

28100 BONITA GRANDE DR. #305 **BONITA SPRINGS, FL 34135**

Letter of Transmittal

To: Lee County Planning Division – Marissa Fewell

1500 Monroe Street, 1st Floor (Zoning Intake Counter)

From: Alexis Crespo

cc:

Lindsay Rodriguez

Date: December 23, 2015

Subject:

Hill Tide Estates - Small-Scale Comprehensive Plan Amendment

CPA2015-00012

The following items are transmitted as listed below:

Quantity	Description
1	Original Revised Boundary Survey, Legal & Sketch
5	Copies of Revised Boundary Survey, Legal & Sketch
	DISCENVIC

REMARKS:

COMMUNITY DEVELOPMENT

DEC 2 3 2015

CPA 2015-00012

SIGNED Suday Rocling

PARCEL "A" DESCRIPTION:

(FROM D.B. 273, PAGE 236)

A TRACT OR PARCEL OF LAND LYING IN GOVERNMENT LOT 3 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 20 EAST, ON GASPARILLA ISLAND WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF LOT 36 OF UNIT I, GOLDEN BEACH, ACCORDING TO A PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGES 60 AND 61, OF THE PUBLIC RECORDS OF LEE COUNTY RUN N 89°52' E ALONG THE SOUTH LINE OF SAID UNIT I FOR 75 FEET TO A RAILROAD RAIL DESIGNATED MONUMENT "A" ON THE MAP OR PLAT ATTACHED TO AND MADE A PART OF THE DEED RECORDED IN DEED BOOK 129, PAGE 346 OF SAID PUBLIC RECORDS; THENCE RUN S 0°08' E ALONG THE LINE REFERRED TO IN SAID DEED AS EXTENDING FROM MONUMENT "A" TO MONUMENT "B" FOR 1200 FEET TO SAID MONUMENT "B"; THENCE CONTINUE S 0°08' E FOR 343.18 FEET TO A POINT ON THE SOUTH LINE OF THE PROPERTY OF THE CHARLOTTE HARBOR & NORTHERN RAILWAY COMPANY DESCRIBED IN SAID DEED; THENCE RUN S 89°43' 20" E ALONG SAID SOUTH LINE FOR 1,017.39 FEET TO A RAILROAD RAIL DESIGNATED MONUMENT "F" ON SAID MAP; THENCE RUN S 0°16' 40" W PERPENDICULAR TO THE SOUTH LINE OF SAID RAILWAY PROPERTY FOR 165 FEET TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED. FROM SAID POINT OF BEGINNING RUN N 89°43' 20" W FOR 101 FEET TO A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF THE COUNTY ROAD DESCRIBED IN PETITION FOR A PUBLIC ROAD ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS ACCORDING TO MINUTES OF SAID BOARD RECORDED IN COUNTY COMMISSIONERS MINUTE BOOK 8, PAGE 298; THENCE RUN N 89°43'20" W FOR 486.88 FEET ALONG THE SOUTH LINE OF SAID COUNTY ROAD TO A CONCRETE MONUMENT; THENCE RUN S 0°39' E FOR 513.46 FEET TO A CONCRETE MONUMENT ON THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF THE SOUTH HALF (S 1/2) OF SAID GOVERNMENT LOT 3; THENCE RUN N 89°21' E ALONG THE SAID SOUTH LINE FOR 596.8 FEET MORE OR LESS TO THE WATERS OF CHARLOTTE HARBOR PASSING THROUGH A CONCRETE MONUMENT AT 520 FEET; THENCE RUN NORTHEASTERLY ALONG SAID WATERS FOR 531 FEET MORE OR LESS TO AN INTERSECTION WITH A LINE THROUGH THE POINT OF BEGINNING BEARING S 89°43' 20" E; THENCE RUN N 89°43'20" W ALONG SAID LINE FOR 184 FEET MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 8.0 ACRES, MORE OR LESS.

PARCEL "B" DESCRIPTION:

(BASED ON "SCHAPPACHER SURVEY")

A TRACT OR PARCEL OF LAND LYING IN GOVERNMENT LOT 3 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 20 EAST, ON GASPARILLA ISLAND WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

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CERTIFICATIONS

BOCA GRANDE POINTE, LLC SEAGATE DEVELOPMENT GROUP, LLC BCB HOMES, INC. FLORIDA POWER AND LIGHT COMPANY HENDERSON FRANKLIN STARNES & HOLT, P.A. CHICAGO TITLE INSURANCE COMPANY SOUTHEAST GUARANTY AND TITLE, INC.



CPA 2015-00012

COMMUNITY DEVELOPMENT

PREPARED BY

REVISED: 12-16-15, MAH, ADD STATE PLANE COORDINATES, REVISE DESCRIPTION FOR PARCEL "B".

MARK A. HATFIELD, P.S.M. FLORIDA CERTIFICATE NO. 4155

DATE

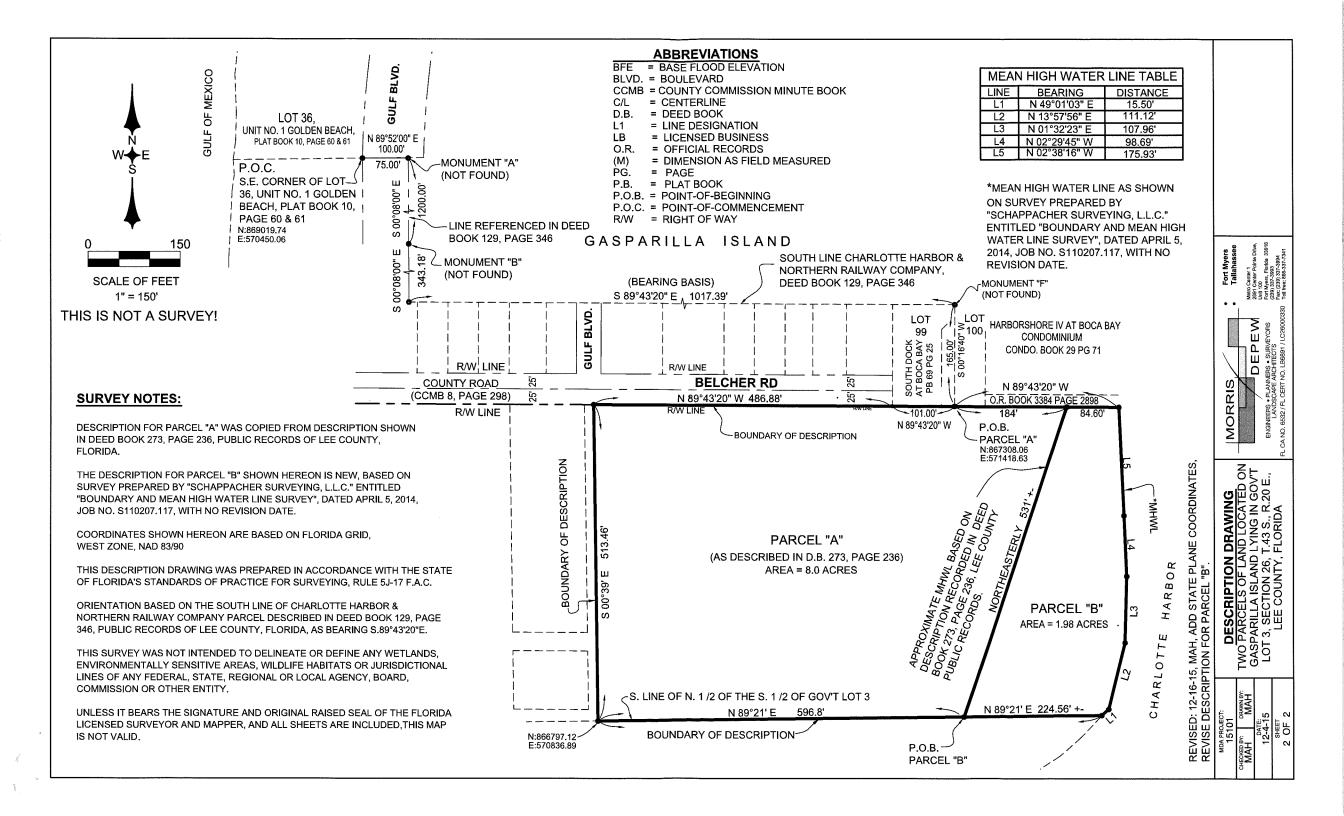
15101 MAH MAH MAH 12-4-15

1 OF 2

DESCRIPTION DRAWING TWO PARCELS OF LAND LOCATED ON GASPARILLA ISLAND LYING IN GOV'T LOT 3, SECTION 26, T.43 S., R.20 E., LEE COUNTY, FLORIDA



LANDSCAPE ARCHITECTS (239):
FL CA NO, 6532 / FL CERT NO, LB6891 / LC26000330 Tall fin



BOUNDARY SURVEY

PARCEL OF LAND LOCATED ON GASPARILLA ISLAND LYING IN GOV'T LOT 3, SECTION 26, T.43 S., R.20 E., LEE COUNTY, FLORIDA

SCHEDULE B - SECTION II **EXCEPTIONS**

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in thepublic records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment. NON-SURVEY ISSUE.

2. Taxes and assessments for the year 2015, which are not yet due and payable and subsequent years, which are not yet due and payable. 2014 real property taxes are paid for Account No. 26-43-20-00-00010.0000. Gross amount is \$52,620.47. NON-SURVEY ISSUE.

Standard Exceptions:

A. Easements, claims of easements, boundary line disputes, overlaps, encroachments or other matters not shown by the public records which would be disclosed by an accurate survey of the land. SEE SURVEY.

B. Rights or claims of parties in possession not shown by the public records. NON-SURVEY ISSUE.

C. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter fumished, imposed by law and not shown by the public records.

D. Taxes or assessments which are not shown as existing liens in the public records. NON-SURVEY ISSUE.

4. Terms, provisions and easements set forth in Deed between Boca Grande Inn, Incorporated, a Florida corporation, and Charlotte Harbor & Northern Railway Company, a Florida corporation, dated January 6, 1937, recorded January 11, 1937, in Deed Book 129, Page 346. AFFECTS SUBJECT PARCEL, NOT PLOTTABLE.

5. Coastal Construction Control Line (CCCL) recorded in Plat Book 31, Page 1, and recorded in Plat Book 48, Page 15. NOTE: May contain restrictions. CCCL RECORDED IN P.B. 31, PAGE 1, REFERS TO ORDINANCE 77-1, WHICH WAS NOT PROVIDED. CCCL RECORDED IN P.B. 48, PG. 15 AFFECTS SUBJECT PROPERTY AND IS PLOTTED.

6. Lee County Ordinance No. 86-14 relating to garbage and solid waste collection, adopted June II, 1986, recorded November 30,1990. in Official Records Book 2189, Page 3281, and amended by Ordinance No. 86-38 adopted December 17, 1986, recorded November 30, 1990, in Official Records Book 21 89, Page 3334. The special assessments for the current tax year are payable with the ad valorem taxes. AFFECTS SUBJECT PARCEL, WHICH LIES IN THE "ENGLEWOOD AREA", NOT PLOTTABLE.

7. Terms and conditions contained in that certain Sovereignty Submerged Lands Easement No. 00360(4241-36) granted by the Board of Trustees of The Internal Improvement Trust Fund of the State of Florida, to Florida Power & Light Company, effective January 26, 1993, recorded January 24, 1996, in Official Records Book 2670, Page 364. AFFECTS SUBJECT PARCEL, PLOTTED, PARTIALLY OFF-SITE.

8. Terms and conditions contained in that certain Sovereignty Submerged Lands Lease No. 360025965 granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, to Florida Power & Light Company, a Florida corporation, effective January I, 1998, recorded October 14, 1998, in Official Records Book 3023, Page 2402, as renewed and modified by Sovereignty Submerged Lands Lease Renewal and Modification To Reduce Square Footage And Change Of Use, effective November 13, 2008, recorded February 11,2009, in Official Records Instrument Number 2009000036989, and further renewed by Sovereignty Submerged Lands Lease Renewal effective January 1,2013, recorded April 16,2013, in Official Records Instrument Number 2013000087287. BENEFITS SUBJECT PARCEL - OFFSITE - PLOTTED.

9. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land. UNKNOWN.

10. Any lien provided by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land. NON-SURVEY ISSUE.

11. The nature, extent or existence of riparian rights is not insured. NON-SURVEY ISSUE

12. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled Or artificially exposed lands accreted to such land. UNKNOWN.

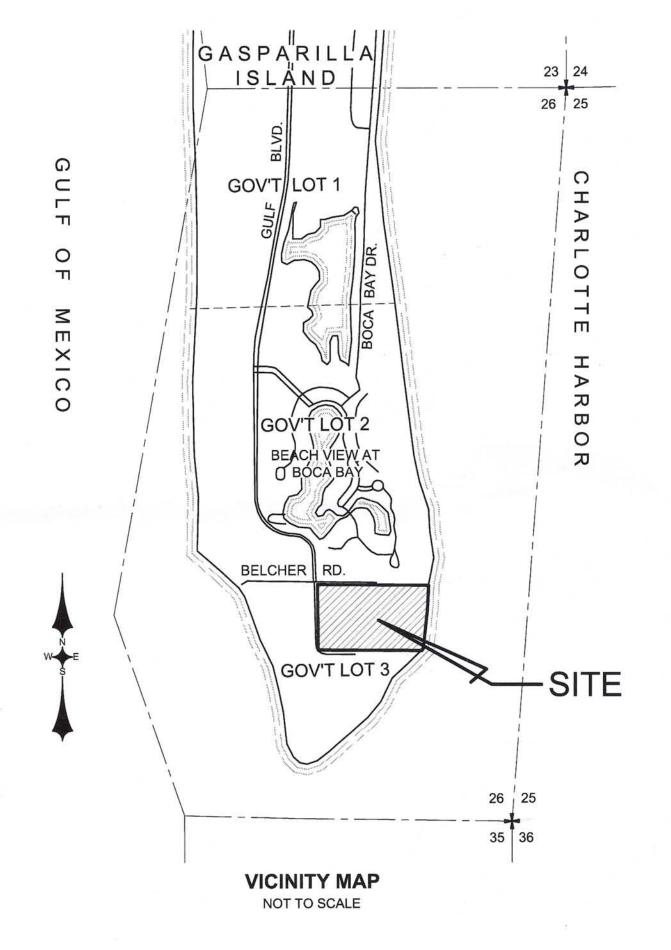
13. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas. UNKNOWN.

14. Notwithstanding the legal description in Schedule A, this Commitment/Policy does not insure against rights of the State of Florida based on the doctrine of the State's sovereign ownership of lands lying below the mean high water line of any navigable or tidally influenced water. NON-SURVEY ISSUE.

15. Title to any submerged land included within the land described in this Commitment/Policy is not insured . NON-SURVEY ISSUE.

16. Rights, if any, of the public to use as a public beach or recreation area any part of the land lying between the body of water abutting the subject property and the natural line of vegetation, bluff; extreme high water line, or other apparent boundary line separating the publicly used area from the upland private area. NON-SURVEY ISSUE.

17. Rights of the public, State of Florida, municipality and public or quasi public utility companies to that portion of subject property taken or used for roadway purposes. NON-SURVEY ISSUE.



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SURVEY NOTES:

SURVEY BASED BASED ON TITLE OPINION PREPARED BY DAVID L. COOK, ESQ. DATED OF DECEMBER 14,

SURVEY PREPARED IN ACCORDANCE WITH THE STATE OF FLORIDA'S STANDARDS OF PRACTICE FOR SURVEYING, RULE 5J-17 F.A.C.

ORIENTATION BASED ON THE SOUTH LINE OF CHARLOTTE HARBOR & NORTHERN RAILWAY COMPANY PARCEL DESCRIBED IN DEED BOOK 129, PAGE 346, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEARING S.89°43'20"E.

ELEVATIONS SHOWN, IF ANY, BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

COORDINATES SHOWN HEREON ARE BASED ON FLORIDA GRID, WEST ZONE, NAD 83/90.

THE LOCATION OR EXISTENCE OF UNDERGROUND OR NON-VISIBLE IMPROVEMENTS, OR UTILITIES HAS NOT BEEN INVESTIGATED

THE BOUNDARY OF THE FISH AND WILDLIFE COMMISSION'S (F&WC) COASTAL BARRIER RESOURCE AREA BASED ON E-MAIL FROM JOAN LAGUARDIA, MANAGEMENT ANALYST WITH LEE COUNTY, TO MARISSA FEWEL AND JANET MILLER, DATED NOVEMBER 16, 2015 AT 9:42 AM.

THE EXPECTED USE OF THE LAND, AS CLASSIFIED IN THE STATE OF FLORIDA'S STANDARDS OF PRACTICE FOR SURVEYING, RULE 5J-17 F.A.C. IS COMMERCIAL. THE MINIMUM RELATIVE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 10,000 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE FOR THIS SURVEY WAS FOUND TO EXCEED THIS REQUIREMENT.

ACCORDING TO FEMA FLOOD INSURANCE RATE MAPS, MAP NUMBER 125124C0182F, AND 125124C0184F WITH AN EFFECTIVE DATE OF 08-28-2008, THIS PARCEL OF LAND LIES IN FLOOD ZONE "VE" WITH A BASE ELEVATION OF 13 (NAVD88).

THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

LAST DATE OF FIELD WORK PERFORMED ON 10-2-15, IN FIELD BOOK 123 PAGES 65-74.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

FLORIDA CERTIFICATE NO. 4155

PREPARED BY

PROFESSIONAL SURVEYOR AND MAPPER

8 COPYRIGHT MORRIS-DEPEW ASSOCIATES, INC. 2015 ALL RIGHTS RESERVED

BOUNDARY SURVEY

PARCEL OF LAND LOCATED ON GASPARILLA ISLAND LYING IN GOV'T LOT 3, SECTION 26, T.43 S., R.20 E. LEE COUNTY, FLORIDA

ADDRESS:

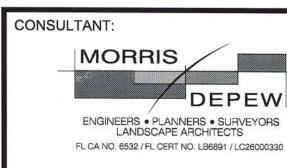
PROJECT:

CLIENT:

CERTIFICATIONS

Boca Grande Pointe, LLC Seagate Development Group, LLC BCB Homes, Inc. Florida Power and Light Company

Henderson Franklin Starnes & Holt, P.A. Chicago Title Insurance Company SouthEast Guaranty and Title, Inc.



Fort Myers 2891 Center Pointe Drive Unit 100 Fort Myers, Florida 33916 Tallahassee, Florida 32301 Fax: (239) 337-3994

Gainesville 414 SW 140th Terrace Suite 100 Newberry, FL 32669

Toll free: 866-337-7341

755 Grand Boulevard Suite B105-152 Miramar Beach, FL 32550

327 Office Plaza

(850) 224-6688

REVISIONS DATE REVISED: 12-16-15, MAH, ADD STATE PLANE COORDINATES, REVISE DESCRIPTION FOR PARCEL "B".

PROJECT MANAGER: MAH DRAWING BY: BMH JURISDICTION: LEE COUNTY 10/19/2015 **BOUNDARY SURVEY**



CPA 2015 -90012

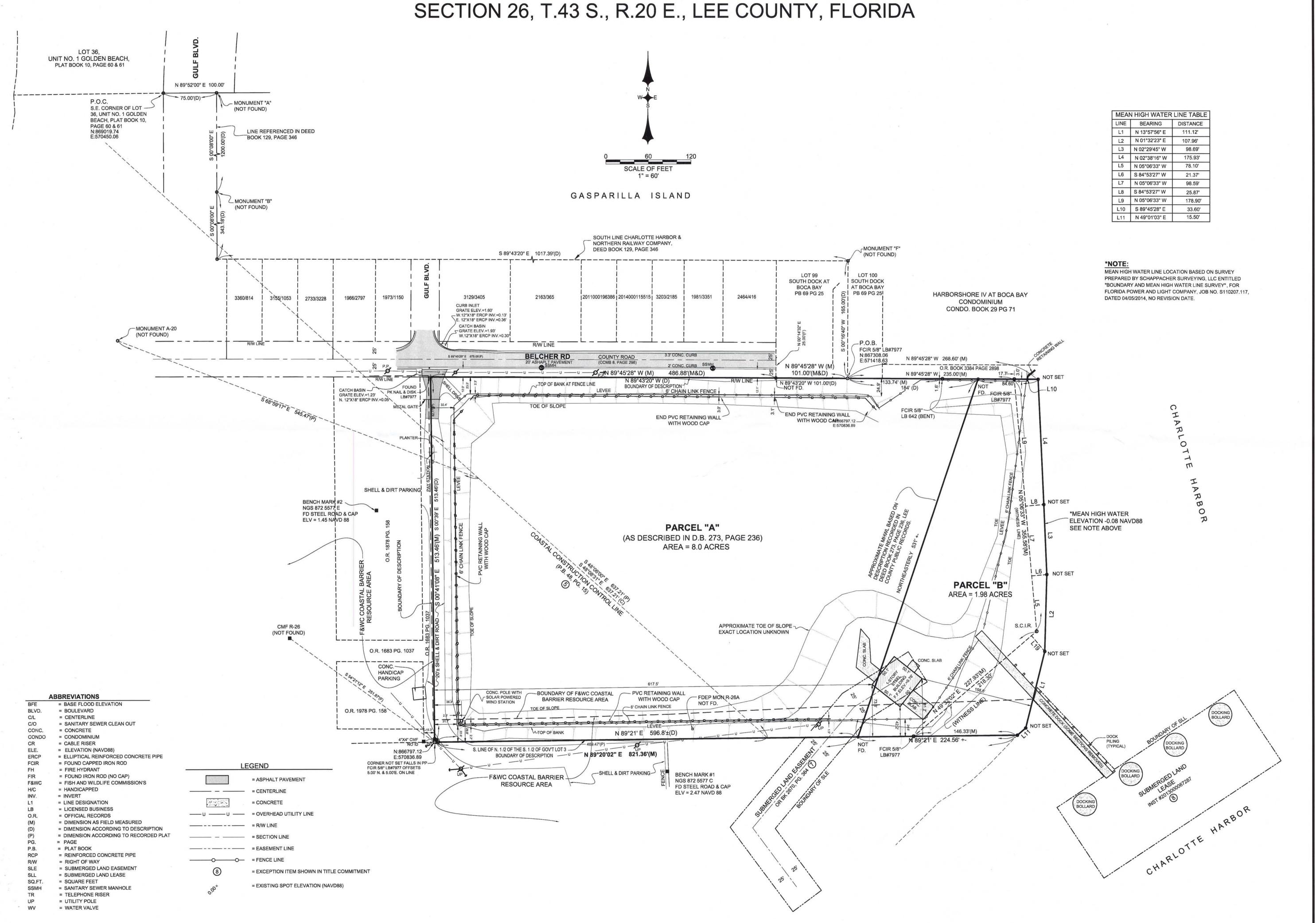
SHEET NUMBER:

JOB/FILE NUMBER:

1 OF 2

BOUNDARY SURVEY

PARCEL OF LAND LOCATED ON GASPARILLA ISLAND LYING IN GOV'T LOT 3, SECTION 26, T.43 S., R.20 E., LEE COUNTY, FLORIDA



PROJECT:

BOUNDARY SURVEY

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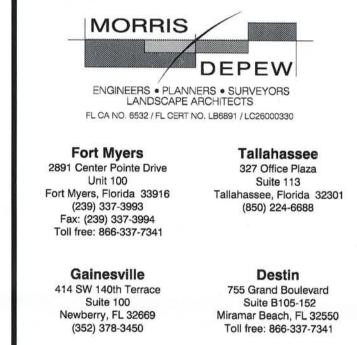
ADDRESS:

CLIENT

CONSULTANT

CERTIFICATIONS

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e ·	

PROJECT MANAGER:	MAH
DRAWING BY:	ВМН
JURISDICTION:	LEE COUNTY
DATE:	10/19/2015
TITLE: BOUNDAR	Y SURVEY
SHEET NUMBER:	2 OF 2
SHEET NUMBER: JOB/FILE NUMBER:	2 OF 2

" COMMINIST MODBIE DEPEN ACCOUNTED INC ONCE ALL BIOLING DEPENDEN