs, AICP, Community Development Director. It is my understanding that the Local Planning Agency (LPA) is tentatively scheduled to hear this case on June 23, 2014. Because there are no scheduled meetings of the Board of County Commissioners in July, the earliest possible date for a transmittal hearing will be in August 2014.

We also understand that County staff does not intend to send this amended application to the people of Caloosahatchee Shores to be reviewed for consistency with the Lee Plan as it relates to their Community Plan, and specifically to newly proposed text amendments to Lee Plan Policy 21.1.5, which imposes the "overriding public necessity" standard applied to Future Land Use Map (FLUM) amendments affecting the Rural Lands category in the Community Plans of Caloosahatchee Shores and three other communities. This report will address these topics:

- History of the River Hall project.
- Consistency with the Lee Plan.
- Impact on the community planning process in general.
- Procedural defects with CPA2012-00001, specifically:
    - The current application is substantially different from the original CPA2012-00001, and should not be heard as if it were the continuation of an existing case.
    - The application failed to obtain a majority vote at the BCC transmittal hearing, the application was denied, and cannot be heard by Lee County unless it is filed as a new application.

- No review of the application has been conducted by ELCC or by the Caloosahatchee Shores Panel, and a new application should begin with a public meeting under their auspices.

On behalf of the ELCC, I respectfully request that the Lee County Department of Community Development recommend denial of CPA2012-00001, and I ask that this letter and its attachments be entered into the record of the case when it is heard by the Local Planning Agency and by the Board of County Commissioners.

Sincerely,

Max Forgey

Max Forgey, AICP

cc: Ed Kimball, ELCC
Ralf Brookes, Esq.
Julianne Thomas, Conservancy of SW Florida
Ken Gooderham, Captiva Community Panel

Attachment A

EAST LEE COUNTY COUNCIL REPORT

ON THE RIVER HALL DEVELOPMENT

History of the River Hall development. [1] River Hall (a portion of which was previously called "Hawk's Haven") is a 1,978-acre development located within the Caloosahatchee Shores Planning district and subject to the provisions of Lee Plan Policy 5.1.10, Goal 21 and Policy 21.1.5. The property now known as River Hall has been historically rural, and the majority of the property was designated on the FLUM of the 1984 Lee Plan—the County's first comprehensive plan to feature a FLUM—as 'Rural' with a maximum density of one dwelling unit per acre (1 du/ac.). An additional 223 acres were designated on the 1984 FLUM as 'Wetland' with a maximum density of one dwelling unit per 20 acres (1 du/ac).
On September 19, 2005, the Lee County Board of County Commissioners (BCC) adopted Zoning Resolution Z-05-051 which amended the zoning on the Hawk's Haven property and additional AG-2-zoned lands to their current designations of Residential Planned Development (RPD) and Commercial Planned Development (CPD). **Resolution Z-05-051 limits development to a maximum of 1,999 dwelling units, 15,000 square feet of office, and 30,000 square feet of retail.**

Since 2005, there have been three developer-initiated efforts to amend the FLUM and zoning designations on this property to increase residential entitlements at River Hall. The first two proposed actions are recounted at length in the CPA2012-00001 staff report.

1. **CPA2004-00010 (Hawk's Haven).** A proposed amendment to the Lee Plan which would have changed 1,623 +/- acres of 'Rural' and 79 +/- acres of 'Outlying Suburban' with a maximum density of two units per acre (2 du/ac) and a change to 'Public Facilities' on a 20 acre school site. On May 23, 2005, the Local Planning Agency voted 5-2 not to transmit. The applicant withdrew the application at the BCC transmittal hearing on June 1, 2005 after a motion to not transmit was made and seconded.

2. **CPA2005-00007 (River Hall).** The applicant proposed to amend the Lee Plan to change 1,647 acres from 'Rural' to 'Outlying Suburban' subject to a text amendment to increase the maximum number of residential units from 1,999 to 2,800. As documented by the August 13, 2013 staff report for CPA2012-00001, the following actions were taken by the LPA and BCC:

[1]Information for this narrative is supported by the August 16, 2013 report for case CPA2012-00001, prepared by Lee County Planning Division, unless otherwise indicated.

- On November 27, 2006, LPA voted 3-2 not to transmit.

- On December 13, 2006, the BCC voted 4-1 to transmit an alternative staff-generated version of the amendment to the Florida Department of Community Affairs (DCA) for interagency review.

- On May 16, 2007, the BCC voted 4-1 not to adopt the amendment with alternative language.

3. **CPA2012-00001 (River Hall)—the Current Application.** GreenPointe Communities, LLC, the successor to the original River Hall developer, applied for CPA2012-00001, an amendment to the Lee Plan, which was summarized in the August 16, 2013 staff report as follows:

> *Amend the future land use category of 1,064 acres of land within the Rural Future Land Use Category and 223 acres of land within the Wetlands Future Land Use Category to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban.*
>
> *Amend Policy 5.1.10 to allow density from lands designated as Conservation Lands Uplands to be located to contiguous developable uplands at the same underlying density as the developable uplands.*
>
> *Also amend Table 1(b), Year 2030 Allocations, to adjust the acreage allocations for the Fort Myers Shores Planning Community to provide an allocation for the Sub-Outlying Suburban future land use category by lowering the allocation to the Rural future land use category.*

The chronology of this case to date is as follows:

A. Lee County Planning Division released a **staff report on August 16, 2013**. The report recommended transmittal of the amendment with modified text amendments. Notwithstanding the recommendation of approval, the staff report reads as if it were composed in contemplation of a recommendation for denial.

B. The Lee County LPA conducted a **public hearing on August 26, 2013**. After extensive public comment, the LPA recommended by a 6-0 vote that the Board of County Commissioners **not transmit** the amendment.

C. The Lee County BCC conducted **a transmittal hearing on September 25, 2013.** The motion to approve failed by a 2-2 vote. The applicant did not withdraw the application or request postponement prior to the vote by the BCC.

D. On **January 9, 2014**, GreenPointe requested **informal alternative dispute resolution** (mediation) under Sec. 164.3181(4), FS.

E. On **February 4, 2014,** BCC **authorized mediation.**

F. On **March 5, 2014**, Lee County conducted an **informal meeting with the applicant's representatives**. No record or minutes of this meeting was made, although the results were memorialized in the April 1, 2014 Mediated Agreement.

G. On **April 1, 2014**, the BCC voted 3-2 to **approve a Mediated Agreement** between GreenPointe and Lee County, effectively reopening the River Hall case (See Blue Sheet #20140137) with assurance by County Attorney Richard Wesch that they were voting only for an expedited review process, and not on the substance of the application. See:

http://www.naplesnews.com/news/2014/apr/01

See also:

http://www.leecounty.com/gov/dept/dcd/Planning/Amendments/Documents/RA2012-2013/CPA2012-00001/CPA201201BCCMedAgr04012014.pdf

The Mediated Agreement established several deadlines for deliverables by GreenPointe. One important deadline pledged that "[o]n or before April 11, 2014, GreenPointe will submit to the County modifications (if any) that it desires to make to the Plan Amendment."

H. Pursuant to the BCC's action on April 1, a **meeting was held between GreenPointe and Lee County staff on April 4, 2014**. The ostensible purpose of this meeting, as explained in BCC Blue Sheet No. 20140137, was to "discuss possible modifications to its Plan Amendment that address issues raised during the transmittal hearing on September 25, 2013."

I. Russell Schropp, in an **April 11, 2014 letter** to Mary Gibbs, set forth GreenPointe's **proposed modifications** to CPA2012-00001. While contending that "GreenPointe does not believe that any modifications to CPA2012-00001 are needed at this time, Mr. Schropp proposed two modifications: (1) **express limitation on total dwelling units** (i.e. to a maximum of 2,999), which would be accomplished by an amendment to the text of Lee Plan Policy 21.1.5 and (2) **elimination of text amendment to existing Policy 5.1.10 or proposed Policy 5.1.11**.

J. GreenPointe conducted **public and homeowner meetings** with River Hall residents and interested persons on **April 17, 2014.**.

K. Mr. Schropp, ostensibly due to input received at the two meetings on April 17, 2014, in a **May 12, 2014 letter** to Mary Gibbs, proposed **modifications to the modifications in the April 11th letter**. Among the modifications were (1) a reduction in the request for additional units from 1000 (i.e. 2,999) to 851 (i.e. 2,850); (2) GreenPointe agreed to fund the signal at the intersection of SR 80 and River Hall Parkway; (3) modifications concerning bicycle and pedestrian facilities along SR 80; (4) GreenPointe agreed to provide a park 'n trail trailhead facility inside the commercial parcel on the east side of River Hall Parkway; (5) GreenPointe, citing public resistance, receded from its earlier proposal to provide public bicycle/pedestrian access through the River Hall development between Buckingham Road and the Hickey's Creek Mitigation Park. **The May 12, 2014 letter is the current form of the application.**

Consistency with the Lee Plan.

Goal 21 of the Lee Plan articulates Lee County's vision for the Caloosahatchee Shores community, of which the River Hall development is a part:

> ***GOAL 21: CALOOSAHATCHEE SHORES:*** *To protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments. This Goal and subsequent objectives and policies apply to the Caloosahatchee Shores boundaries as depicted on Map 1, page 2 of 8 in the Appendix. (Added by Ordinance No. 03-21)*

For more than a decade, the Lee Plan has set a goal for "maintaining a more rural identity" for Caloosahatchee Shores/River Hall. The ELCC and its constituent community panels, including Alva, Bayshore, and Buckingham, find the proposed addition of 851 residential units to be

completely inconsistent with this goal. There is simply no way that that an increase in overall density to an existing rural community can result in "maintaining a more rural identity."

Objective 21.1 addresses the issue of community character in Calooshatchee Shores:

> ***OBJECTIVE 21.1: COMMUNITY CHARACTER.*** *The Caloosahatchee Shores community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of the Caloosahatchee Shores for Lee County to consider for adoption and enforcement to help create a visually attractive community. (Added by Ordinance No. 03-21).*

Although the Lee Plan does not specifically designate the Caloosahatchee Shores Community Panel as its advisor in land use matters relating to this community, the BCC has historically placed great weight upon recommendations of all of its community panels, and has delegated the preparation of community plans and land development regulations to the Community Panel. The leadership of the Panel, and the ELCC of which it is a constituent member, find the GreenPointe application to be inconsistent with the Lee Plan because GreenPointe has not brought the amended changes to the Caloosahatchee Shores community for consultation regarding the potential impacts of the expanded River Hall development upon the character and aesthetic appearance of Calooshatchee Shores. Policy 21.1.5 establishes a clear standard for amending the FLUM in this case:

> ***POLICY 21.1.5:*** *One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 09-06)*

This policy, which has been a part of the Lee Plan since 2009, requires a "finding of overriding public necessity" by three members of the Board of County Commissioners before an amendment can be made to the "remaining rural lands category." By referring to lands, such as River Hall and Caloosahatchee Shores in general, as "remaining rural lands" the BCC telegraphed their intent with great clarity. Land of a rural character, once so plentiful in Lee County, has been disappearing at a rapid rate for decades, and deserves special attention. Much has been made of the phrase "overriding public necessity" and the purported need for a definition. We contend that there is nothing particularly challenging about this expression. The noun is "necessity"—a vital or indispensable need. An "overriding" necessity is one that must be provided, even at the cost of other things that may be desirable. Finally, a "public" necessity is one that serves the people of a particular community, and not merely the private interests of a few. It follows that a public necessity will be identified as such by the public, and not by a private applicant. This application fails to meet this crucial test.

Impact on the Community Planning Process.

Lee County has a robust tradition of community planning that has not been embraced by all Florida communities. Past County Commissions have not delegated their decision-making in land use matters to neighborhood residents, but they have consistently consulted with these bodies, as individuals and through community organizations, and they have diverted a small portion of public funds to support planning on a neighborhood level. Not surprisingly, these community plans have tended to focus on issues peculiar to the community—for example, building heights on Captiva Island and rural character and aesthetics in Caloosahatchee Shores. In both of the examples, the result has been a positive one for the community. Community planning offers a rare opportunity for creative engagement, as has been the case in Lehigh Acres, combining the energy of local residents, the experience of County staff and the specific knowledge of private consultants.

We contend that this tradition is worth maintaining, and we caution that it may lose its viability if the amendment to the end of Policy 21.1.5 proposed by GreenPointe. This proposed addition to the text reads as follows:

> *For the River Hall development located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East, Lee County, Florida, total density for the development shall not exceed 2,850 dwelling units.*

This new language, if adopted as proposed, would create a dangerous precedent by amending a policy specific to the Caloosahatchee Shores community without engaging the people of that community in a public meeting under the auspices of the Panel or other citizen body. More significantly, it completely bypasses the "overriding public necessity" test. Because this provision appears in other community plans, we are concerned that future developers will attempt to bypass this and other provisions with a simple one-sentence text amendment.

Procedural Defects with CPA2012-00001.

1. *The current application is substantially different from the original CPA2012-00001, and should not be heard as if it were the continuation of an existing case.* The chronology of this case shows the contorted history of this case. The applicant had a development order that was consistent with the Lee Plan and chose to use every procedural means available to obtain more entitlements. The requests proposed in the April 11 and May 12, 2014 letters are new applications and should be applied for as such.

2 *The application failed to obtain a majority vote at the BCC transmittal hearing, the application was denied. This case should not be heard by Lee County unless it is filed as a new application.* The County Attorney has clearly stated in the April 1, 2014 blue sheet that "[t]he effect of Board's action [i.e. the 2-2 vote] at the transmittal hearing on September 25,

2013, was to deny the Plan Amendment." GreenPointe then sought mediation, invoking Sec. 163.3184(4), *Florida Statutes*:

> *If a local government denies an owner's request for an amendment to the comprehensive plan which is applicable to the property of the owner, the local government must afford an opportunity to the owner for informal mediation or other alternative dispute resolution. The costs of the mediation or other alternative dispute resolution shall be borne equally by the local government and the owner. If the owner requests mediation, the time for bringing a judicial action is tolled until the completion of the mediation or 120 days, whichever is earlier.*

The statute provides no guidance to local governments as to the extent of mediation—whether it was meant to embrace procedural matters only, or whether the mediation is the appropriate venue for interpreting the comprehensive plan, for the *de novo* consideration of evidence not entered on the record at the LPA, BCC transmittal level, or whether the statute was ever meant to facilitate skipping a vital process previously required by Lee County land development regulations—review by the local planning advisory body—in this case, the Caloosahatchee Shores Planning Panel. We contend that a strict construction of this paragraph does not allow County government to bypass its own processes. A mediation is not the time or place for introducing major changes to the comprehensive plan, but is merely the appropriate venue for resolving procedural errors and anomalies.

3 *No review of the application has been conducted by ELCC or by the Caloosahatchee Shores Panel, and a new application should begin with a public meeting under their auspices.*

Attachment B:
Lee Plan Provisions
Relating to Caloosahatchee Shores

GOAL 21: CALOOSAHATCHEE SHORES: To protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments. This Goal and subsequent objectives and policies apply to the Caloosahatchee Shores boundaries as depicted on Map 1, page 2 of 8 in the Appendix. (Added by Ordinance No. 03-21)

OBJECTIVE 21.1: COMMUNITY CHARACTER. The Caloosahatchee Shores community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of the Caloosahatchee Shores for Lee County to consider for adoption and enforcement to help create a visually attractive community. (Added by Ordinance No. 03-21)

POLICY 21.1.1: By the end of 2007, the Caloosahatchee Shores community will draft and submit regulations for Lee County to review and consider for amendment or adoption as Land Development Code regulations that provide for enhanced landscaping, signage and architectural standards consistent with the Community Vision. (Added by Ordinance No. 03-21, Amended by Ordinance No. 07-12)

POLICY 21.1.2: In order to maintain the Old Florida rural identity for the Caloosahatchee Shores Community, commercial developments are encouraged to use vernacular Florida architectural styles for all buildings. The use of Mediterranean styles of architecture is discouraged. (Added by Ordinance No. 03-21)

POLICY 21.1.3: Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with architectural standards. (Added by Ordinance No. 03-21)

POLICY 21.1.4: By the end of 2007, the Caloosahatchee Shores community will draft enhanced code enforcement standards to be considered by staff for possible inclusion in Chapter 33 of the

LDC. (Added by Ordinance No. 07-09)

POLICY 21.1.5: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore no land use map amendments to the remaining rural lands category will be permitted after May 15, 2009, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. (Added by Ordinance No. 09-06)

OBJECTIVE 21.2: COMMERCIAL LAND USES. New commercial uses will be limited to properties already zoned for commercial uses as well as commercial centers designated on Map 19, the intersection of I-75 and S.R. 80, the intersection of S.R. 31 and S.R. 80, properties located in the State Route 80 Corridor Overlay District, the Verandah Boulevard commercial node, lands with the Commercial Future Land Use designation, and Future Urban Areas including the central urban and suburban categories adjacent to S.R. 80. New commercial zoning must be approved through the Planned Development rezoning process. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of commercial redevelopment along SR 80 and increased commercial opportunities to service the needs of the Caloosahatchee Shores community and surrounding areas. County regulations should attempt to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage. Commercial land uses must be designed to be compatible with and further the historic character and identity of existing rural Old Florida and Florida Vernacular styles of architecture and the historic identity of Olga. (Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)

POLICY 21.2.1: To service the retail needs of Caloosahatchee Shores and the surrounding rural communities, the intersection of SR 80 and SR 31, north of SR 80 and east and west of SR 31 are designated as commercial nodes to allow for greater commercial intensity. Commercial nodes are intended for development or redevelopment at Community Commercial levels as defined in Policy 6.1.2 of the Lee Plan. The Verandah Boulevard commercial node is intended for Minor Commercial levels as defined in Policy 6.1.2. Office and residential uses consistent with the Suburban designation are also allowed in this Minor Commercial node. (Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)

POLICY 21.2.2: In order to protect the rural residential character of Buckingham Road, new retail uses along Buckingham Road outside the commercial node identified on Map 19, will be prohibited. (Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)

POLICY 21.2.3: The Olga Mall property, 2319 S. Olga Drive, may continue to provide minor commercial retail services for the Olga community. (Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)

POLICY 21.2.4: Commercial developments within the Caloosahatchee Shores Community must provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments should provide interconnect opportunities with commercial areas, including but not limited to bike paths, pedestrian access ways and equestrian trails. (Added by Ordinance No. 03-21)

POLICY 21.2.5: To promote the redevelopment of commercial uses along SR 80, Commercial uses are encouraged to increase lot depth and size by extending north of SR 80 to First Street. Lee County will encourage the use of First Street as a reverse frontage Road to provide access. This policy hereby adopts Exhibit 1 as a conceptual redevelopment plan for this corridor. (Added by Ordinance No. 03-21)

OBJECTIVE 21.3: RESIDENTIAL USES: Lee County will protect and enhance the residential character of the Caloosahatchee Shores Community by strictly evaluating adjacent uses, natural resources, access and recreational or open space. (Added by Ordinance No. 03-21)

POLICY 21.3.1: By the end of 2007, the Caloosahatchee Shores community will draft and submit regulations and policies for Lee County to review and consider for amendment or adoption as regulations in the Land Development Code to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature. (Added by Ordinance No. 03-21, Amended by Ordinance No. 07-12)

OBJECTIVE 21.4: MIXED USE DEVELOPMENT. Lee County will encourage mixed-use developments in specific areas of the Caloosahatchee Shores planning area through a variety of incentives. (Added by Ordinance No. 03-21)

POLICY 21.4.1: With the exception of mixed-use projects, residential uses fronting SR 80 and Buckingham Road are limited to no more than four dwelling units per acre. (Added by Ordinance No. 03-21)

POLICY 21.4.2: Mixed-use developments, as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure and that provide for an integration of commercial with residential uses with pedestrian linkages are strongly encouraged at the commercial nodes of SR 80 and SR 31 and SR 80 and Buckingham Road, as well as the commercial strip between First Street and SR 80 in Fort Myers Shores. With the exception of SR 80 and SR 31, which will be allowed densities consistent with the Urban Community future land use designation, mixed-use developments will be limited to six dwelling units per acre at those locations.

- Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to adjacent developments will be provided.
- Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, connections to adjacent developments will be made to provide alternative access to the non-residential components of this development other than the arterial interchange of SR 80 and SR 31. Non-residential components at SR 80 and Buckingham Road should, when possible, provide alternative access off of Buckingham Road and Non-residential components at SR 80 and First Street should, when possible, provide alternative access off of First Street.

(Added by Ordinance No. 03-21)

POLICY 21.4.3: Any existing or future regulation in the Land Development Code that is shown by the applicant of a planned development to inhibit the development of a mixed-use project will be given strong consideration for a waiver. By the end of 2007, the Caloosahatchee Shores community will draft and submit regulations and policies for Lee County to review and consider for amendment or adoption as Land Development Code regulations that encourage mixed-use developments. (Added by Ordinance No. 03-21, Amended by Ordinance No. 07-12)

OBJECTIVE 21.5: COMMUNITY FACILITIES/PARKS. Lee County will work with the Caloosahatchee Shores Community to provide and facilitate the provision of a broad mix of Community Facilities. (Added by Ordinance No. 03-21)

POLICY 21.5.1: The Caloosahatchee Shores Community will work with Lee County, the State of Florida and the National Parks Service to provide appropriate passive recreational opportunities, parks,

nature, pedestrian and equestrian trails, potentially enhanced by public/private partnerships. This may include easy access, parking, trails, and other non-intrusive uses. (Added by Ordinance No. 03-21)

POLICY 21.5.2: Lee County will work with the community and private landowners to identify opportunities to maintain and enhance public access to the Caloosahatchee River, including access through the Florida Power and Light Plant. All new development of commercial, industrial or public facility properties along the Caloosahatchee River are strongly encouraged to provide for public access to the riverfront. (Added by Ordinance No. 03-21)

POLICY 21.5.3: Lee County will work with the community to ensure that the development of new parks or enhancement of existing parks meets the recreational needs of the community and are integrated into the surrounding developments and open space areas. The concept would be for a park to act as a hub, connected to other open space/recreational opportunities through pedestrian, bicycle or equestrian linkages, either along public rights of way or through adjacent developments. (Added by Ordinance No. 03-21)

POLICY 21.5.4: Lee County Department of Parks and Recreation will work with the residents of the Caloosahatchee Shores to publicize and increase the usage of existing public parks and recreation facilities. (Added by Ordinance No. 03-21)

OBJECTIVE 21.6: PUBLIC PARTICIPATION. Lee County will encourage and solicit public input and participation prior to and during the review and adoption of county regulations, Land Development Code provisions, Lee Plan provisions, and zoning approvals. (Added by Ordinance No. 03-21)

POLICY 21.6.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Caloosahatchee Shores Planning Community that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 03-21)

POLICY 21.6.2: The Caloosahatchee Shores Community will establish a "document clearing house," where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 03-21)

POLICY 21.6.3: The owner or agent of a requested Lee Plan amendment or zoning action (planned development, conventional rezoning, special exception, or variance requests) within the Caloosahatchee Shores Community must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in the public information session. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing notice of the meeting, and providing security measures as needed. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the public information session; and a proposal for how the applicant will

respond to any issues that were raised. (Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)

Attachment C

ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS

CATEGORY: **Development/Planning/Zoning**	**CODE NUMBER:** **AC-13-3**
TITLE: **Administrative Procedures Governing Community Planning Efforts Receiving Financial Support from the BOCC**	**ADOPTED:** **06/26/01**
	AMENDED: **06/28/05**
	ORIGINATING DEPARTMENT: **Department of Community Development**

Purpose/Scope:
To provide procedures and criteria for community planning effort and to establish the minimum acceptable criteria for community plans in order to be eligible for public financial support.

Policy/Procedure:
The Board of County Commissioners recognizes that unincorporated Lee County consists of many diverse communities with various visions of how their community should develop. The intent of a community plan is to propose goals, objectives, and policies applicable to a specific area of the County that may ultimately be incorporated into the Lee Plan. Upon completion of a community planning effort the information gathered and the common concerns identified will be considered for a formal amendment to the Lee Plan.

The following procedures are established by the Board of County Commissioners to assure public confidence in the grass root planning effort when public funds are provided to encourage the development of community plans by the residents of a community:

Section 1. Definitions:

1.1. "Community Panel" means the collection of community residents who volunteer to act as the group responsible for coordinating and overseeing the community planning effort. The Community Panel is encouraged to represent a wide variety of the community, including citizens, local business people, landowners, developers, and civic leaders. The Community Panel initiating a community planning effort must be a legal entity, either already existing or established expressly for the purpose of conducting the planning effort. The Community Panel may also be a committee or subset of a legal entity. If the Community Panel receives public funds from the Board of County Commissioners, they will be responsible for the financial accountability of the public funds granted for use in the community planning effort. The Community Panel is not an advisory body to the Board of County Commissioners. Their planning product is a compilation of the common concerns of the community containing suggested amendments to the Lee Plan and/or the Land Development Code to address those concerns.

1.2. "Planning Funds" means a grant that will be used for certain expenditures incurred by the Community Panel in the preparation of and the submission of: (a) a community plan, (b) land development regulations to implement a community plan, or (c) update a previously adopted community plan.

1.3. "Seed Money" means an initial grant of public money, authorized by the Board of County Commissioners, to be used to: (a) initiate a community plan, (b) pursue the development of land development regulations to implement a community plan, or (c) update a community plan. Seed money will be disbursed only after the Community Panel has entered into a written grant agreement with the County describing the scope of the community plan and the limitations on the use of the grant.

Section 2. Initiation of a Community Planning Effort:

2.1. Residents wishing to serve as a Community Panel that is eligible to receive financial support from the County, must have at least one preliminary meeting with Planning Division staff to discuss the proposed community planning effort.

2.2. Following initial discussion with the Planning Division, the Community Panel must develop a written Community Planning Proposal that must contain, at a minimum:

a. The proposed name of the Community Panel including a list of the people who will act as the initial Community Panel, and information regarding its organization and composition, including, if applicable, a copy of its current budget and a list of its board of directors. (The membership of the Community Panel may be increased thereafter);

b. Copies of completed Form 1 "Statement of Financial Interests" for the previous year and, when applicable: Form 2 "Quarterly Client Disclosure" for the previous four quarters from those people wishing to act as the Community Panel and from any consultants that have been retained by the Community Panel to assist in the community planning effort;

c. A preliminary boundary description or a map of the area of the unincorporated County that the plan intends to cover;

d. An overview of the main issues that the planning effort intends to address and the expected resources needed to address the issues;

e. A preliminary timetable for the planning effort including target dates for project milestones such as completion of a visioning effort, completion of the data and analysis, workshops and public meetings, compilation of a draft study, and study completion date;

f. A description of the methods and procedures to be used to foster the maximum amount of public participation in the planning process;

g. A good faith estimate of the expected full cost of the planning effort;

h. A statement indicating the percentage of the projected costs that will be provided through the County funds; and,

I. A tangible demonstration that the planning effort will operated in a financially sound manner.

2.3. Planning staff will review and comment on the Community Planning Proposal to determine if it is sufficient for presentation to the Board of County Commissioners. Planning staff may require additional information, clarifications, or revisions to assure that the minimum requirements of this code have been met. Planning Staff will make a recommendation as to whether a Community Planning Proposal is sufficient to proceed before the Board of County Commissioners.

Section 3. Obtaining Seed Money and Planning Funding:

3.1 Once a Community Planning Proposal is determined by Planning staff to be sufficient, staff will initiate a blue sheet to bring the proposal, which includes a proposed grant agreement requesting the use of public funds, to a Public Hearing at a regularly scheduled Board of County Commissioner meeting. The grant agreement will set forth the terms and conditions that must be fulfilled prior to obtaining the Planning Funds and the seed money, if included in the request.

3.2. At the Public Hearing the Board of County Commissioners will solicit input from members of the community and the public in general.

3.3 Following public comment, the Board of County Commissioners will consider by motion whether to enter into the contract with the Community Panel.

Section 4. Seed Money, Planning Funds and Additional Grant Funding Assistance:

4.1. The Board of County Commissioners may initially authorize a grant of up to $5,000 ("seed money"), to facilitate a community planning effort. No money will be disbursed by the Board until the required grant agreement is approved. The "seed money" will be disbursed pursuant to the written grant agreement between the County and the Community Panel. All disbursements of "seed money" will be deducted from the maximum amount of funds for which the Community Panel may be eligible.

4.2. Subsequent disbursements of public money for Planning Funds will be available in accordance with the terms and conditions of the grant agreement. The County grant will be based on the size and scope of the planning effort and the Community Panel's ability to complete the effort.

4.3 Each Community Panel may be eligible to receive a grant of up to $50,000 for the development of a community plan and up to an additional $50,000 for the preparation of land development regulations necessary to implement the community plan. The maximum amount of funds disbursed for each phase of the planning effort may not exceed $50,000.

4.4. Community Panels may update community plans and the land development regulations necessary to implement the plan after five years. The County may authorize a grant of up to $50,000 to defray the cost of the update.

4.5. All grants of public funds must be used solely for the creation of, or update to, the community plan and the preparation of land development regulations necessary to implement the plan. Acceptable uses of these public funds will include: payment of professional consulting services; advertising of public meetings/workshops; and copying of draft and final documents. Public funds may not be used for the rental of office space, purchase of supplies such as computers and software, or phone service. Before receiving any funds, the Community Panel must document how the funds will be utilized to the Lee County Department of Community Development, Planning Division.

4.6. The County will have unrestricted access to all records of the Community Panel pertaining to the community planning effort . The County may conduct audits of the financial records of the Community Panel. Before disbursing a grant of Planning Funds, the County must independently ensure that the proposed expenditure is in accordance with the regulatory requirements set forth in this Code and may enlist the Clerk of the Courts to perform an audit of the Community Panel. The head of the Community Panel must attest that the entity has complied with the provisions of the grant agreement and this Code.

4.7. County Planning Staff will assist the Community Panel in identifying additional funding sources to support the community planning efforts such as state or philanthropic grants.

Section 5. Public Participation:

5.1. The Community Planning effort is subject to the Florida laws on Open Government. Therefore, there must be an adequate opportunity for public participation in the community planning effort, the Community Panel must encourage and allow the participation of residents, property owners, the school district, and other interested parties. In order to effectuate this purpose, reasonable notice of all meetings pertaining to the community planning effort must be provided to the public. All meetings of the Community Panel must be open to the public.

5.2. Proper notification of meetings of the full Community Panel will include the posting of the meeting date and time in several public places including, but not limited to local libraries, post offices, banks, supermarkets, chambers of commerce, civic associations, and community recreation areas. In addition, these public meetings must be noticed in a local paper that is published daily or weekly. All posted and published notices must provide the date, time, and location of the public meeting. In lieu of a display advertisement, the notice could take the form of an article in a similar publication that provides the date, time, and location of the public meeting.

5.3. The Community Panel must maintain both recorded and written minutes of all of its full meetings. All records of the Community Panel pertaining to the community planning effort will be deemed public records and open for personal inspection by any person.

5.4 The Community Panel may establish sub-committees consisting of members of the Community Panel and/or other community members for the purpose of information gathering, information sharing, and the exploration of common concerns. The sub-committee meetings are required to be publicly noticed and recorded. The common concerns explored by the sub-committees must be presented to the full Community Panel at an informational sharing session during a properly noticed public meeting as outlined in section 5.2 above.

Section 6. Minimum Community Plan Requirements.

6.1. The Community Panel's suggested additions or revisions to the Lee Plan must be based on sufficient data and analysis to support the proposed amendments. Original data collection by the Community Panel to support the vision and unique character of a community is encouraged but not required.

6.2. Where data augmentation, updates, or special studies or surveys are deemed necessary by the Community Panel, appropriate methodologies must be clearly described or referenced and must meet professionally accepted standards for those methodologies.

6.3. The Community Panel's suggested additions or revisions to the Lee Plan must be based on resident and seasonal population estimates and projections. Resident and seasonal population estimates and projections must be those provided by the Planning Division, or can be generated by the Community Panel. If the local Community Panel chooses to base its community plan on its own projections, a detailed description of the rationale for this choice must be included in the Plan.

6.4. If a community plan includes suggested new Capital Expenditures or mandates County actions that will require additional or new public expenditure, the community plan must identify the funding source to achieve these expenditures.

6.5. County staff may make suggestions to the Community Panel regarding issues, upcoming projects, and other needs relevant to the community. The Community Panel is not obligated to incorporate those suggestions into the plan, but will recognize the suggestions as public input into the planning process.

Section 7. Submittal Requirements:

7.1. A completed Lee Plan Amendment Application form. (applicable comprehensive plan amendment fees will not be required.)

7.2. All text and maps submitted with a community plan must be in a format and size that is easily reproduced.

7.3. All maps included in the community plan must include major natural and man-made geographic features, and city and county lines, when applicable, and must contain a legend indicating a north arrow, map scale, and date.

7.4. As part of any proposed Comprehensive Plan Amendment, the Community Panel must provide a written summary on the extent of citizen participation in the planning effort. At a minimum, the citizen participation report must include the following information:

a. Details of methods the Community Panel used to notify and involve the public. The dates, location, and attendance of all meetings and workshops where citizens were invited to discuss the planning effort;

b. Copies of all published and posted notices for meetings. A copy of the letters used for mailings, as well as the dates the letters were mailed and numbers of intended recipients. Copies of newspaper articles and newsletters discussing the community planning efforts.

c. Copies of all Agency Minutes for all meetings and workshops;

d. Copies of notices, newsletters, or other written materials distributed during the community planning effort;

e. A tally of the number of people who participated in the process, and if possible, the names of those who attended meetings and workshops;

f. A summary of the issues and concerns expressed by the participants in the planning effort;

g. The substance of the issues and concerns;

h. A description of how the agency has addressed or intends to address the issues and concerns expressed during the planning effort;

l. A description of the issues and concerns the Community Panel does not intend to address and why;

j. Copies of correspondence, including e-mail and facsimile transmittals; and

k. The names and addresses of the members of the Community Panel and all consultants retained to assist the Community Panel, and their additional Form 1 and Form 2 disclosures for the time periods through the date of submittal of the Community Panel's suggested additions or revisions to the Lee Plan.

Section 8. Community Plan Amendment Review Process:

8.1 Following submittal of suggested amendments to the Lee Plan, Planning Division staff will conduct a complete evaluation and analysis of the proposal.

8.2. Lee County will consider comprehensive plan amendments suggested in community plans as part of the regular yearly amendment process. Those amendments will be reviewed, evaluated and considered in the same manner as any other proposed Lee Plan amendment. This review will follow the procedures and public notification required by Florida Statutes section 163.3187 and Lee County Administrative Code 13-6: Annual Plan Amendment Procedure to the Lee Plan.

8.3 The Board of County Commissioners reserves the right to adopt, not adopt or modify any and all of the community plan's suggestions.

PETITION IN OPPOSITION TO CPA 2012-00001-RIVER HALL AND REZONING REQUEST DCI2013-00003

We, the undersigned residents of Lee County, object to the approval of both CPA 2012-00001 and DCI2013-00003 which increase the density in the River Hall development by 1,000 units.

COMMUNITY: CONCERNED CITIZENS OF BAYSHORE COMMUNITY

		ADDRESS		
PRINTED NAME	SIGNATURE	NUMBER & STREET	STATE & ZIP CODE	TELEPHONE NO.
Carolyn Morton	Carolyn Morton	11480 Bayshore Rd.	N.F.M. 33917	543-4806
KAREN KAMENER	Karen Kamener	20777 BRADLEY Rd.	FL 33917	239-543-1435
CHRIS CAGLIOTI		20301 BOWN RD	N FT MY 33913	234-823-6213
Sara Lengyel		20150 W. Williams Dr.	N. Ft Myers FL	239-887-7631
Steven Bradkin		17720 Dyrkrance Rd.	N. Ft. Myers FL	239-543-6032
Pam Leppola		20400 Kiola Ln.	N. Fmy 33917	543-3121
Jim Wilson		204 W KIOLA LN	N FL 33917	543-3121
Larry Nisbet		15600 Linn Dr	N Ft Myers 33917	731-2814
DEBBIE JACKOW	Debbie Jackow	19450 Meredith Rd	N Ft Myers	543-5402
Scott Kamener		20777 Bradley Rd	N FT Myers	543 1435
Nathaniel Kamener	Nathaniel Kamener	1515 Hough Street	FL 33901	239-603-9284

Lee PUBLIC VOICE

Lee Public Voice is a network of organizations and associations that have come together with the purpose of working for more inclusive governance and meaningful public engagement, consistent with the county's motto of "community, transparency, and accountability." Our mission is to advocate and educate both elected official and the public in Lee County on issues that affect our sensitive natural resources, exceptional quality of life and a growing, diversified economy.

June 15, 2014

Dear Local Planning Agency Member,

Lee Public Voice wholeheartedly supports the staff recommendation to deny and not transmit the pending Green Pointe's plan amendment for the River Hall development based at least in large part on the community plan policy that states density will not be increased in the rural area.

As the staff report states the plan amendment causes the remaining River Hall rural lands, which are not included in the amendment, to exceed the allowable density.

The staff report notes that the Caloosahatchee Shores community plan goal is to retain its rural character and rural land use where it currently exists. In violation of the goal the plan amendment would redesignate almost 27% of the planning community's rural lands to an urban category. If approved this would set an unfortunate precedent for other rural areas of Lee County.

This policy, which has been a part of the Lee Plan since 2009, requires a "finding of overriding public necessity" by three members of the Board of County Commissioners before an amendment can be made to the "remaining rural lands category."

The staff report finds that the amendment does not qualify as an "overriding public necessity."

It further states:

"The term "overriding public necessity" was intended to have a strict meaning designed to protect the rural character of the community from amendments that will intensify development."

"Staff's analysis defines "overriding public necessity" as an unavoidable or indispensible need of all the people of Caloosahatchee Shores that requires precedence over other considerations or interests."

"The "overriding public necessity" requirement seeks an analysis of the need for the actual land use amendment that is being requested and not the need for public amenities offered."

By referring to lands, such as River Hall and Caloosahatchee Shores in general, as "remaining rural lands" the Community planning panel stated their intent with great clarity. Land of a rural character, once so plentiful in Lee County, has been disappearing at a rapid rate for decades, and deserves special attention.

We agree wholeheartedly with these recommendations and findings and urge the Local Planning Agency to recommend denial of the application to the Board of Commissioners.

Very truly yours,

Donald Eslick
Acting Chair
Lee Public Voice

Lee Public Voice is a network of organizations and associations that have come together with the purpose of working for more inclusive County governance and meaningful public engagement, consistent with the county's motto of "community, transparency, and accountability." Our mission is to advocate and educate both elected official and the public in Lee County on issues that affect our sensitive natural resources, exceptional quality of life and a growing, diversified economy.

Several of our members have many years of experience as advisors and observers of Lee County government. Their knowledge, experience and research is incorporated in the following perspectives on the history of Lee County governance, recent changes and present conditions and the changes that are needed if the county is to once again be on a path to achieving its long term goals.

Lee County Community Planning

Background

- Community plans date all the way back to the origins of the Lee Plan in the early 1980s, when Pine Island's initial efforts at local input over land use and zoning were included in the county's first comprehensive land use plan.
- The county authorized establishing Community Redevelopment Agencies (CRAs) in the late 1980s as a means for communities to have more control over development/redevelopment and to fund these efforts using a method dubbed Tax Increment Financing, which captured property tax increases above a baseline established at the CRA's formation to fund the redevelopment efforts. Many communities adopted the CRA approach, modified it somewhat, or remained focused on strict community planning. However, within a decade the county withdrew support for the CRAs due to the loss in tax revenue, leaving community planning as the only option (short of municipal incorporation) for communities to have a say in their land use and zoning.
- By 2000, three such community plans were formally under way in various stages, and county financial support was being sought for this effort.
- Lee County Administrative Code 13-3 was approved June 26, 2001, to establish formal procedures for community planning panels receiving financial support from Lee County. An additional planner was hired to act as liaison with the panels.

Community planning efforts have been undertaken in 15 of the 22 unincorporated Lee County planning areas:

- Alva (Northeast Lee County)
- Bayshore
- Boca Grande
- Buckingham
- Caloosahatchee Shores
- Captiva
- College Parkway
- Estero
- Greater Pine Island/Matlacha
- Lehigh Acres
- North Fort Myers
- North Olga
- Page Park
- Tice Historic Community (Palm Beach Boulevard)
- Upper (North) Captiva

Some of these are mature and active, some have established their regulations and gone dormant, and some are still in the formative phase.

Reasons for establishing community planning:

- Gave communities more autonomy over their land use and zoning – something almost every community has fought for at one time or another against a county planning effort that often applies a "one size fits all" approach to land use issues.
- The rationale for community planning varies according to the community and includes:
  - Maintaining rural character… Pine Island, Buckingham, Bayshore, Upper Captiva, Alva/Olga, Caloosahatchee Shores
  - Controlling redevelopment and other coastal issues… Captiva and Boca Grande
  - Controlling and supporting new development or redevelopment… Estero, North Fort Myers, Lehigh Acres, Tice, Page Park, College Parkway
- Community planning offers a means for local input and involvement where county leadership is lagging, but simpler than municipal incorporation, which many of these areas either could not achieve due to legal restrictions or could not afford without considerable tax increases to fund the nascent city.

Benefits of community planning:

- More local control over land use, zoning and development – a long-term point of contention in almost any community that used to have limited options for action.
- More engagement with county staff and officials (since the communities have a stake in the decisions now) and better understanding of county issues, concerns and obstacles (since the process forces communities to look at both sides of the issues being explored in order to win approval).
- Conversely, county planning and building staff has more sensitivity for local issues and concerns, especially since they're now codified in the plan and code staff must enforce and implement.

- Affected municipal incorporation... Community planning and CRAs arguably provided the infrastructure for two areas to incorporate as municipalities (Fort Myers Beach in 1995 and Bonita Springs in 1999). The revised community planning process likely slowed or prevented desire for additional municipal incorporations until the decision by Estero leaders to pursue municipal incorporation due to issues with its neighboring city encroaching on its boundaries as well as Estero maturing as a community with a standalone identity and commercial core.
- It promotes more understanding of planning and land use among general public who engage in the process. By bringing the process to the neighborhood level (literally), it also encourages participation in planning meetings – which rarely happened when all the action was downtown.
- Enhances community building among planning areas and (perhaps) better understanding of other areas in terms of unique issues and concerns.
- Panels act as an incubator for innovation, as communities create new ways to solve issues that other communities may then want to adopt.

Costs of community planning:

- It does add another layer of rule-making to the zoning and development process.
- Some rules are no longer applied county-wide, but are specific to communities – so compliance takes a little more work for both applicants and staff.
- Adds one additional planning staff position, and some additional review for Lee Plan and LDC amendments.
- From FY 2001-2002 through FY 2012-2013 the county allocated approx. $150,000 annually to fund community planning efforts via a grant program with local panels. In addition, a major planning study of Lehigh Acres was funded separately by the county.

Consequences if community planning is eliminated:

- Important conduit for dialogue between county government and communities will be lost.
- Could spur new incorporations, further balkanizing county governance and eroding tax base if wealthy communities remove their revenues from the Unincorporated MSTU millage.
- Will make development easier in theory, but loss could energize local activists to more aggressive oppose proposals that go against existing community character.
- If the county simply opts to ignore or countermand existing Lee Plan policies, a legal challenge to that county position by the communities being impacted is likely (since many of these communities are not intimidated by legal threats), would be expensive (something the county seems to use as an excuse now not to act) and, if history is any guide, would probably be doomed to failure given the continuing legal strength of comp plans in the courts.
- All planning/land use fights go back downtown, either in front of Local Planning Agency or Board of County Commissions, rather than the county being able to force consensus from the community before issues are brought forward. Expect more hearings and more contentious crowds for the big issues... something most of the current commissioners have not had the opportunity to experience up close and personal.

- Would somewhat impact county staffing, since the need for planning staff would be reduced if there's no planning being done.
- It would not be unreasonable to expect a particularly strong backlash from communities with active planning efforts and/or more to lose with unregulated development. Once they're gotten used to having some say in their own affairs, it's going to be hard to un-ring that bell.
- It would also be feasible to see development self-select in a pattern that overall could be harmful for the county… i.e. quality development (or residents/businesses seeking a better quality of life) would opt for cities with healthy and sane planning efforts (thanks to all the benefits that smart growth accrues to those areas), while lesser-quality development would be drawn to unincorporated Lee County, where a laxity in planning and enforcement allows them to maximize profits over product… the kind of development that got this county in trouble in the 1950s and 1960s to begin with.

CONSERVANCY of Southwest Florida
OUR WATER, LAND, WILDLIFE, FUTURE.

Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.

Via email

June 20, 2014

Lee County Land Planning Agency
Lee County
2120 Main Street
Fort Myer, FL 33901

Dear LPA members,

On behalf of our over 6,000 members and supporters, the Conservancy of Southwest Florida thanks the Lee County staff for their hard work on the staff report for the River Hall amendment dated June 13, 2014. As a regional organization dedicated to protection of our land, water, wildlife and future, we have been actively participating in meeting and providing comments and concerns about this project since August 2013.

We support the staff recommendations and findings of fact in the June 13, 2014 staff report. It is clear that staff has scoured the Lee Plan to determine consistency, as well as listened to and researched concerns expressed by River Hall residents and other interested parties. In this case, this application has been found to be inconsistent with the Lee Plan.

We note that pursuant to the agreement based on Section 163.3184(4), Florida Statutes between Lee County and GreenPointe approved on April 1, 2014, that this application is a continuation of the 2012 application. This agreement means that prior staff reports would be treated as drafts. This is due in part to the fact that GreenPointe submitted new information to Lee County staff, met with Lee County staff, and held public meetings. For a more detailed review of past county staff reports regarding River Hall, please see Attachment A.

This application represents the third time there has been an attempt to increase density on this property. Following the second request

★★★★ CHARITY NAVIGATOR Four Star Charity

Conservancy of Southwest Florida has been awarded Charity Navigator's prestigious 4-Star top rating for good governance, sound fiscal management and commitment to accountability and transparency. Charity Navigator is America's largest and most respected independent evaluator of charities.

for additional units[1], in 2005 - 2007, the Caloosahatchee Shores Community amended their comprehensive plan in order to require a higher standard to redesignate land to a more intense land use category. That higher standard is that a minimum of three county commissioners find that there would be "overriding public necessity" for a land use change.

We agree with staff that the proposed amendment to Policy 5.1.10 would broaden the application of this policy, and that no analysis has been done to determine what impact and unintended consequences will occur, and thus, it is not in Lee County's interest to approve such a change.

We also had concerns about the proposed amendment to Policy 21.1.5. It seems incompatible that a policy adopted to make sure River Hall could not increase density would then be amended in order to increase density. If Lee County intends to back up their support of community planning, it is not in Lee County's interest to approve this requested change.

We agree with staff that the uncertainty of who within River Hall would have legal rights to the units is problematic. We agree with staff that if there is a question of legality in obtaining or using additional units, those legal questions must be answered before anything else happens. Thus, it is not in Lee County's interest to approve the requested change.

We believe that staff has crafted an appropriate definition for "overriding public necessity" to be used in the comprehensive plan process. The application does not meet this definition, and thus, Lee County should not recommend transmittal to the BoCC.

Speculative Development means no taking of property rights.

This is an important decision that deals with more than just this request. In 1999, the applicant asked for more units than were

[1] Please note that this request was for 2,800 units, fifty fewer than requested in this application

approved, and their request was approved for 1,999 units. In 2004, property owner asked for 1,000 additional units, and this request was not approved. In 2005, the property owner again asked for additional units, and was denied. In 2007, the Caloosahatchee Shores Community changed their community plan and amended the Lee County Comprehensive Plan to make it more difficult to increase density where the River Hall development is located.

In 2012, the applicant asked again for additional units. Part of their justification for approval is that they (River Hall) always planned to develop more than 1,999 units so there is no change in the development footprint.

The fact that the developer put "future development area" on their property map and installed utility fixtures that could accommodate additional development does not mean that Lee County is required to approve additional development. These additional units requested by GreenPointe are based on *speculation* from the developer that eventually, Lee County would change their mind.

Speculative development cannot be turned into a Bert Harris claim. The Bert Harris Act requires that the development be based on reasonably foreseeable, nonspeculative land uses.[2]

Lee County told GreenPointe (or GreenPointe investors under a different LLC) twice prior to the 2012 application that additional units would not be permitted on the River Hall site, and then adopted an amendment to the comprehensive plan requiring "overriding public necessity" to increase development in the area where River Hall is located. The message seems pretty clear and consistent: no additional units.

Any purchaser of the property should have performed appropriate due diligence and known that additional units had been denied twice and then noted that the comprehensive plan was changed to make it even more difficult to increase the number of units in the River Hall

[2] Section 70.001(3)(b)2

development. These facts make it seem highly unlikely that any entity or person could claim reasonable investment backed expectation to increase building entitlements on the River Hall property.

Conclusion

While this application has a long and storied past, the decision you need to make is pretty straight forward. The June 13, 2014 staff report shows that this application is not consistent with the Lee County Comprehensive Plan. It doesn't make sense to forward an application clearly inconsistent with the Lee County Comprehensive Plan to the state land planning agency. Therefore, we are asking you to recommend to the BoCC that they DO NOT TRANSMIT this application to the state land planning agency.

Thank you for your time in consideration of our issues and concerns. If you have further questions or need additional information, please contact me at (239) 262-0304 x 252 or by email at juliannet@conservancy.org.

Sincerely,

Julianne Thomas

Julianne Thomas
Growth Management Specialist

ATTACHMENT A

We understand that the applicant has provided you with a copy of the staff report dated September 25, 2013, however, we aren't sure why.

If the applicant is interested in looking at past staff reports, there are several others that should also be considered:

- CPA2004-00010 which asked for 1,000 proposed residential dwelling units had a recommendation to not transmit to the Board of County Commissioners (BoCC). The application was withdrawn prior to a BoCC vote.

- CPA2005-00007 asked for a change to allow up to 2,800 dwelling units. In May 16, 2007, the BoCC voted not to adopt this amendment.

- CPA2007-00001 is also relevant to this amendment. Following the second request from the owners of River Hall to increase the number of dwelling units, the Caloosahatchee Shores Community Plan amended their community plan to make it more difficult to increase density in the Caloosahatchee Shores area. The BoCC voted unanimously to adopt this change.

As noted in our comments and in the comments of many other participants, the September 25, 2013 staff report was lacking in data and analysis. Many of the issues raised in the public meetings on August 26, 2013, September 25, 2013 and April 17, 2014 have been addressed in the June 13, 2014 staff report.

RECEIVED
OCT 14 2014
COMMUNITY DEVELOPMENT

Michael and Gloria Scharfman
1280 Bluffs Cir
Dunedin,Fl 34698

Our Property Data for Parcel 27-43-26-00-00001.0020
15131 Palm Beach Blvd.
Alva,FL 33920

October 12th.,2014

Mr.Brandon D. Dunn
Lee County Planning Division
1500 Monroe Street
Fort Myers,FL 33901

We strongly support the application from River Hall,
to allow 1000 additional dwelling units in their development.
Enclosed please find a copy of our property on Hwy 80,
Palm Beach Blvd,Alva,Florida

Michael Scharfman

Gloria Scharfman

Lee County Property Appraiser

Tax Year

Next Lower Parcel Number Next Higher Parcel Number Tax Estimator Tax Bills Print

Property Data for Parcel 27-43-26-00-00001.0020

Owner Of Record

SCHARFMAN MICHAEL + GLORIA
1280 BLUFFS CIR
DUNEDIN FL 34698

Site Address

15131 PALM BEACH BLVD
ALVA FL 33920

Legal Description

PARL IN NW 1/4 OF NW 1/4
N OF SR 80 DESC
IN OR 1021 PG 255

Classification / DOR Code

VACANT COMMERCIAL / 10

[Tax Map Viewer]



[Pictometry Aerial Viewer]

CONSERVANCY of Southwest Florida
OUR WATER, LAND, WILDLIFE, FUTURE.

Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.

Larry Kiker, Chair
Cecil L. Pendergrass
Frank Mann
John E. Manning
Brian Hamman
Board of County Commissioners
Lee County
2120 Main Street
Fort Myers, FL 33901

Re: Agenda item #42, Blue Sheet No. 20140610 for October 7, 2014 BCC meeting

Dear Chair Kiker and Lee County Commissioners,

On behalf of our 6000 members and supporters, the Conservancy of Southwest Florida is writing to ask you to vote no on agenda item 42 at this time. We object to any specific decisions concerning the River Hall plan amendment. Decisions regarding the application for a future land use map change for the River Hall property have been not been advertised for public hearing until Oct 22nd, 2014. We and others have been involved in the public hearing process for Greenpointe River Hall's plan amendment and the time to speak about and make decisions on River Hall will be on October 22, 2014 unless deferred to a later date.

Defining Overriding Public Necessity

The direction given to the county attorney office for this agenda item was to provide a starting point for defining "overriding public necessity". This term is found in four different community plans.

We believed that the county would only create a definition after holding public meetings with the four community planning panels. Only through the community planning process can the County further define what the community groups intended to accomplish by including "overriding public necessity" in each of their community planning policies.

This did not happen. Instead, the county attorney office has, on its own, drafted policies that are not consistent with what was intended by the communities. If, as a commission, you believe that defining overriding public necessity is necessary then we ask that you instruct the county attorney office to meet with the four community groups and Lee County planning staff so that a definition which will

★★★★ CHARITY NAVIGATOR Four Star Charity

Conservancy of Southwest Florida has been awarded Charity Navigator's prestigious 4-Star top rating for good governance, sound fiscal management and commitment to accountability and transparency. Charity Navigator is America's largest and most respected independent evaluator of charities.

clarify rather than complicate the meaning of "overriding public necessity".

Tie-Vote Procedure

The blue sheet also states that one of the actions requested is "to provide procedure for cases that result in a tie vote". We do not recall the BCC asking for this.

There is a procedure for cases that result in a tie vote. If a motion to approve an application for a plan amendment fails to gain a majority of votes, that motion and the application for a plan amendment fails. If there is a tie, the motion fails. Rules of parliamentary procedure are clear on this, and there is no reason to create new procedures for tie votes that will prolong the application bringing it back time and time again to the BOCC month after month.

If an applicant wishes for their application to be heard by the full five member board, and they show up to the meeting to find that there are fewer than five members at a meeting for any reason, that applicant has the option of continuing their item to a time date certain (the next meeting) and presenting their application in front of the full commission.

If an applicant choses to present their application to a board with four members, presumably that applicant is aware that there is a possibility of a tie vote. The applicant can either choose to proceed with the possibility of a tie vote or ask that their agenda item be continued to a time-date certain.

There is no reason to automatically continue meetings ad infinitum under such a tie-vote procedure, and we object to continuing applications that fail to obtain a majority vote for approval.

The applicant should only get to make their case at one meeting. To allow an applicant with a tie vote to revise their application, provide additional information and lobby board members before a new board meeting provides an unfair advantage to those applicants. We do not recall the Board instructing that such a procedure be created.

River Hall IS Rural Land

We are also concerned that the county attorney appears to include an un-noticed, un-advertised item in this blue sheet specifically addressing Greenpointe River Hall's plan amendment. This exceeded the scope of their direction and this topic is improper to address publicy outside of a properly advertised land use planning meeting.

We object to discussion of this item and urge the commission to defer this portion of the blue sheet request to the noticed public hearing. We respectfully remind the commission that the Florida Statutes Chapter 163 requirements for plan amendments have very specific public notice and map requirements for land use hearings. We believe it is contrary to the statute to hold discussion specifically on the Greenpointe River Hall's plan amendment during this blue sheet item.

We would also remind the commission that Policy 21.1.5 was created by Caloosahatchee Shore Community Planning Panel. It is improper for the county attorney to substitute their judgment for that of the community planning panel and the county planning staff.

The lands included in the Greenpointe River Hall plan amendment are designated as rural on the future land use map. This makes them legally, rural, and as such, subject to the requirements in Policy 21.1.5. To find otherwise - particularly to find otherwise and address this issue outside of the confines of a properly noticed land use hearing - would be to undermine the entire planning process and the comprehensive plan.

The purpose of the land use hearing, which is scheduled and advertised for October 22, 2014, is to determine whether or not rural is the appropriate designation.

Allowing the county attorney office to decide when "rural" really means "rural" and when it does not based primarily on whether or not the "r" in rural is capitalized or not capitalized is the opposite of predictable or reliable or meaningful and as such, is not consistent with Section 163.3177(1) of the Florida Statutes. Rural lands are shown on the FLUM and are therefore within the rural land use category.

It is your job as commissioners to protect the citizens of Lee County who have relied on the plan meaning of future land use map and the comprehensive plan.

Those citizens and the planning boards around the entire county all believe that land designated as "rural" on the future land use map will be considered "rural" in the context of the comprehensive plan.

It is imperative you protect the citizens of Lee County from legal arguments that will lead to confusion in both process and form when it comes to the comprehensive plan. It is your responsibility to maintain meaningful, predictable and reliable standards for the Lee County comprehensive plan.

We request that you ignore the portion of the blue sheet that improperly addresses issues that should only be discussed in a properly advertised land use hearing.

Conclusion

We are requesting you reject the proposed definition for "overriding public necessity" proposed as part of Agenda 42. We also request that any other issues discussed in this blue sheet be rejected.

Thank you for your time in consideration of these issues. If you have further questions or need additional information, please contact me at (239) 262-0304 x 252 or by email at juliannet@conservancy.org.

Sincerely,

Julianne Thomas

Julianne Thomas
Growth Management Specialist