# TREELINE 115 MPD REZONE

February 22, 2018

ORIGINAL

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

**PREPARED FOR:**

BJ Holdings of Fort Myers, LLC
4245 Fowler Street
Fort Myers, FL 33901

**SUBMITTED TO:**

Lee County Zoning Division
1500 Monroe Street
Fort Myers, FL 33901

WALDROP ENGINEERING

# COMPLETED APPLICATION

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

**Project Name:** Treeline 115 MPD

**Request:** Rezone from: AG-2 and IL To: MPD

Type: ☒ Major PD ☐ Minor PD ☐ DRI w/Rezoning ☐ PRFPD
☐ Major PD Amendment ☐ Minor PD Amendment

**Bonus Density included?** ☒ NO ☐ YES[1] for: _____ Bonus Units

[1] *If **YES**, submit additional fee required by LDC 2-147(A)(3)*

**Summary of Project:**

Rezone 115+/- acres from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to allow for a maximum of 487 dwelling units and 100,000 square feet of commercial uses. Maximum building height will be 65 feet. The project will connect to central water and sanitary sewer service. Development blasting is not requested. (Please refer to companion Comprehensive Plan Amendment application CPA2017-00009.

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT
DCI 2018-00007

## PART 1
## APPLICANT/AGENT INFORMATION

A. **Name of Applicant:** BJ Holdings of Fort Myers, LLC c/o Brian Freeman
Address: 4245 Fowler Street
City, State, Zip: Fort Myers, FL, 33901
Phone Number: 239-226-4236
E-mail Address: bfreeman@thefreemanlawfirmpa.com

B. **Relationship of Applicant to owner (check one) and provide Affidavit of Authorization form:**

☒ Applicant is the sole owner of the property. **[34-201(a)(1)a.1.]**

☐ Applicant has been authorized by the owner(s) to represent them for this action. **[34-202(b)(1)b. & c.]**

☐ Application is County initiated. Attach BOCC authorization.

C. **Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.]**

1. Company Name: Waldrop Engineering, P.A.
Contact Person: Alexis V. Crespo, AICP
Address: 28100 Bonita Grande Dr, Suite 305
City, State, Zip: Bonita, Springs, FL, 34135
Phone Number: 239-405-7777 Email: alexis.crespo@waldropengineering.com

2. **Additional Agent(s):** Provide the names of other agents that the County may contact concerning this application. **[34-202(b)(1)c.]**

## PART 2
## PROPERTY OWNERSHIP

**A. Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-201; 34-204]**

**Name:** BJ Holdings of Fort Myers, LLC
Address: 4245 Fowler Street
City, State, Zip: Fort Myers, FL 33901
Phone Number: 239-226-4236 Email: bfreeman@thefreemanlawfirmpa.com

**B. Disclosure of Interest [34-201; 34-204]:**

[X] Attach Disclosure of Interest Form. **[34-201; 34-204]**

**C. Multiple parcels:**

[X] Property owners list. **[34-202(a)(5)]**
[X] Property owners map. **[34-202(a)(5)]**

**D. Certification of Title and Encumbrances [34-202(a)(3)]**

1. Title certification document, no greater than 90 days old. **[34-202(a)(3)]**
2. Date property was acquired by present owner(s): December 27, 2012

## PART 3
## PROPERTY INFORMATION

**A. STRAP Number(s):** [Attach extra sheets if additional space is needed.]
Please see attached list of STRAP Numbers

**B. Street Address of Property:** 12850 Treeline Ave, Fort Myers, FL 33913

**C. Legal Description (must submit) [34-202(a)(1)]:**

[X] Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.
**OR**
[ ] Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
**AND**

**Boundary Survey [34-202(a)(2); 34-373(a)(4)a.]:**

[X] A Boundary survey, tied to the state plane coordinate system.
**OR**
[ ] Not required if the property is located within a subdivision platted per F.S. Chapter 177.

**D. Surrounding property owners** (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request)**:**

1. [X] List of surrounding property owners. **[34-202(a)(6)]**
2. [X] Map of surrounding property owners. **[34-202(a)(7)]**
3. [X] One set of mailing labels. **[34-202(a)(6)]**

*Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.*

**E. Current Zoning of Property:** AG-2 and IL

N/A[ ] Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property. **[34-202(a)(8)]**

**F. Use(s) of Property [34-202(a)(8)]:**

1. Current uses of property are: Vacant - agricultural grazing land
2. Intended uses of property are: Residential and Commercial

**G. Future Land Use Classification (Lee Plan) [34-202(a)(8)]:**

| | | | | |
|---|---|---|---|---|
| Urban Community (Pending CPA2017-00009) | 53 | Acres | 46 | % of Total |
| Wetlands | 62 | Acres | 54 | % of Total |
| | | Acres | | % of Total |

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

1. Width (average if irregular parcel): 2300 Feet
2. Depth (average if irregular parcel): 2000 Feet
3. Total area: 115 (Acres) or square feet
4. Frontage on road or street: 1,300 Feet on Treeline Ave Street
   2nd Frontage on road or street: _____ Feet on _____ Street

**I. Planning Communities/Community Plan Area Requirements:** If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session. **[34-202(a)(10)]**

- [X] Not Applicable
- [ ] Captiva Planning Community (Captiva Island). **[33-1612(a)&(b); Lee Plan Policy 13.1.7]**
- [ ] North (Upper) Captiva Community Plan area. **[33-1711]**
- [ ] Boca Grande Planning Community. **[Lee Plan Policy 22.1.5]**
- [ ] Caloosahatchee Shores Community Plan area. **[33-1482(a)&(b); Lee Plan Policy 21.6.3]**
- [ ] Page Park Community Plan area. **[33-1203(a) & (b); Lee Plan Policy 27.11.2]**
- [ ] Palm Beach Boulevard Community Plan area. **[Lee Plan Policy 23.5.2]**
- [ ] Buckingham Planning Community. **[Lee Plan Policy 17.7.2]**
- [ ] Pine Island Planning Community. **[33-1004(a) & (b); Lee Plan Policy 14.7.1]**
- [ ] Lehigh Acres Planning Community. **[33-1401(a)&(b); Lee Plan Policy 32.12.2]**
- [ ] North Fort Myers Planning Community. **[33-1532(a)&(b)]**
- [ ] North Olga Community Plan area. **[33-1663(a)&(b)]**

**J. Waivers from Application Submission Requirements**: Attach waivers, if any, approved by the Director of Zoning. **[34-202(a)]**

## PART 4
## TYPES OF LAND AREA ON PROPERTY

| | | | | | |
|---|---|---|---|---|---|
| **A.** | **Gross Acres (total area within described parcel)** | | | 115 | **Acres** |
| 1. | Submerged land subject to tidal influence | | | 0 Acres | |
| 2. | **a.** Preserved freshwater wetlands | 28 | Acres | | |
| | **b.** Impacted wetlands | 34 | Acres | | |
| | **c.** Preserved saltwater wetlands | 0 | Acres | | |
| | **d.** Total wetlands (A.2.a. plus A.2.b. plus A.2.c.) | | | 62 Acres | |
| 3. | R-O-W providing access to non-residential uses | | | 0 Acres | |
| 4. | Non-residential use areas (1) (2) | | | 10 Acres | |
| **B.** | **Total area not eligible as gross residential acreage** (Items A.1. + A.3. + A.4.). | | | 10 | **Acres** |
| **C.** | **Gross residential acres. (A minus B)** (3) | | | 105 | **Acres** |

**D. Gross residential acres (by Land Use Category)**

| | | | |
|---|---|---|---|
| 1. | **a.** Intensive Development – upland | | Acres |
| | **b.** Intensive Development – preserved freshwater wetlands | | Acres |
| | **c.** Intensive Development – impacted wetlands | | Acres |
| 2. | **a.** Central Urban – upland | | Acres |
| | **b.** Central Urban – preserved freshwater wetlands | | Acres |
| | **c.** Central Urban – impacted wetlands | | Acres |
| 3. | **a.** Urban Community or Suburban – upland | 53 | Acres |
| | **b.** Urban Community or Suburban – preserved freshwater wetlands | 28 | Acres |
| | **c.** Urban Community or Suburban – impacted wetlands | 24 | Acres |

| | | | | |
|---|---|---|---|---|
| **4.** | **a.** | Suburban – upland | _____ | Acres |
| | **b.** | Suburban – preserved freshwater wetlands | _____ | Acres |
| | **c.** | Suburban – impacted wetlands | _____ | Acres |
| **5.** | **a.** | Outlying Suburban – upland | _____ | Acres |
| | **b.** | Outlying Suburban – preserved freshwater wetlands | _____ | Acres |
| | **c.** | Outlying Suburban – impacted wetlands | _____ | Acres |
| **6.** | **a.** | Sub-Outlying Suburban – upland | _____ | Acres |
| | **b.** | Sub-Outlying Suburban – preserved freshwater wetlands | _____ | Acres |
| | **c.** | Sub-Outlying Suburban – impacted wetlands | _____ | Acres |
| **7.** | **a.** | Rural, Outer Island, Rural Community Preserve – upland | _____ | Acres |
| | **b.** | Rural, Outer Island, Rural Community Preserve – wetlands | _____ | Acres |
| **8.** | **a.** | Open Lands – upland | _____ | Acres |
| | **b.** | Open Lands – wetlands | _____ | Acres |
| **9.** | **a.** | Resource – upland | _____ | Acres |
| | **b.** | Resource – wetlands | _____ | Acres |
| **10.** | **a.** | Wetlands | _____ | Acres |
| **11.** | **a.** | New Community – upland | _____ | Acres |
| | **b.** | New Community – wetlands | _____ | Acres |
| **12.** | **a.** | University Community – upland | _____ | Acres |
| | **b.** | University Community – wetlands | _____ | Acres |
| **13.** | **a.** | Coastal Rural – upland | _____ | Acres |
| | **b.** | Coastal Rural – wetlands | _____ | Acres |
| | | **TOTAL** (should equal "C" above) | 105 | **Acres** |

Notes:

(1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay {see Note (2) below}.

(2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations {see Lee Plan Objective 4.3}.

(3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

## PART 5
## RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

i. Complete only if living units are proposed in a Future Land Use Category.

ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.

iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

**A. Future Land Use Category:** Urban Community (See companion CPA2017-00009)

| | | | Lee Plan Table 1(a) Max. standard density | | | Units |
|---|---|---|---|---|---|---|
| **1.** | **Standard Units** | | | | | |
| | **a.** | Total upland acres (from Part 4, D.) | 53 AC | x 6 du/AC | equals | 318 |
| | **b.** | Total preserved freshwater wetlands acres (from Part 4, D.) | 28 AC | x 6 du/AC | equals | 168 |
| | **c.** | Total impacted wetlands acres (from Part 4, D.) | 24 AC | x 1 du/20 AC | equals | 1 |
| | **d.** | **Total Allowed Standard Units** (1) | | | | 487 |
| **2.** | **Bonus Units [2-143]** | | | | | |
| | **a.** | Site-built Affordable Housing | | | | 0 |
| | **b.** | Transferrable Dwelling Units | | | | 0 |
| | **c.** | Sub-total | | | | 0 |
| **3.** | **Total Permitted Units** (1) | | | | | 487 |

Note:

(1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

## PART 6
## COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
## PRELIMINARY INTENSITY CALCUATIONS

| | | Height | Total Floor Area (Square Feet) |
|---|---|---|---|
| **A.** | **Commercial** | | |
| **1.** | Medical | | |
| **2.** | General Office | | 50,000 SF |
| **3.** | Retail | 65' | 50,000 SF |
| **4.** | Other: | | |
| **5.** | **TOTAL FLOOR AREA** | | 100,000 SF |

| | | Height | Total Floor Area (Square Feet) |
|---|---|---|---|
| **B.** | **Industrial** | | |
| **1.** | Under Roof | | |
| **2.** | Not Under Roof | | |
| **3.** | **TOTAL FLOOR AREA** | | |

| | | Depth | Total Acres |
|---|---|---|---|
| **C.** | **Mining** | | |
| **1.** | Area to be excavated | | |

| | | Height | Total Beds/Units |
|---|---|---|---|
| **D.** | **Assisted Living Facilities** | | |
| **1.** | Dependent Living Units | | |
| **2.** | Independent Living Units | | |
| **3.** | **TOTAL BEDS/UNITS** | | |

| | | Height | Total Rental Units |
|---|---|---|---|
| **E.** | **Hotels/Motels (Room Size)** | | |
| **1.** | < 425 sq. ft. | | |
| **2.** | 426-725 sq. ft. | | |
| **3.** | 725 < sq. ft. | | |
| **4.** | **TOTAL UNITS** | | |

## PART 7
## ACTION REQUESTED

**A.** **Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. **[34-373(a)(5)]**

**B.** **Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. **[34-373(a)(7)]**

**C.** **Master Concept Plan:**

1. **Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)]**
2. **Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. **[34-373(a)(8)]**

3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. **[34-373(a)(9)]**

D. **Bonus Density: [34-202(b)(5)]**

☒ Not Applicable

☐ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

## PART 8
## ENVIRONMENTAL REQUIREMENTS

A. **Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. **[34-373(a)(4)d.iv.]**

Please see Environmental Report

B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473].

Please see Environmental Report

C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:

Please see Environmental Report

D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

N/A

E. **Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. **[34-373(a)(4)b.i.]**

F. **FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. **[34-373(a)(4)c.]**

G. **Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. **[34-373(a)(4)b.iii.]**

H. **Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. **[34-373(a)(4)b.v.]**

## PART 9
## SANITARY SEWER & POTABLE WATER FACILITIES

A. **Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:

N/A

B. **Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:

1. Method and degree of treatment:

   N/A

2. Quality of the effluent:

   N/A

3. Expected life of the facility:
N/A

4. Who will operate and maintain the internal collection and treatment facilities:
N/A

5. Receiving bodies or other means of effluent disposal:
N/A

C. **Spray Irrigation:** If spray irrigation will be used, specify:
1. The location and approximate area of the spray fields:
N/A

2. Current water table conditions:
N/A

3. Proposed rate of application:
N/A

4. Back-up system capacity:
N/A

## PART 10
## ADDITIONAL REQUIREMENTS

A. **Major Planned Developments:**
1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). **[34-373(b)(1)]**
2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. **[34-373(b)(2)]**

B. **Amendments to Built Planned Developments:** The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. **[34-373(c)]**

C. **Development of Regional Impact:** Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(2)]**

D. **Private Recreational Facility Planned Developments (PRFPDs):**
1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)]**
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1)]**
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**
4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. **[34-941(e)(5)f.iii.]**

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. **[34-941(g)(2)]**

6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. **[34-941(g)(4)]**

E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?

☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) **[34-202(b)(8)]**

☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) **[34-202(b)(8)]**

F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." **[34-202(b)(7)]**

G. **Flood Hazard: [34-202(a)(8)]**

☒ Not applicable

☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.

☐ The minimum elevation required for the first habitable floor is _____ NAVD (MSL)

H. **Excavations/Blasting: [34-202(b)(6)]**

☒ No blasting will be used in the excavation of lakes or other site elements.

☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).

I. **Hazardous Materials Emergency Plan for Port Facilities: [34-202(b)(4)]**

☒ Not Applicable

☐ Provide a Hazardous materials emergency plan.

J. **Mobile Home Park: [34-203(d)]**

☒ Not Applicable

☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).

K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**

☒ Not Applicable

☐ Property is located within _____ Airport Noise Zone: **[34-1004]**

☐ Property is located within Airport Protection Zone. Indicate which Zone below. **[34-1005]**

- ☐ Property is located within Airport Runway Clear Zone: **[34-1006]**
- ☐ Property is located within Airport School Protection Zone: **[34-1007]**
- ☐ Property is located within Airport Residential Protection Zone: **[34-1009]**
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1009]**

☐ A Tall Structures Permit is required. **[34-1010]**

| PART 5<br>SUBMITTAL REQUIREMENT CHECKLIST | | |
|---|---|---|
| *Clearly label your attachments as noted in bold below* | | |
| **Copies Required** | | **SUBMITTAL ITEMS** |
| 13 | ☒ | Completed application for Public Hearing [34-201(b)] |
| 1 | ☒ | Filing Fee - [34-202(a)(9)] |
| 1 | ☐ | Bonus Density Filing Fee - [2-147(A)3)] (if applicable) |
| 3 | ☒ | Notarized **Affidavit of Authorization** Form [34-202(b)(1)c] |
| 3 | ☒ | **Additional Agents** [34-202(b)(1)c.] |
| 3 | ☐ | **Multiple Owners List** (if applicable) [34-201; 34-204] |
| 3 | ☒ | **Disclosure of Interest** Form (multiple owners) [34-201(b)(2)a] |
| 5 | ☒ | **Legal description (must submit)** [34-202(a)(1)] |
| | | ☒ Legal description (metes and bounds) and sealed sketch of legal description |
| | | **OR** |
| | | ☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.) |
| 5 | ☒ | **Boundary Survey** – not required if platted lot (2 originals required) [34-202(a)(2); [34-373(a)(4)a.] |
| 3 | ☐ | **Property Owners list** (if applicable) [34-202(a)(5)] |
| 3 | ☐ | **Property Owners map** (if applicable) [34-202(a)(5)] |
| 3 | ☐ | Confirmation of **Ownership/Title Certification** [34-202(a)(3)] |
| 3 | ☒ | **STRAP Numbers** (if additional sheet is required) [34-202(a)(1)] |
| 1 | ☒ | **List of Surrounding Property Owners** [34-202(a)(6)] |
| 1 | ☒ | **Map of Surrounding Property Owners** [34-202(a)(7)] |
| 1 | ☒ | **Mailing labels** [34-202(a)(6)] |
| 13 | ☐ | List of **Zoning Resolutions** and Approvals [34-202(a)8)] |
| 13 | ☐ | Summary of **Public Informational Session** (if applicable) [34-202(a)(10)] |
| 13 | ☐ | **Waivers** from Application Submission Requirements (if applicable) |
| 13 | ☒ | Preliminary **Density** Calculations (if applicable) |
| 13 | ☒ | **Request Statement** |
| 5 | ☒ | Traffic Impact Statement (**TIS**) (not required for existing development) [34-341(b)(2)d.1.] |
| 13 | ☒ | Master Concept Plan (**MCP**), **Non-PRFPD** [34-373(a)(6)] |
| 13 | ☒ | **Schedule of Uses** [34-373(a)(8)] |
| 13 | ☒ | Schedule of **Deviations and** Written **Justification** [34-373(a)(9)] |
| 4 | ☐ | **Topography** (if available) [34-373(a)(4)d.iv.] |
| 4 | ☒ | **Soils Map** [34-373(a)(4)b.v.] |
| 4 | ☒ | **FLUCCS Map** [34-373(a)(4)c.] |
| 4 | ☒ | Rare & Unique **Upland Habitat Map** [34-373(a)(4)b.iii.] |
| 4 | ☒ | Existing and Historic **Flow-Ways Map** [34-373(a)(4)b.v.] |
| 4 | ☒ | **Surface Water Management Plan** (if applicable) [34-373(b)(1)] |
| 13 | ☐ | **Phasing Program** (if applicable) [34-373(b)(3)] |
| 4 | ☒ | **Protected Species Survey** (if applicable) [34-373(b)(2)] |
| 13 | ☐ | **Proof of Notice** (if applicable) [34-373(c)] |

| | | |
|---|---|---|
| 13 | ☐ | **Binding Letter** from DCA (if applicable) [34-373(d)(2)] |
| 13 | ☐ | Master Concept Plan (**MCP**), **PRFPD** (if applicable) [34-941(g)] |
| 5 | ☐ | **Conceptual Surface Water Management Plan** (if applicable) [34-941(d)(3)b.i.1)] |
| 5 | ☐ | **Well Drawdown** Information (if applicable) [34-941(d)(3)d.] |
| 5 | ☐ | Preliminary Indigenous **Restoration Plan** (if applicable) [34-941(e)(5)f.iii.] |
| 5 | ☐ | **Environmental Assessment** (if applicable) [34-941(g)(2)] |
| 13 | ☒ | Demonstration of **Compatibility** (if applicable) [34-941(g)(4)] |
| 4 | ☒ | **Potable Water & Sanitary Sewer**. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(b)(8)] |
| 4 | ☒ | Existing **Agricultural Use Affidavit** (if applicable) [34-202(b)(7)] |
| 4 | ☐ | Information Regarding **Proposed Blasting** (if applicable). [34-202(b)(6)] |
| 3 | ☐ | Hazardous Materials **Emergency Plan** (if applicable) [34-202(b)(4)] |
| 3 | ☐ | Mobile Home Park **Dislocated Owners** Information (if applicable) [34-203(d)] |
| 3 | ☐ | **Tall Structures Permit** (if applicable) [34-1001] |

# AFFIDAVIT OF AUTHORIZATION

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# AFFIDAVIT OF AUTHORIZATION

## APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, Brian Freeman (name), as Authorized Agent (owner/title) of BJ Holdings of Fort Myers, LLC (company/property), 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.

*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.*

**Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.**

Managing Member
**Signature**

11/9/17
**Date**

**************NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS**************
**ALL OTHER APPLICATION TYPES MUST BE NOTARIZED**

**STATE OF FLORIDA**
**COUNTY OF LEE**

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 11/9/17 (date) by Brian Freeman (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

**STAMP/SEAL**

NOTARY PUBLIC STATE OF FLORIDA
**ALEXANDRA PARSONS**
MY COMMISSION #FF145559
EXPIRES July 27, 2018
(407) 398-0153 FloridaNotaryService.com

**Signature of Notary Public**



RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# ADDITIONAL AGENTS

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# ADDITIONAL AGENTS

| | | | |
|---|---|---|---|
| Company Name: | Synecological Analysts, Inc. | | |
| Contact Person: | Brown Collins | | |
| Address: | 2159 Morning Sun Lane, Suite 200 | | |
| City, State, Zip: | Naples, FL 34119 | | |
| Phone Number: | 239-514-3998 | Email: | brown@synecol.com |

| | | | |
|---|---|---|---|
| Company Name: | TR Transportation Consultants, Inc. | | |
| Contact Person: | Ted Treesh | | |
| Address: | 2726 Oak Ridge Court, Suite 503 | | |
| City, State, Zip: | Fort Myers, FL 33901 | | |
| Phone Number: | 239-278-3090 | Email: | tbt@trtrans.net |

| | | | |
|---|---|---|---|
| Company Name: | | | |
| Contact Person: | | | |
| Address: | | | |
| City, State, Zip: | | | |
| Phone Number: | | Email: | |

| | | | |
|---|---|---|---|
| Company Name: | | | |
| Contact Person: | | | |
| Address: | | | |
| City, State, Zip: | | | |
| Phone Number: | | Email: | |

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

| | | | |
|---|---|---|---|
| Company Name: | | | |
| Contact Person: | | | |
| Address: | | | |
| City, State, Zip: | | | |
| Phone Number: | | Email: | |

DCI 2018-00007

| | | | |
|---|---|---|---|
| Company Name: | | | |
| Contact Person: | | | |
| Address: | | | |
| City, State, Zip: | | | |
| Phone Number: | | Email: | |

# DISCLOSURE OF INTEREST

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# DISCLOSURE OF INTEREST
# AFFIDAVIT

BEFORE ME this day appeared Brian Freeman, managing member of BJ Holdings of Fort Myers, LLC, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 12850 Treeline Ave, Fort Myers, FL 33913 and is the subject of an Application for zoning action (hereinafter the "Property").

2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

[OPTIONAL PROVISION IF APPLICANT IS CONTRACT PURCHASER: In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.]

3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.

4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.

5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.

6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

| Name and Address | Percentage of Ownership |
|---|---|
| N/A | |
| | |
| | |
| | |
| | |
| | |

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

**Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.**

Property Owner

Brian Freeman Managing Member
Print Name

************NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS************
**ALL OTHER APPLICATION TYPES MUST BE NOTARIZED**

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 11/9/17 (date) by Brian Freeman (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

**STAMP/SEAL**

NOTARY PUBLIC STATE OF FLORIDA
**ALEXANDRA PARSONS**
MY COMMISSION #FF145559
EXPIRES July 27, 2018
(407) 398-0153 FloridaNotaryService.com

**Signature of Notary Public**

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# TITLE CERTIFICATION

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

*Fidelity National Title Insurance Company*

# Title Certification Report

Order No.: 6686871
Customer Reference Number BJ Holdings of Fort Myers

Addressee: Lee County Board of County Commissioners
Henderson Franklin Starnes & Holt
1715 Monroe Street
Fort Myers, FL 33901
239-344-1100

Fidelity National Title Insurance Company has caused to be made a search of the Public Records of Lee County, Florida, ("Public Records"), from 12/27/2012, through 11/03/2017 8:00 AM , as to the following described real property lying and being in the aforesaid County, to-wit:

A TRACT OR PARCEL OF LAND IN SECTIONS 14 & 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND FURTHER DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST QUARTER CORNER OF SECTION 15, WHICH IS THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED:
THENCE S 01°12' 06" E A DISTANCE OF 661.75'
THENCE N 88°14' 25" E A DISTANCE OF 679.02'
THENCE S 01°08' 17" E A DISTANCE OF 661.48'
THENCE N 88°13' 00" E A DISTANCE OF 618.28' TO THE WESTERLY RIGHT OF WAY LINE OF TREELINE AVENUE,
THENCE S 01° 04' 28" E ALONG SAID LINE A DISTANCE OF 1322.47'
THENCE LEAVING SAID LINE S 88° 10' 10" W A DISTANCE OF 1293.64'
THENCE S 89° 33' 43" W A DISTANCE OF 1266.13' TO THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 75
THENCE ALONG SAID LINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 856.47', WITH A DELTA OF 04° 20' 37" , WITH A RADIUS OF 11297.16' , WITH A CHORD BEARING OF N 06° 10' 57" E, WITH A CHORD LENGTH OF 856.26' ;
THENCE N 08°21' 16" E A DISTANCE OF 1817.95'
THENCE N 89°35' 14" E A DISTANCE OF 854.24' TO THE POINT OF BEGINNING,
HAVING AN AREA OF 114,8 ACRES+/_

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are:

BJ Holdings of Fort Myers, LLC by virtue of that Personal Representative' s Deed recorded in Instrument Number 2012000284384.

The following liens against the said real property recorded in the aforesaid Public Records have been found:

Said search discloses the following mortgages not satisfied or released of record nor otherwise terminated by law:

None

The following easements over or across the said real property recorded in the aforesaid Public Records have been found:

1. Easement Official Records Instrument Number 2005000058207

2. Easement Official Records Instrument Number 2005000058208

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Addressee(s) only, and it may not be used or relied upon by any other party. This Report may not be used by a Fidelity National Title Insurance Company agent for the purpose of issuing a Fidelity National Title Insurance Company title insurance commitment or policy.

This Report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

Fidelity National Title Insurance Company

Greg R. Hill

INSTR # 2005000058207, Doc Type EAS, Pages 7, Recorded 10/06/2005 at 03:20 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D $0.70 Rec. Fee $61.00 Deputy Clerk PHAYWOOD

61⁰⁰

This Instrument Prepared By:
Lee County Utilities
1500 Monroe Street - 3rd Floor
Fort Myers, Florida 33901

Strap Number:

14-45-25-00-00008.0000

THIS SPACE RESERVED FOR RECORDING

# GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT

THIS INDENTURE is made and entered into this 18 day of July 2005, by and between JEFFREY B. FREEMAN, individually and as trustee, Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY, a political sub-division of the State of Florida, hereinafter referred to as GRANTEE.

**WITNESSETH:**

1. For and in consideration of the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated in Lee County, Florida, located and described as set forth in Exhibit "A", attached hereto and made a part hereof.

2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains and/or utility facilities.

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

3. The public utility easement will not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service to this and any adjacent properties. The total area of this public utility easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures may not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.

4. Title to all utilities constructed and/or placed hereunder by GRANTEE or its agents will remain in the GRANTEE, GRANTEE's successors, appointees, and/or assigns.

5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property (Exhibit "A"), have good and lawful right and power to sell and convey it, and that the said property is free from any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the right, title and terms of this said easement and the quiet possession thereof by GRANTEE against all claims and demands of all other entities.

6. GRANTOR(S), its heirs, successors or assigns, agrees to assume all liability for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation of paragraph 3. within the above easement, which result from the required activities of the GRANTEE for any construction, maintenance or repairs to the utilities located within the above-described easement.

7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be found to be liable in accordance with the general laws of the State of Florida, and subject to the limitations as set out in Section 768.28, Florida Statutes, as it may be revised, amended or renumbered from time to time.

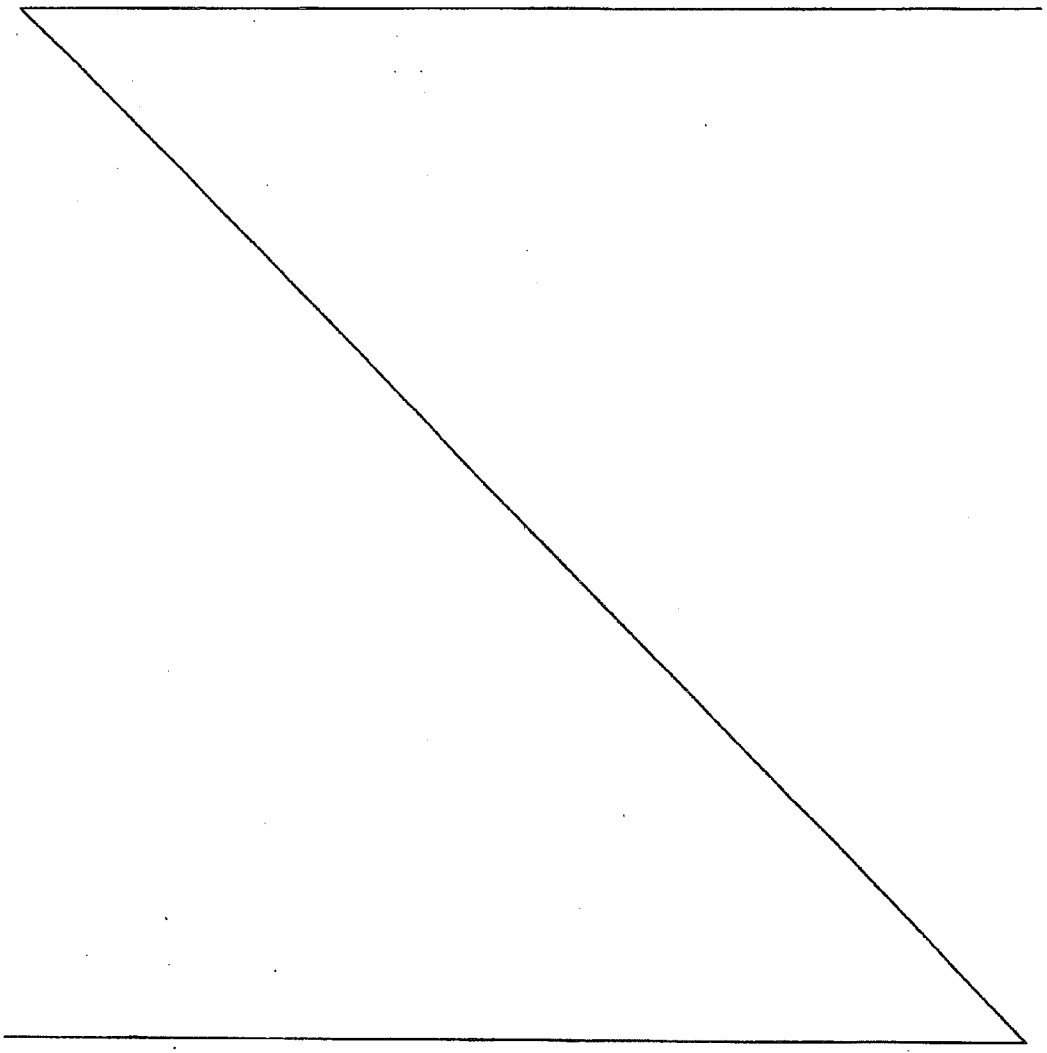
8. GRANTEE will have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement (Exhibit "A") on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by GRANTEE, to the condition in which it existed prior to the damage, as is reasonably practicable.

9. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of any associated roads. The easement is strictly for utility purposes.

10. This easement will be binding upon the parties hereto, their successors in interest and any assigns.

11. The property described on Exhibit "A" is vacant land and not the homestead of the Grantor nor contiguous thereto.

(Balance of Page Left Intentionally Blank)



**IN WITNESS WHEREOF,** the GRANTOR has caused this document to be signed on the date and year first above written.

BY:

[1st Witness' Signature]

Stephen E. Dalton

[Type or Print Name]

[2nd Witness' Signature]

Amy E. Swider

[Type or Print Name]

[Signature Grantor's/Owner's]

Jeffrey B. Freeman, individually and as trustee

[Type or Print Name]

[Title]

STATE OF FLORIDA

COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 18 day of July 2005, by Jeffrey B. Freeman, individually and as trustee, who produced ~~the following as identification~~ _____ or is personally know to me, and who did/did not take an oath.

[stamp or seal]

Stephen E Dalton
My Commission DD356601
Expires November 19, 2008

[Signature of Notary]

Stephen E. Dalton

[Typed or Printed Name]

DESCRIPTION OF A PARCEL OF LAND LYING IN
SECTION 14, TOWNSHIP 45 SOUTH RANGE 25 EAST,
LEE COUNTY, FLORIDA

(TREELINE AVENUE)

(DAN-PORT LTD 10' UTILITY EASEMENT)

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 14, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE N.88°10'10"E. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 14 FOR 1,283.64 FEET TO THE **POINT OF BEGINNING**; THENCE N.01°04'28"W., A DISTANCE OF 1,322.48 FEET; THENCE N.88°13'00"E., A DISTANCE OF 10.00 FEET; THENCE S.01°04'28"E., A DISTANCE OF 1,322.47 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 14; THENCE S.88°10'10"W., ALONG SAID SOUTH LINE, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING**.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 14 BEING N.88°10'10"E.

Certification for Description
Surveyor and Mapper in Responsible Charge:
**Denis J. O'Connell, Jr., LS #5430**
**Community Engineering Services, Inc. LB #6572**
**8991 Daniels Center Drive, Suite 103**
**Fort Myers, FL 33912**

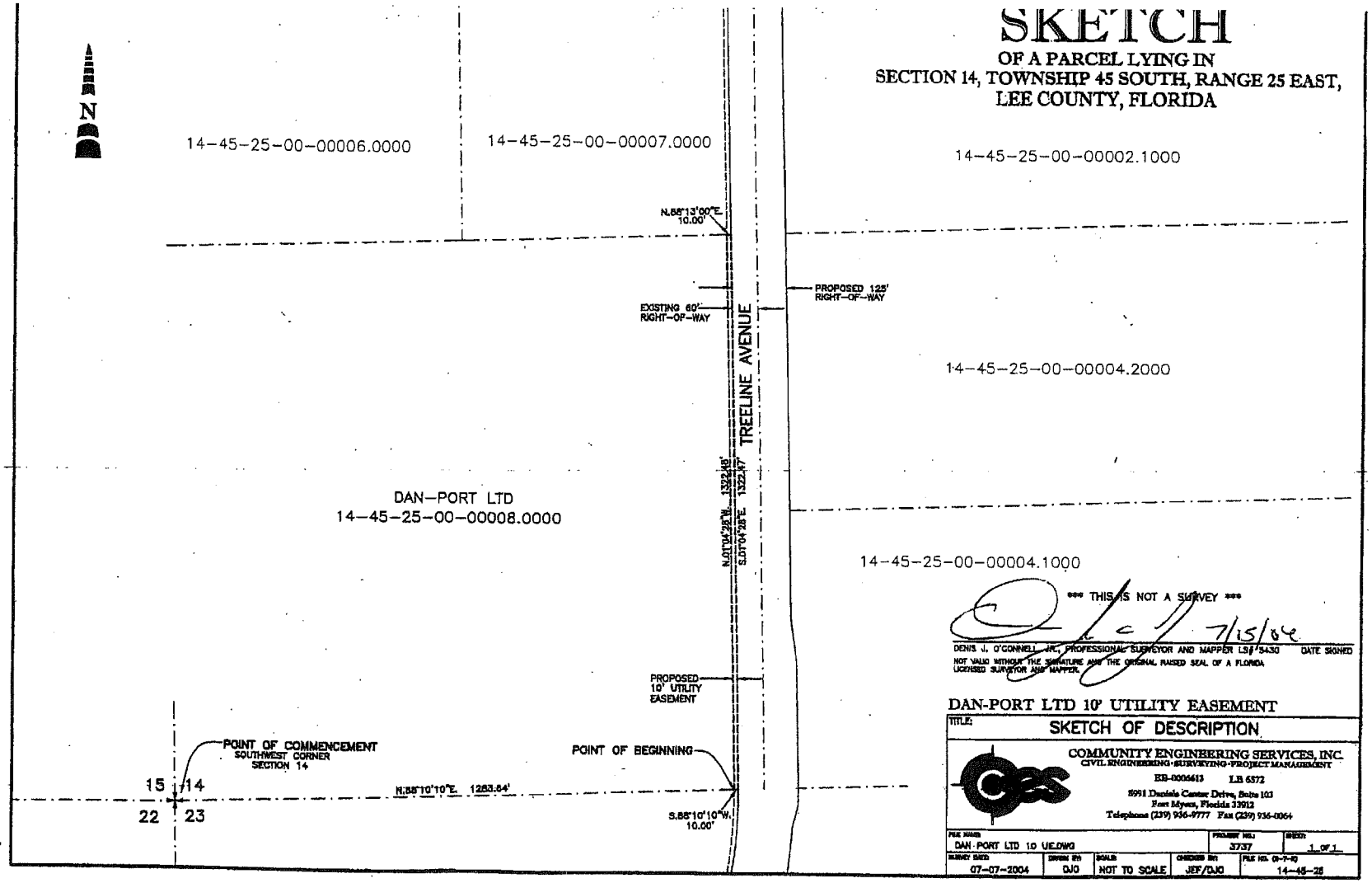
Signed: _____

Date: 7/15/04

INSTR # 2005000058207 Page Number: 7 of 7

# SKETCH

## OF A PARCEL LYING IN SECTION 14, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA




*** THIS IS NOT A SURVEY ***

7/15/04

DENIS J. O'CONNELL, INC, PROFESSIONAL SURVEYOR AND MAPPER LS# 5430 DATE SIGNED

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

**DAN-PORT LTD 10' UTILITY EASEMENT**

TITLE: SKETCH OF DESCRIPTION

COMMUNITY ENGINEERING SERVICES, INC.
CIVIL ENGINEERING • SURVEYING • PROJECT MANAGEMENT
EB-0006613 LB 5572
8991 Daniels Center Drive, Suite 103
Fort Myers, Florida 33912
Telephone (239) 936-9777 Fax (239) 936-0064

| FILE NAME | | PROJECT NO. | SHEET |
|---|---|---|---|
| DAN-PORT LTD 10 UE.DWG | | 3737 | 1 OF 1 |
| SURVEY DATE | DRAWN BY | SCALE | CHECKED BY | FILE NO. (9-T-R) |
| 07-07-2004 | DJO | NOT TO SCALE | JEF/DJO | 14-45-25 |

INSTR # 2005000058208, Doc Type EAS, Pages 5, Recorded 10/06/2005 at 03:20 PM, Charlie Green, Lee County Clerk of Circuit Court, Rec. Fee $44.00 Deputy Clerk PHAYWOOD

4460

**This instrument prepared by:**
Lee County
Division of County Lands
Post Office Box 398
Fort Myers, Florida 33902-0398

Parcel:
Project: Treeline Avenue (Daniels to Colonial)
STRAP No.: 14-45-25-00-00008.0000

**SLOPE/RESTORATION EASEMENT**

This INDENTURE, made and entered into this 18 day of July, 2005, between JEFFREY B. FREEMAN, individually and as trustee, whose address is 25435 Loblolly Bay Rd. SW, Labelle, , Florida 33935 (Grantor), and LEE COUNTY, a political subdivision of the State of Florida, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398 (Grantee):

WITNESSETH:

1. For good and valuable consideration, receipt of which is hereby acknowledged, Grantor grants to the Grantee, its successors and assigns, a slope/restoration easement situated in Lee County, Florida, and located and described as set forth in attached Exhibit "A" (Easement Parcel).

2. Grantee, its successors and assigns, are granted the right, privilege, and authority to construct, replace, repair, remove, extend, and maintain a slope/restoration easement on the Easement Parcel to support, reinforce, and stabilize the adjacent public roadway.

3. The improvements that may be placed within the Easement Parcel for roadway slope/restoration purposes are not limited to a particular type, style, material or design. These improvements may include the use of foliage.

4. Grantor may not remove any improvements placed within the Easement Parcel by the Grantee, its successors and assigns. Grantor may construct or place structures and foliage within the Easement Parcel (subject to applicable zoning and permit regulations) as long as they do not interfere with Grantee's improvements and their ability to support, reinforce, and stabilize the adjacent public roadway.

5. Title to the improvements constructed by the Grantee within the Easement Parcel will remain in the Grantee, its successors or assigns.

**Slope/Restoration Easement**
**Project:** Treeline Avenue (Daniels to Colonial)
**Page 2 of 3**

6. Subject to any existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, Grantors covenant they are lawfully seized and possessed of the real property described in Exhibit "A", have good and lawful right and power to convey it, and that the property is free and clear of all liens and encumbrances, except as herein stated, and accordingly, Grantor will forever warrant and defend the title and terms to this said easement and the quiet possession thereof against all claims and demands of all other entities.

7. This easement runs with the land and is binding upon the parties, their successors and assigns.

8. The property described on Exhibit "A" is vacant land and not the homestead of the Grantor nor contiguous thereto.

IN WITNESS WHEREOF, Grantor, has caused this document to be signed on the date first above written.

TWO SEPARATE WITNESSES:

1st Witness Signature

Stephen E. Dalton
Printed name of 1st Witness

2nd Witness Signature

Amy E. Swider
Printed name of 2nd Witness

JEFFREY B. FREEMAN, individually and as trustee

Slope/Restoration Easement
Project: Treeline Avenue (Daniels to Colonial)
Page 3 of 3

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 18 day of July, 2005, by JEFFREY B. FREEMAN, individually and as trustee. He is personally known to me ~~or who has produced~~ _____ as identification.

(Signature of Notary Public)

(Name typed, printed or stamped)
Commission No.: _____)

Stephen E Dalton
My Commission DD356801
Expires November 19, 2008

#1258201v.8

DESCRIPTION OF A PARCEL OF LAND LYING IN
SECTION 14, TOWNSHIP 45 SOUTH RANGE 25 EAST,
LEE COUNTY, FLORIDA

(TREELINE AVENUE)

(DAN-PORT LTD 15' EMBANKMENT EASEMENT)

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 14, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE N.88°10'10"E. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 14 FOR 1,278.64 FEET TO THE **POINT OF BEGINNING**; THENCE N.01°04'28"W., A DISTANCE OF 1,322.48 FEET; THENCE N.88°13'00"E., A DISTANCE OF 15.00 FEET; THENCE S.01°04'28"E., A DISTANCE OF 1,322.47 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 14; THENCE S.88°10'10"W., ALONG SAID SOUTH LINE, A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN)

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 14 BEING N.88°10'10"E.

Certification for Description
Surveyor and Mapper in Responsible Charge:
**Denis J. O'Connell, Jr., LS #5430**
**Community Engineering Services, Inc. LB #6572**
**8991 Daniels Center Drive, Suite 103**
**Fort Myers, FL 33912**

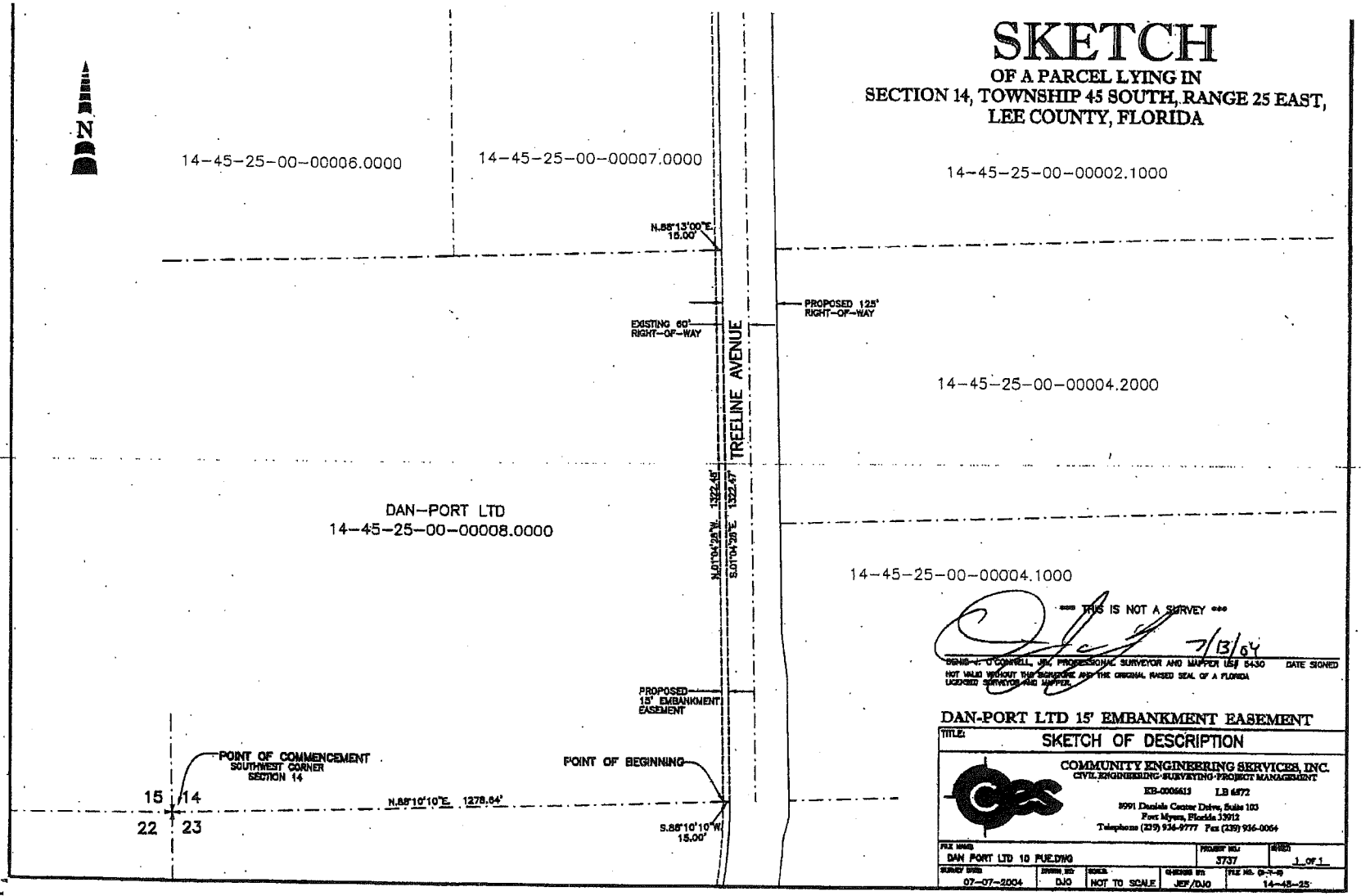
Signed: _____

Date: 7/13/04

INSTR # 200500058208 Page Number: 5 of 5

# SKETCH

## OF A PARCEL LYING IN SECTION 14, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA




*** THIS IS NOT A SURVEY ***

7/13/04

SIGNED: C. O'CONNELL, JR. PROFESSIONAL SURVEYOR AND MAPPER LS# 5430 DATE SIGNED

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

DAN-PORT LTD 15' EMBANKMENT EASEMENT

TITLE: SKETCH OF DESCRIPTION

COMMUNITY ENGINEERING SERVICES, INC.
CIVIL ENGINEERING · SURVEYING · PROJECT MANAGEMENT
EB-0006613 LB 6472
9991 Daniels Center Drive, Suite 103
Fort Myers, Florida 33912
Telephone (239) 936-9777 Fax (239) 936-0054

| FILE NAME | | PROJECT NO. | SHEET |
|---|---|---|---|
| DAN PORT LTD 10 PUE.DWG | | 3737 | 1 OF 1 |
| SURVEY DATE | DRAWN BY | SCALE | CHECKED BY | FILE NO. (P-T-R) |
| 07-07-2004 | DJO | NOT TO SCALE | JEF/DJO | 14-45-25 |

# STRAP NUMBERS

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

BONITA SPRINGS Tampa Orlando Sarasota

28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

# Treeline 115 Mixed Use Planned Development – STRAP Numbers

- 15-45-25-00-00006.0000
- 14-45-25-00-00006.0000
- 14-45-25-00-00008.0000
- 15-45-25-00-00008.0000
- 15-45-25-00-00008.0010
- 15-45-25-00-00007.0000

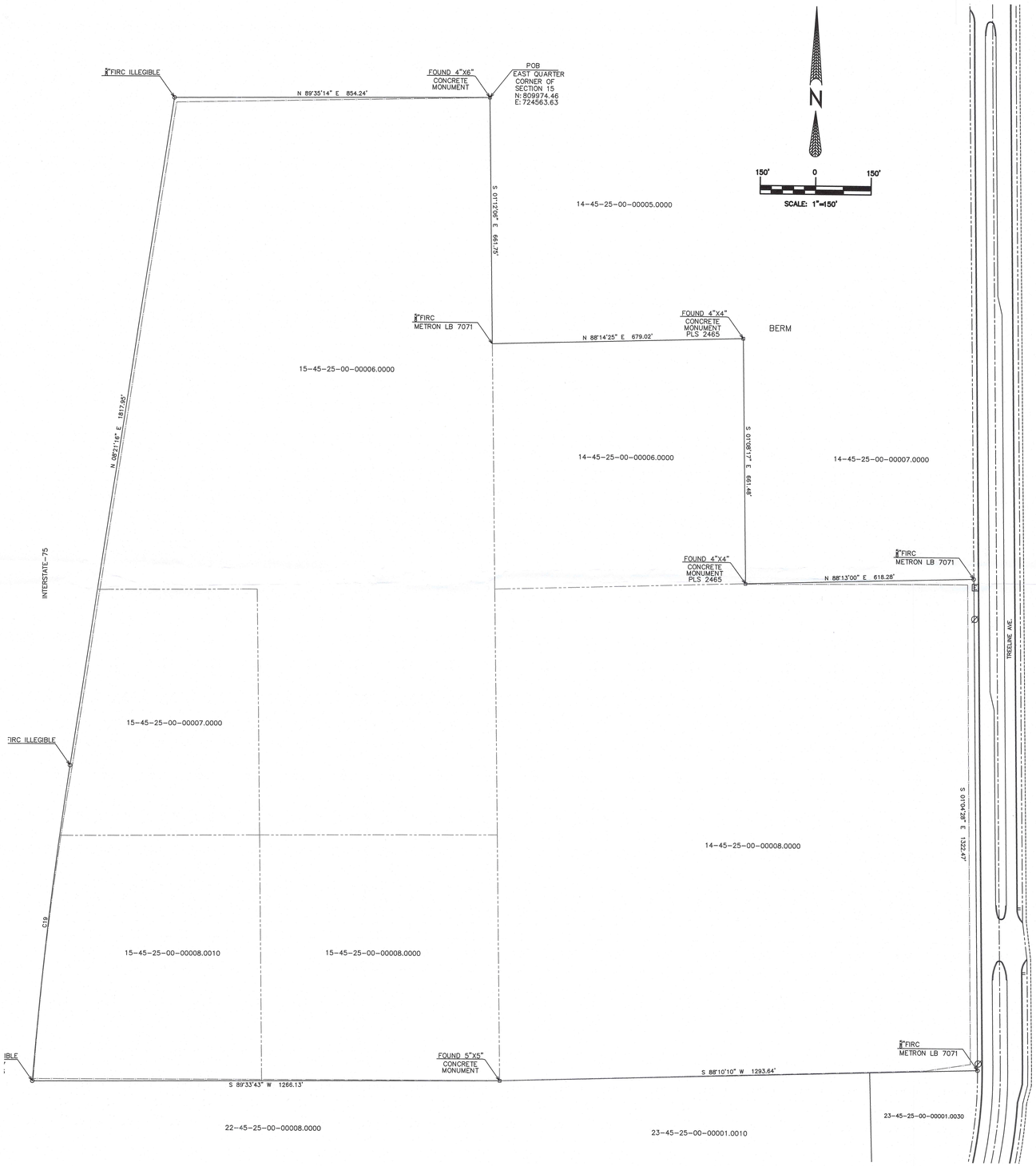
RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT
DCI 2018-00007

# BOUNDARY SURVEY, LEGAL DESCRIPTION & SKETCH OF DESCRIPTION

DCI 2018-00007

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

# BOUNDARY SURVEY
## OF A PARCEL LYING IN
## SECTIONS 14 & 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
## LEE COUNTY, FLORIDA




DESCRIPTION:
14-45-25-00-00006.0000 (OFFICIAL RECORD 4212, PAGE 708)

THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14. TOWNSHIP 45 SOUTH, RANGE 25 EAST,

AND

14-45-25-00-00008.0000 (OFFICIAL RECORD BOOK 4164, PAGE 1508)

THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LESS THE EAST 60 FEET FOR THE ROAD RIGHT OF WAY, SITUATED IN LEE COUNTY, FLORIDA.

AND

15-45-25-00-00006.0000 (OFFICIAL RECORD BOOK 4212, PAGE 708)

THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) AND THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LESS AND EXCEPT A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15 AS DESCRIBED IN THAT CERTAIN DEED RECORDED IN O.R. BOOK 1074, PAGE 748, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AND

15-45-25-00-00007.0000 (OFFICIAL RECORD BOOK 4562, PAGE 1378)

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA LYING EAST OF THE RIGHT OF WAY OF INTERSTATE 75.

AND

15-45-25-00-00008.0000
15-45-25-00-00008.0010 (OFFICIAL RECORD BOOK 4562, PAGE 1333)

THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PARCEL DESCRIBED IN THAT CERTAIN DEED DATED AUGUST 13, 1974, GIVEN BY VELMA CANNON MCDONALD TO THE STATE OF FLORIDA, FOR I-75 RECORDED IN O.R. BOOK 1050, PAGE 257, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

RECEIVED
FEB 22 2013
COMMUNITY DEVELOPMENT

DCI 2018-00007

### DESCRIPTION

A TRACT OR PARCEL OF LAND IN SECTIONS 14 & 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 15, WHICH IS THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED:
THENCE S 01°12'06" E A DISTANCE OF 661.75'
THENCE N 88°14'25" E A DISTANCE OF 679.02'
THENCE S 01°08'17" E A DISTANCE OF 661.48'
THENCE N 88°13'00" E A DISTANCE OF 618.28' TO THE WESTERLY RIGHT OF WAY LINE OF TREELINE AVENUE,
THENCE S 01°04'28" E ALONG SAID LINE A DISTANCE OF 1322.47'
THENCE LEAVING SAID LINE S 88°10'10" W A DISTANCE OF 1293.64'
THENCE S 89°33'43" W A DISTANCE OF 1266.13' TO THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 75
THENCE ALONG SAID LINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 856.47', WITH A DELTA OF 04°20'37", WITH A RADIUS OF 11297.16', WITH A CHORD BEARING OF N 06°10'57" E, WITH A CHORD LENGTH OF 856.26';
THENCE N 08°21'16" E A DISTANCE OF 1817.95'
THENCE N 89°35'14" E A DISTANCE OF 854.24' TO THE POINT OF BEGINNING,
HAVING AN AREA OF 114.8 ACRES+/_

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|---|---|---|---|---|---|
| C19 | 11297.16' | 856.47' | 856.26' | N 06°10'57" E | 4°20'37" |

### LEGEND

- □ = FOUND PRM/PCP AS NOTED
- ● = SET IRON ROD AND CAP
- ○ = FOUND IRONR ROD AND CAP AS NOTED
- ▣ = FPL BOX
- Ø = WOOD POWER POLE
- ⟵ = GUY WIRE
- ⋈ = WATER VALVE
- ⊕ = FIRE HYDRANT
- ☼ = STREET LIGHT

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
PRM = PERMANENT REFERENCE MARKER
PCP = PERMANENT CONTROL POINT

### NOTES:

1. PREPARED AS A BOUNDARY SURVEY. DATE OF LAST FIELDWORK: 06-24-17
2. PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
3. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
4. MAP BASED ON SURVEY PREPARED BY METRON DATED MARCH 11, 2005
5. 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.
6. THIS PARCEL LIES IN ZONE "X", THIS INFORMATION WAS TAKEN FROM FEDERAL INSURANCE RATE MAP 12071C0445F, DATED AUG. 28, 2008.
7. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
8. ALL ELEVATIONS ARE IN N.A.V.D. 88.

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE LAND SURVEYOR LISTED, THIS DRAWING IS NOT VALID AND IS FOR INFORMATIONAL

MARK D. McCLEARY (FOR THE FIRM LB-7995)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6557
DATE: 8/24/18

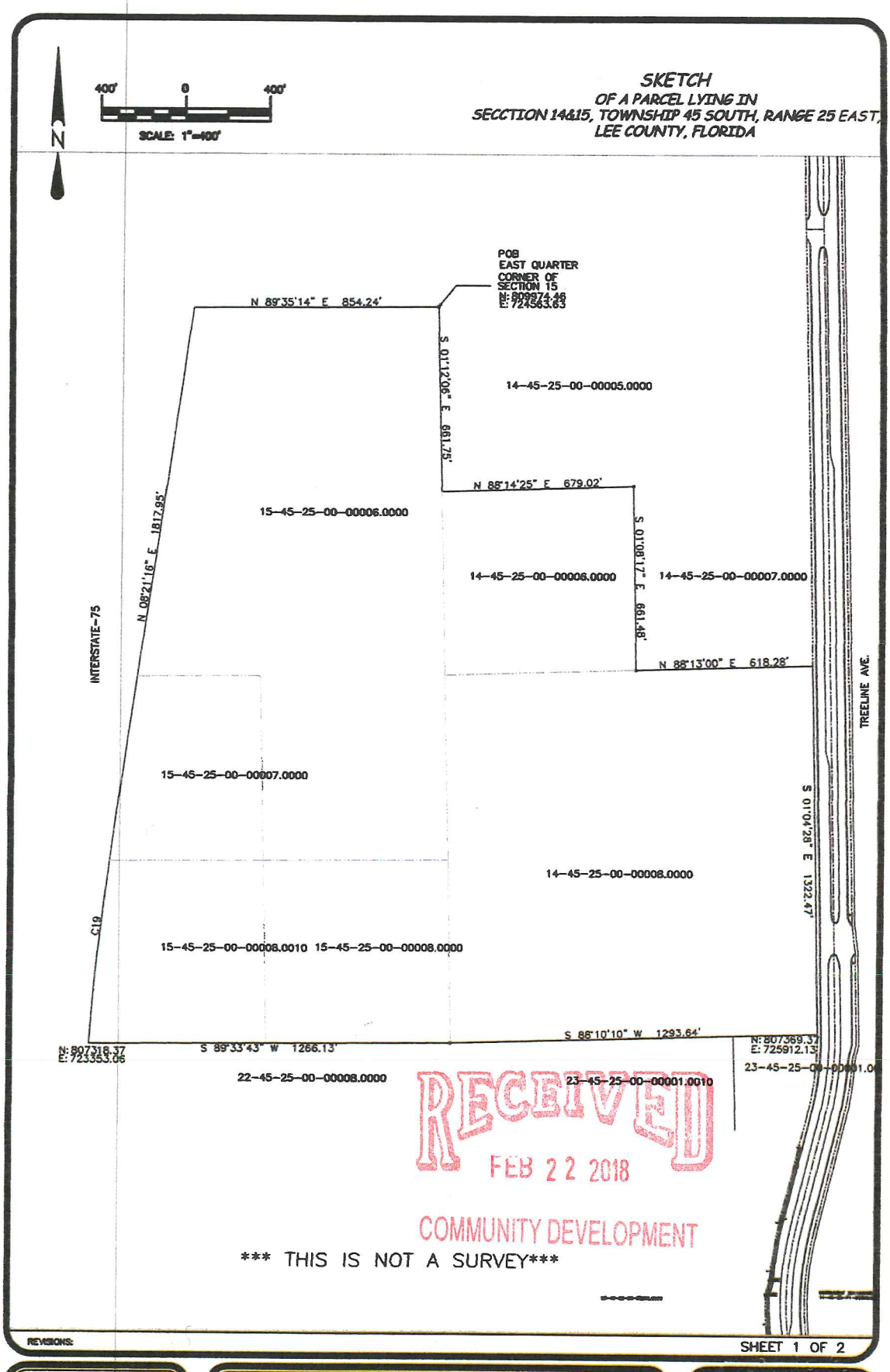
DATE:
REVISIONS:

CERTIFIED TO:
BJ HOLDINGS OF FORT MYERS LLC


AE SITE
AE Site, LLC
EB-35108 • LB-7995
6900 Daniels Parkway, Suite 29-130
Fort Myers, FL 33912

community engineering services, inc.
13650 Fiddlesticks Blvd., PMB202-389
Fort Myers, Florida 33912
Telephone (239) 936-9777


PROJECT NO: TL-119
SCALE: 1"=150'
DRAWN BY: MM
CHECKED BY: MM
DATE DRAWN: 07/07/2017
FIELD BOOK/PAGE:




DCI 2018-00007

**DESCRIPTION**
**OF A PARCEL LYING IN**
**SECCTION 14&15, TOWNSHIP 45 SOUTH, RANGE 25 EAST,**
**LEE COUNTY, FLORIDA**

DESCRIPTION

A TRACT OR PARCEL OF LAND IN SECTIONS 14 & 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 15, WHICH IS THE POINT OF BEGINNING OF THE PARCEL HEREIN BEING DESCRIBED:
THENCE S 01°12'06" E A DISTANCE OF 661.75'
THENCE N 88°14'25" E A DISTANCE OF 679.02'
THENCE S 01°08'17" E A DISTANCE OF 661.48'
THENCE N 88°13'00" E A DISTANCE OF 618.28' TO THE WESTERLY RIGHT OF WAY LINE
OF TREELINE AVENUE,
THENCE S 01°04'28" E ALONG SAID LINE A DISTANCE OF 1322.47'
THENCE LEAVING SAID LINE S 88°10'10" W A DISTANCE OF 1293.64'
THENCE S 89°33'43" W A DISTANCE OF 1266.13' TO THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 75
THENCE ALONG SAID LINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 856.47',
WITH A DELTA OF 04°20'37", WITH A RADIUS OF 11297.16', WITH A CHORD BEARING OF N 06°10'57" E, WITH A CHORD LENGTH OF 856.26';
THENCE N 08°21'16" E A DISTANCE OF 1817.95'
THENCE N 89°35'14" E A DISTANCE OF 854.24' TO THE POINT OF BEGINNING,
HAVING AN AREA OF 114.8 ACRES+/_

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

*** THIS IS NOT A SURVEY***

REVISIONS:



PROJECT NO: TREELINE
SCALE: 1"= 200'
DRAWN BY: CSV
CHECKED BY: MDM
DATE DRAWN: 03/10/14
FIELD BOOK/PAGE:

**AE Site, LLC**
**EB-30108 LB-7995**
13650 Fiddlesticks Boulevard, Suite 202-369
Fort Myers, Florida 33912
Telephone (239) 936-0777

THIS MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

MARK D. McCLEARY, P.S.M.
FLORIDA REGISTRATION NO. 5957
FOR THE FIRM LB 4371
DATE SIGNED: 10/4/17

# VARIANCE REPORT & MAILING LABELS

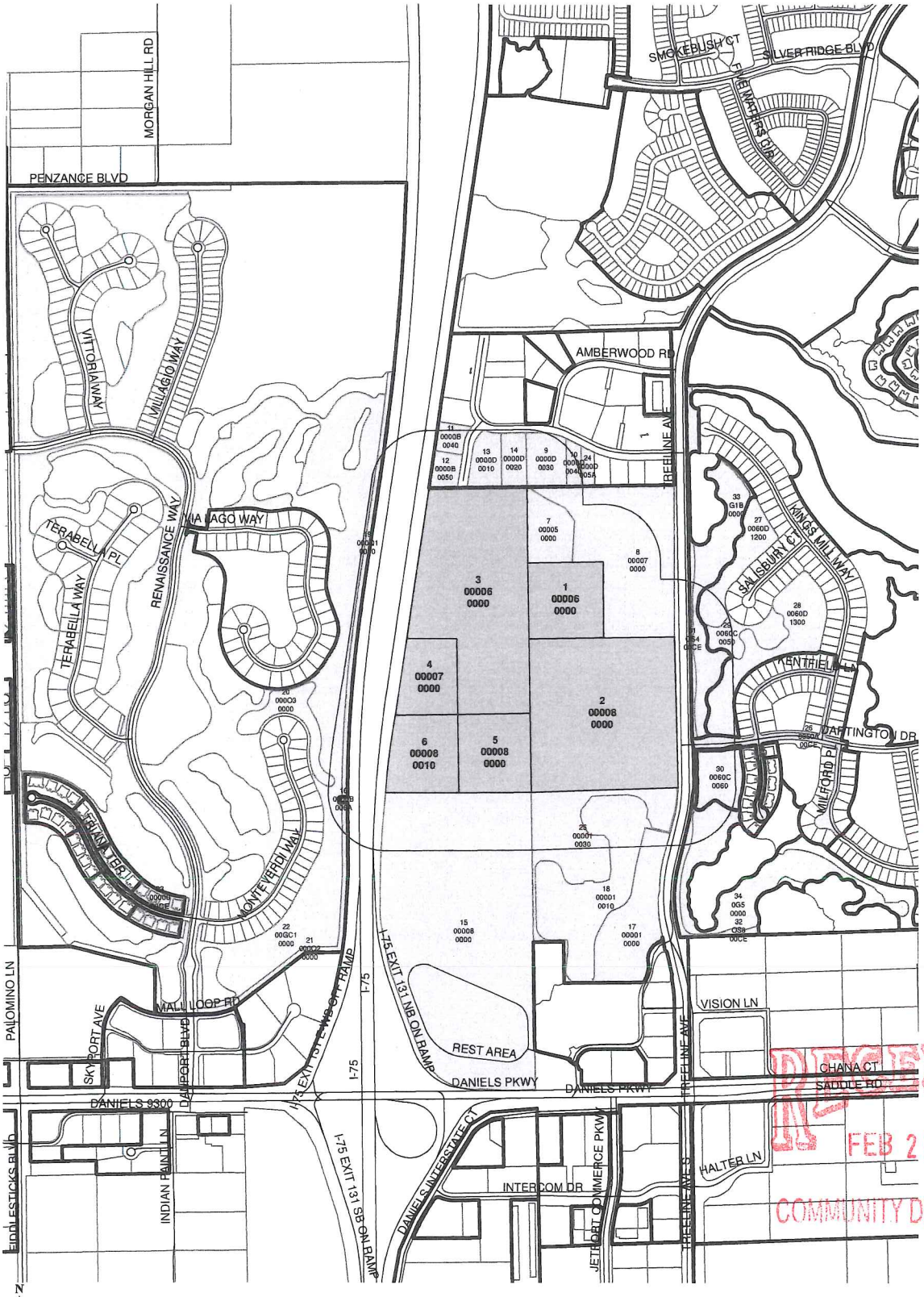
DCI 2018-00007

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

# VARIANCE REPORT

6/6/2017

Subject Parcels: 6 Affected Parcels: 28 Buffer Distance: 500 ft




N W E S

14-45-25-00-00006.0000 et al.

1,480 1,110 740 370 0 1,480 Feet

THE INFORMATION CONTAINED IN THIS REPORT IS GOVERNED BY FLORIDA STATUTE 119.071 (GENERAL EXEMPTIONS FROM INSPECTION OR COPYING OF PUBLIC RECORDS).

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# Lee County Property Appraiser

## Kenneth M. Wilkinson, C.F.A.

**GIS Department / Map Room**

**Phone: (239) 533-6159 • Fax: (239) 533-6139 • eMail: MapRoom@LeePA.org**

## VARIANCE REPORT

**Date of Report:** 6/6/2017 9:59:49 AM
**Buffer Distance:** 500 ft
**Parcels Affected:** 28
**Subject Parcels:** 14-45-25-00-00006.0000, 14-45-25-00-00008.0000, 15-45-25-00-00006.0000, 15-45-25-00-00007.0000, 15-45-25-00-00008.0000, 15-45-25-00-00008.0010

| OWNER NAME AND ADDRESS | STRAP AND LOCATION | LEGAL DESCRIPTION |
|---|---|---|
| ARBORWOOD CDD<br>RICK WOODVILLE<br>STE 340<br>1060 MAITLAND CENTER COMMONS<br>MAITLAND, FL 32751 | 14-45-25-00-00005.0000<br>ACCESS UNDETERMINED<br>FORT MYERS FL 33913 | N 1/2 OF NW 1/4 OF SW 1/4.<br>LESS E 60 FT LESS OR 4652/3647 |
| LEE COUNTY DIST SCHOOL BOARD<br>2855 COLONIAL BLVD<br>FORT MYERS, FL 33966 | 14-45-25-00-00007.0000<br>12690 TREELINE AVE<br>FORT MYERS FL 33913 | PARL LOC IN SW 1/4 OF SEC AS<br>DESC IN OR 4652 PG 3647 |
| K P PROPERTIES OF FLORIDA LLC<br>11300 LONGWATER CHASE CT<br>FORT MYERS, FL 33908 | 14-45-25-01-0000D.0030<br>10030 BAVARIA RD<br>FORT MYERS FL 33913 | AIRPORT WOODS COMMERCE CTR<br>REPLAT PB 50 PG 67 BLK D<br>LOT 3 |
| MOORE CUSTOM WOODWORKING INC<br>10046 BAVARIA RD<br>FORT MYERS, FL 33913 | 14-45-25-01-0000D.0040<br>10046 BAVARIA RD<br>FORT MYERS FL 33913 | AIRPORT WOODS COMMERCE CTR<br>REPLAT PB 50 PG 67 BLK D<br>PT LOT 4 DESC OR 4122/3491 |
| DIAMOND PROPERTY MATTERHORN LL<br>1051 PERIMETER DR STE 1100<br>SCHAUMBURG, IL 60173 | 15-45-25-01-0000B.0040<br>12296 MATTERHORN RD<br>FORT MYERS FL 33913 | AIRPORT WOODS COMMERCE CTR<br>REPLAT PB 50 PG 68 BLK B<br>LOT 4 |
| SCHRIDER PROPERTY MGMT LLC<br>12298 MATTERHORN RD<br>FORT MYERS, FL 33913 | 15-45-25-01-0000B.0050<br>12298 MATTERHORN RD<br>FORT MYERS FL 33913 | AIRPORT WOODS COMMERCE CTR<br>REPLAT PB 50 PG 68 BLK B<br>LOT 5 |
| 10002 BAVARIA LLC<br>4 LATTI FARM RD<br>MILLBURY, MA 01527 | 15-45-25-01-0000D.0010<br>10002 BAVARIA RD<br>FORT MYERS FL 33913 | AIRPORT WOODS COMMERCE CTR<br>REPLAT PB 50 PB 68 BLK D<br>LOT 1 |
| K P PROPERTIES OF FLORIDA LLC<br>11300 LONGWATER CHASE CT<br>FORT MYERS, FL 33908 | 15-45-25-01-0000D.0020<br>10016 BAVARIA RD<br>FORT MYERS FL 33913 | AIRPORT WOODS COMMERCE CTR<br>REPLAT PB 50 PG 68 BLK D<br>LOT 2 |
| STATE OF FL DOT<br>PO BOX 1249<br>BARTOW, FL 33831 | 22-45-25-00-00008.0000<br>10041 DANIELS PKWY<br>FORT MYERS FL 33913 | REMAINDER PARCEL SEC 22<br>LESS I-75 DESC OR 1056/360<br>(I-75@ DANIELS REST AREA) |
| SWOR DORIS TR +<br>16621 BOBCAT CT SW<br>FORT MYERS, FL 33908 | 22-45-25-01-0000B.006A<br>ACCESS UNDETERMINED<br>FORT MYERS FL | DANPORT CENTER BLK B<br>PB 36 PG 118 PT LT 6<br>DESC OR 3371/2574 |
| TREELINE 200 LLC<br>WORTHINGTON<br>12801 RENAISSANCE WAY<br>FT MYERS, FL 33912 | 23-45-25-00-00001.0000<br>ACCESS UNDETERMINED<br>FORT MYERS FL | W 1/2 OF NW 1/4 LESS I-75<br>R/W + 1.001 + LESS ROW OR 3787/3854 +<br>4708/2150+LESS<br>PARCELS OR 3919/1107 + 4846<br>PG 4109 + 2014000141215 LESS OR 4786/3830<br>LESS SUB |
| ARBORWOOD CDD<br>RICK WOODVILLE<br>STE 340<br>1060 MAITLAND CENTER COMMONS<br>MAITLAND, FL 32751 | 23-45-25-00-00001.0010<br>ACCESS UNDETERMINED<br>FORT MYERS FL | PARCEL IN NW 1/4 OF SECTION<br>AS DESC IN OR 4846 PG 4109 |
| RENAISSANCE CDD<br>RICK WOODVILLE<br>STE 340<br>1060 MAITLAND CENTER COMMONS<br>MAITLAND, FL 32751 | 15-45-25-11-000Q1.0000<br>RENAISSANCE C/E<br>FORT MYERS FL | RENAISSANCE<br>PB 72 PGS 18-30<br>TRACT Q-1 |

All data is current at time of printing and subject to change without notice.
~~THE INFORMATION CONTAINED IN THIS REPORT IS GOVERNED BY FLORIDA STATUTE 119.071~~
(GENERAL EXEMPTIONS FROM INSPECTION OR COPYING OF PUBLIC RECORDS).

14-45-25-00-00005.0000
ARBORWOOD CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

14-45-25-00-00007.0000
LEE COUNTY DIST SCHOOL BOARD
2855 COLONIAL BLVD
FORT MYERS, FL 33966

14-45-25-01-0000D.0030
K P PROPERTIES OF FLORIDA LLC
11300 LONGWATER CHASE CT
FORT MYERS, FL 33908

14-45-25-01-0000D.0040
MOORE CUSTOM WOODWORKING INC
10046 BAVARIA RD
FORT MYERS, FL 33913

15-45-25-01-0000B.0040
DIAMOND PROPERTY MATTERHORN LL
1051 PERIMETER DR STE 1100
SCHAUMBURG, IL 60173

15-45-25-01-0000B.0050
SCHRIDER PROPERTY MGMT LLC
12298 MATTERHORN RD
FORT MYERS, FL 33913

15-45-25-01-0000D.0010
10002 BAVARIA LLC
4 LATTI FARM RD
MILLBURY, MA 01527

15-45-25-01-0000D.0020
K P PROPERTIES OF FLORIDA LLC
11300 LONGWATER CHASE CT
FORT MYERS, FL 33908

22-45-25-00-00008.0000
STATE OF FL DOT
PO BOX 1249
BARTOW, FL 33831

22-45-25-01-0000B.006A
SWOR DORIS TR +
16621 BOBCAT CT SW
FORT MYERS, FL 33908

23-45-25-00-00001.0000
TREELINE 200 LLC
WORTHINGTON
12801 RENAISSANCE WAY
FT MYERS, FL 33912

23-45-25-00-00001.0010
ARBORWOOD CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

15-45-25-11-000Q1.0000
RENAISSANCE CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

15-45-25-11-000O3.0000
RENAISSANCE CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

22-45-25-11-000Q2.0000
RENAISSANCE CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

15-45-25-11-00GC1.0000
WORTHINGTON OF RENAISSANCE LLC
12801 RENAISSANCE WAY
FORT MYERS, FL 33912

22-45-25-14-00000.00CE
TRIANA I OF RENAISSANCE
TROPICAL ISLES MANAGEMENT
12734 KENWOOD LN STE 49
FORT MYERS, FL 33913

14-45-25-01-0000D.005A
VIXLER ENTERPRISES LLC
10052 BAVARIA RD
FORT MYERS, FL 33913

23-45-25-00-00001.0030
ARBORWOOD CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

14-45-25-P4-0050A.00CE
SOMERSET AT THE PLANTATION COM
EVERGREEN LIFESTYLES MGT
10401 DARTINGTON DR
FORT MYERS, FL 33913

All data is current at time of printing and subject to change without notice.

Data is current at time of printing and subject to change without notice.

14-45-25-P1-0060D.1200
ARBORWOOD CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

14-45-25-P1-0060D.1300
ARBORWOOD CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

14-45-25-P1-0060C.0050
ARBORWOOD CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

14-45-25-P1-0060C.0060
ARBORWOOD CDD
RICK WOODVILLE
STE 340
1060 MAITLAND CENTER COMMONS
MAITLAND, FL 32751

14-45-25-P4-36OS4.00CE
SOMERSET AT THE PLANTATION COM
EVERGREEN LIFESTYLES MGT
10401 DARTINGTON DR
FORT MYERS, FL 33913

23-45-25-P1-36OS8.00CE
SOMERSET AT THE PLANTATION COM
EVERGREEN LIFESTYLES MGT
10401 DARTINGTON DR
FORT MYERS, FL 33913

14-45-25-P4-36G1B.0000
PLANTATION GOLF + HOSPITALITY
STE 2130
10401 DEERWOOD PARK BLVD
JACKSONVILLE, FL 32256

23-45-25-P1-360G5.0000
PLANTATION GOLF + HOSPITALITY
STE 2130
10401 DEERWOOD PARK BLVD
JACKSONVILLE, FL 32256

# REQUEST STATEMENT

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

DCI 2018-00007

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

# Treeline 115 Mixed Use Planned Development
# Request Statement and Lee Plan Compliance Narrative

## I. Request

BJ Holdings of Fort Myers, LLC ("Applicant") is requesting approval to rezone the 115+/- acre site ("Property") from Agricultural (AG-2) and Light Industrial (IL) to Mixed-Use Planned Development (MPD). The rezone will allow for a maximum of 487 dwelling units and 100,000 SF of commercial uses.

## II. Existing Conditions & Property History

The Property is located west of Treeline Avenue at the northeast corner of Daniels Parkway and Interstate-75. The Property is zoned AG-2 (Agricultural) & IL (Light Industrial) and is located within the Gateway/Airport Planning Community. The Property is subject to a companion Comprehensive Plan Amendment (CPA2017-00009) to re-designate the uplands from Tradeport to Urban Community. The Property is currently utilized as grazing land for agricultural operations.

## III. Surrounding Land Use Pattern

The Property is an infill site, surrounded on all sides by existing development and public lands. The surrounding land use pattern consists of public rights-of-way to the east and west; single-family detached, two-family attached, and multi-family residential uses to the west of I-75; single-family detached residential uses to the east of Treeline Avenue; industrial/commercial uses and a future public school site to the north; and mixed-use and public uses to the south. Table 1 below further defines the surrounding Future Land Use designations, zoning districts and adjacent land uses.

**Table 1: Inventory of Surrounding Lands**

| | FUTURE LAND USE | ZONING DISTRICT | EXISTING LAND USE |
|---|---|---|---|
| NORTH | Tradeport & Wetlands | IPD (Industrial Planned Development) & AG-2 (Agricultural) | Industrial/Commercial Park & Vacant Agricultural Lands |
| SOUTH | Public Facilities, General Interchange, & Wetlands | AG-2 (Agricultural) & CPD (Commercial Planned Development) | Florida Highway Patrol Station & Lee County Rest Area |
| EAST | Special Community (City of Fort Myers) | MDP-3 (Master Development Plan-3, City of Fort Myers) | Right-of-Way (Treeline Avenue); Arborwood DRI (The Plantation – City of Fort Myers) |
| WEST | Outlying Suburban & Wetlands | RPD (Residential Planned Development) | Right-of-Way (I-75); and Residential Planned Development (Renaissance) |

In terms of surrounding densities, the Arborwood DRI to the east ofTreeline Avenue has a density of 2.57 du/acre, and a mix of dwelling types ranging from single-family detached to multi-family buildings. South of the Property is the Arborwood Village CPD, which has a density of 10 du/acre approved for Tract 1, consisting of multi-family units. Across I-75 to the west are the Renaissance RPDs; the Renaissance North RPD has a density of 2.57 du/acre and the Renaissance South RPD has a density of 1.6 du/acre. Please refer to the enclosed Surrounding Densities Map, Exhibit III.E, for a comprehensive inventory of densities as spatially related to the Property.

The immediate area contains a dynamic mix of higher density multi-family development, lower density suburban-style communities, public and institutional uses, arterial-level roadways, and non-residential uses. The surrounding development pattern is evidence of the appropriateness of the proposed mix of non-residential and residential uses in the form of a compact Mixed Use Planned Development.

## IV. Public Infrastructure

As outlined in the companion Comprehensive Plan Amendment application, the subject property is serviced by existing public infrastructure that can accommodate the proposed residential uses at the maximum density of 6 du/acre. Potable water and sanitary sewer services are available to the subject property by Lee County Utilities and City of Fort Myers Utilities. The surrounding roadway network has adequate capacity as set forth in the accompanying Traffic Circulation Analysis prepared by TR Transportation Consultants, Inc. There are also adequate community facilities and services in the immediate vicinity of the project, including Fire, EMS, a public library, and Parks.

## V. Proposed Uses/Design Standards

Through this rezoning application, the Applicant proposes a mixed-use development program consisting of 487 multi-family dwelling units on approximately 105 acres of the site, and 100,000 square feet of commercial uses on 10 acres along the Treeline Avenue frontage.

The proposed mix of commercial and residential uses will complement the surrounding development pattern and provide for infill development in an area well-served by existing public infrastructure. It important to emphasize that the commercial and multi-family uses proposed through this MPD application represent a logical transition of the development pattern along Treeline Avenue, from the intensive General Interchange future land use category to the south, and the residential development to the north in the City of Fort Myers.

The enclosed Master Concept Plan (MCP) delineates the location of residential uses towards the northern and western limits of the Property, while directing commercial uses along the Treeline Avenue frontage for easy access by future residents of the development, as well as the travelling public. Access to the Property is from Treeline Avenue. Emergency-only access is also provided to the industrial park to the north to provide for safe ingress/egress to the site.

Buffers are provided per the LDC along the perimeter property boundaries where required, including 15-foot wide buffers to the east and west where development abuts existing public rights-of-way. In addition to the buffers, the MCP proposes open space in compliance with the LDC, and 28 acres of wetland preservation areas. This on-site preserve acreage far exceeds the minimum requirements of the LDC, and will screen views of the development areas from adjacent properties.

The full details of the proposed development program are provided in the enclosed Master Concept Plan, Schedule of Uses, Site Development Regulations, and proposed conditions.

## VI. Lee Plan Compliance

The following is an analysis of how the proposed amendment is consistent with the goals, policies and objectives of the Lee Plan.

*POLICY 1.1.4: The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, South Fort Myers, Iona/McGregor, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6) with future development in this category encouraged to be developed as a mixed-use, as described in Policy 2.12.3., where appropriate. Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre).*

In compliance with this policy, the subject property is located in an urbanized area of the Lee County, as evidenced by the surrounding land use pattern, existing densities/intensities, and available public infrastructure. As outlined above, the general area is developed with a mix of residential communities, public uses, and commercial development associated with the I-75 interchange. The proposed mixed-use development at a maximum density of 6 du/acre is consistent with the range of uses and densities permitted in the Urban Community future land use category and Lee Plan Table 1(a). The amendment will allow for the continuation of the mixed-use and residential development pattern along Treeline Avenue, and will direct new development to an area with an existing base of urban services.

*Objective 2.2: Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.*

The Applicant has provided letters of availability and a detailed explanation of the public facilities and services available to support future development of the property at the maximum allowable density. The proposed amendment fully complies with the above policy's intent to direct new growth to appropriate Future Urban Areas of the county.

*POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be*

*devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.*

The proposed rezoning will significantly enhance the site's compatibility with the surrounding residential uses, and prevent the encroachment of intensive industrial uses permitted by the underlying Tradeport future land use category. Pursuant to Policy 1.2.2, the Tradeport category allows for a wide range of public uses, including terminals, laboratories, limerock mines, transfer facilities, and other higher intensity government-operated facilities. This category would allow for development of intensive industrial uses. For these reasons, bringing the property to the Urban Community future land use category and allowing for a mix of residential and commercial uses is directly in compliance with this policy.

From a density standpoint, the proposed amendment will allow for the development of a residential community that has densities similar to, or lower than the surrounding developments. The density will be further restricted via the companion MPD rezone to 487 dwelling units, or 4.2 du/acre, which is a lower density than the adjacent residential projects (including Arborwood CPD to the south). The MPD will also address the location of proposed lots, perimeter buffers, and other site design standards to ensure the development will be compatible and complimentary to the surrounding neighborhood.

*STANDARD 11.1 & 11.2: WATER & SEWER*

Potable water and sanitary sewer services are available to service the development as outlined in the attached Availability Letter provided by Lee County Utilities.

*STANDARD 11.3. TRANSPORTATION*

TR Transportation Consultants has prepared the enclosed Traffic Impact Statement (TIS) in accordance with the county requirements. Per this analysis, all roadways within the project's area of impact have sufficient capacity to accommodate the traffic associated with the 487 dwelling units. The report also concludes that the project will not create any transportation deficiencies that need to be mitigated.

*POLICY 115.1.2: New development and additions to existing development must not degrade surface and ground water quality.*

Prior to future development activities on the Property, the Applicant will obtain the requisite Environmental Resource Permit (ERP) from the South Florida Water Management District, and all other applicable state agencies. The site design will ensure pretreatment of stormwater prior to discharge off-site.

## VII. Review Criteria

Per LDC Sec. 34-145(d)(4)(a)1 the following review criteria is met through this request:

a. The application is consistent with the uses and densities set forth for Urban Community Future Land Use Designation as outlined in the companion Comprehensive Plan Amendment application. Additionally, the project will meet or exceed the performance standards set forth in the Land Development Code for planned development zoning districts.
b. The request will meet or exceed all performance and locational standards set forth for the proposed 487-unit residential community, except where a deviation is requested and demonstrates the protection of public health, safety and welfare.
c. The proposed density is 6 dwelling units per acre is consistent with allowable densities in the Urban Community Future Land Use Category and will direct higher densities to infill sites in urban-designated areas of the County. Bonus Density is not being requested as part of this application. The proposed MPD is compatible with the single-family uses to the north and northwest, and provides a logical extension of the residential development pattern on Treeline Ave.
d. Access will be provided from Treeline Ave, a secondary access point to the north will provide emergency access to the development.
e. Approval of the request will not have a significant impact upon the surrounding roadway network. As outlined in the enclosed Traffic Impact Statement (TIS) prepared by TR Transportation Consultants, Inc., all impacted roadways can accommodate the traffic associated with the 487 dwelling units.
f. This request will not adversely affect environmentally critical areas and natural resources. The project will be preserving approximately 28 AC of wetlands. Gopher tortoises located on-site will be relocated according to the Florida Fish and Wildlife Conservation (FWC) regulations. Open space will be provided as required in LDC Chapters 10 and 34.
g. The Project be served by urban services, as defined in the Lee Plan, as it is located within a Future Urban area category. Public infrastructure and services are available to service the proposed development.

## VIII. Conclusion

The proposed MPD will address several sound planning principles that are currently of interest to Lee County. In direct compliance with the Lee Plan, the amendment will allow for infill development within an urbanized portion of the County that is currently serviced by public infrastructure, as presented above, the Property is adjacent to existing development on all sides, ranging from low and medium density single-family communities to higher density multi-family development to the south of the Property. Approval of this amendment will accommodate population growth within an appropriate area of the County with the requisite level of public services, and prevent intrusion of the new development into designated rural areas.

In summary, approval of this request will allow the Property to be developed in a manner that is consistent with the underlying Future Land Use category (upon approval of the companion CPA2017-00009), and is compatible with the surrounding land use pattern. The request directly supports the County's desire to direct new growth to infill locations in urban areas, and appropriately utilize public investment in infrastructure and services. The proposed rezoning will meet or exceed the standards set forth in the LDC for planned developments, except where a deviation has been requested. For these reasons, the Applicant respectfully requests approval of this rezone as proposed.

# TRAFFIC IMPACT STATEMENT

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

# TRAFFIC IMPACT STATEMENT

FOR

# TREELINE 115 MPD

**(PROJECT NO. F1708.09)**

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

**PREPARED BY:**
**TR Transportation Consultants, Inc.**
**Certificate of Authorization Number: 27003**
**2726 Oak Ridge Court, Suite 503**
**Fort Myers, Florida 33901-9356**
**(239) 278-3090**

**November 27, 2017**

TR TRANSPORTATION CONSULTANTS, INC

## CONTENTS


I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. FUTURE TRAFFIC CONDITIONS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. CONCLUSION

TR TRANSPORTATION CONSULTANTS, INC

## I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking rezoning approval. The subject site is located on the west site of Treeline Avenue approximately ½ of a mile north of Daniels Parkway in Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**.

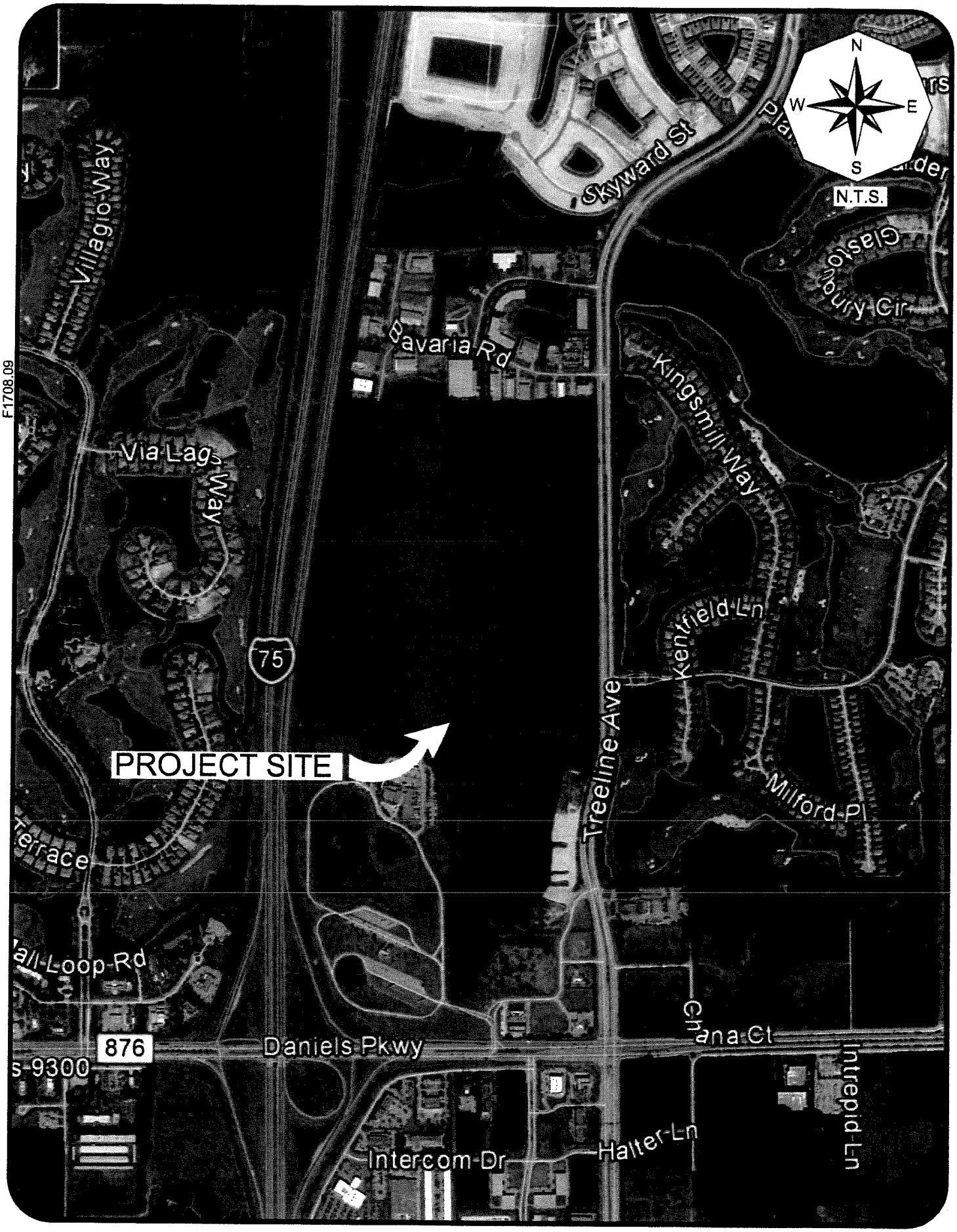
The applicant is requesting a rezoning of the subject site from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to accommodate a future development of a mix of retail, office and residential uses. The proposed rezoning would allow the approximate 115 acre subject site to be developed with up to 50,000 square feet of retail and 50,000 square feet of office uses, as well as 487 multi-family units. Access to the subject site is proposed to Treeline Avenue via a full site access drive opposite of Dartington Drive.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the various site access drives were completed and an analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

## II. EXISTING CONDITIONS

The site is currently vacant. The site is bordered by I-75 to the west, Treeline Center to the north, Treeline Avenue to the east and by Florida Highway Patrol and a retention pond to the south.

**Treeline Avenue** is a north/south four lane divided arterial that borders the subject site to the east. Treeline Avenue has a posted speed limit of 50 mph and is under the jurisdiction of the Lee County Department of Transportation.




F1708.09

TR TRANSPORTATION CONSULTANTS, INC

PROJECT LOCATION MAP
TREELINE 115 MPD

Figure 1

**Daniels Parkway** is an east/west six lane divided arterial within the vicinity of the subject site. Daniels Parkway has a posted speed limit of 50 mph and is under the jurisdiction of the Lee County Department of Transportation.

## III. PROPOSED DEVELOPMENT

The applicant is proposing to rezone the subject site from Agricultural (AG-2) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to accommodate a future development of a mix of retail, office and residential uses. The proposed rezoning would allow the approximate 115 acre subject site to be developed with up to 50,000 square feet of retail uses, 50,000 square feet of office uses and 487 multi-family units. The land uses utilized for the purpose of this analysis are outlined within **Table 1** below.

**Table 1**
**Land Uses**
**Treeline 115 MPD**

| Land Use | Size |
|---|---|
| Shopping Center (LUC 820) | 50,000 square feet |
| General Office (LUC 710) | 50,000 square feet |
| Multifamily Housing (Low Rise) (LUC 220) | 487 dwelling units |

Access to the subject site is proposed to Treeline Avenue via a full site access drive opposite of Dartington Drive.

## IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 10th Edition. Land Use Code 820 (Shopping Center) was utilized for the trip generation purposes of the retail uses, Land Use Code 710 (General Office Building) was utilized for the trip

generation purposes of the office uses and Land Use Code 220 (Multifamily Housing Low-Rise) was utilized for the trip generation purposes of the multi-family uses. The equations for these land uses are contained in the Appendix of this report for reference. **Table 2** indicates the anticipated weekday A.M. and P.M. peak hour trip generation of the subject site. The anticipated daily trip generation of the subject site is also indicated within Table 2.

**Table 2**
**Trip Generation – Total Trips**
**Treeline 115 MPD**

| Land Use | Weekday A.M. Peak Hour | | | Weekday P.M. Peak Hour | | | Daily |
|---|---|---|---|---|---|---|---|
| | In | Out | Total | In | Out | Total | (2-way) |
| Shopping Center (50,000 Sq. Ft.) | 110 | 67 | 177 | 156 | 169 | 325 | 3,752 |
| General Office (50,000 Sq. Ft.) | 63 | 10 | 73 | 9 | 50 | 59 | 542 |
| Multifamily Housing (Low-Rise) (487 dwelling units) | 49 | 166 | 215 | 152 | 90 | 242 | 3,641 |
| **Total Trips** | **222** | **243** | **465** | **317** | **309** | **626** | **7,935** |

However, with mixed use projects, ITE estimates that there will be a certain amount of interaction between uses that will reduce the overall trip generation of the project. This interaction is called "internal capture". In other words, trips that would normally come from external sources would come from uses that are within the project, thus reducing the overall impact the development has on the surrounding roadways. ITE, in conjunction with a study conducted by the ***NCHRP*** (National Cooperative Highway Research Program), has summarized the internal trip capture reductions between various land uses. For this project, there is data in the ITE report for interaction between the hotel, residential and retail uses.

An internal capture calculation was completed consistent with the methodologies in the NCHRP Report and published in the ITE ***Trip Generation Handbook***, 3rd Edition, dated September 2017. The resultant analysis indicates that there will be an internal trip capture reduction of five percent (5%) in the A.M. peak hour and twenty-five percent (25%) in

the P.M. peak hour between the retail, office and residential uses. The summary sheets utilized to calculate this internal capture rate for the weekday A.M. peak hour and P.M. peak hour are included in the Appendix of this report for reference. Additionally, pass-by traffic was taken into account based on the retail uses of the proposed development. The current version of the ITE ***Trip Generation Handbook***, 3rd Edition, indicates that the weekday PM peak hour pass-by rate for Land Use Code 820 is thirty-four (34%). However, consistent with previous analysis approved by the Lee County, thirty percent (30%) of the project traffic being generated by the retail uses was assumed to be pass-by traffic. **Table 3** indicates the total external trips that will access the proposed development.

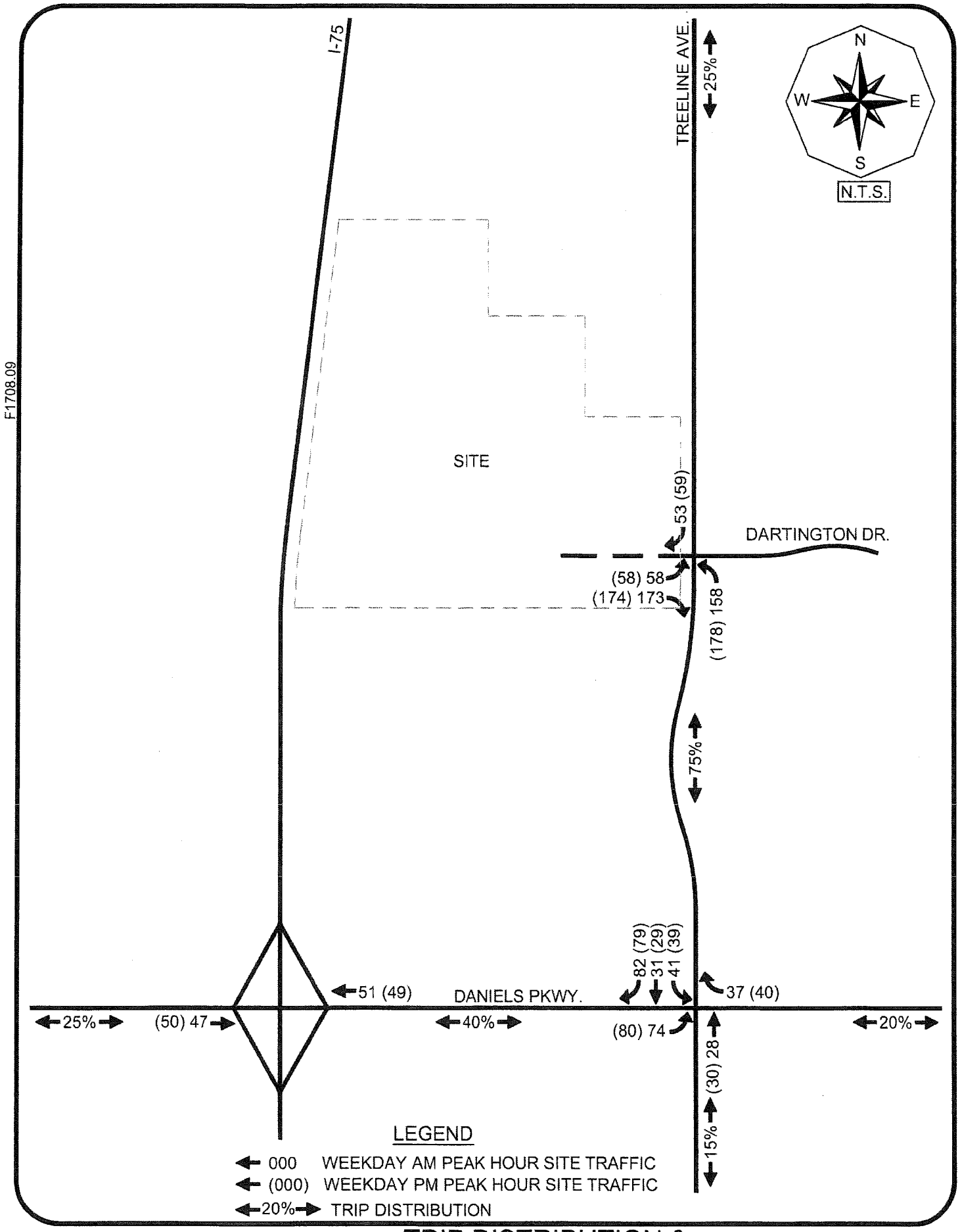
**Table 3**
**Trip Generation – Net New Trips**
**Treeline 115 MPD**

| Land Use | Weekday A.M. Peak Hour | | | Weekday P.M. Peak Hour | | | Daily (2-way) |
|---|---|---|---|---|---|---|---|
| | In | Out | Total | In | Out | Total | |
| Total Trips | 222 | 243 | 465 | 317 | 309 | 626 | 7,935 |
| Less Internal Capture 5% AM / 25% PM | -11 | -12 | -23 | -80 | -77 | -157 | -1,984 |
| Less LUC 820 Pass-By Trips | -25 | -25 | -50 | -37 | -36 | -73 | -844 |
| **Net New Trips** | **186** | **206** | **392** | **200** | **196** | **396** | **5,107** |

Note – Internal Capture reduction only applies to retail, office and residential uses.

## V. TRIP DISTRIBUTION

The trips generated by the new development which are shown in Table 3, were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. The net new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. **Figure 2** illustrates the percent project traffic distribution and assignment of the net new project trips.




TRANSPORTATION CONSULTANTS, INC

# TRIP DISTRIBUTION & SITE TRAFFIC ASSIGNMENT TREELINE 115 MPD

Figure 2

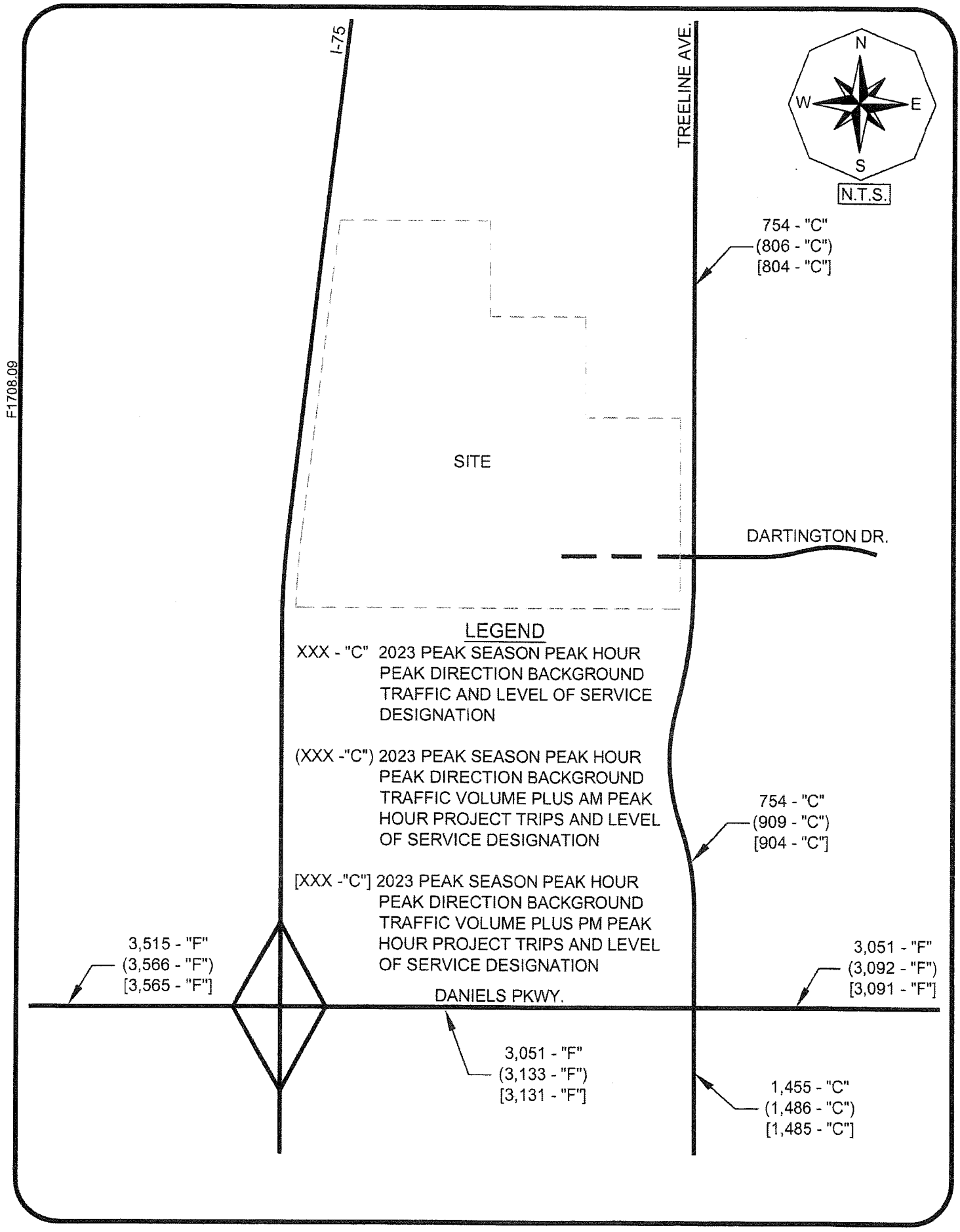
In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links in the vicinity of the subject site will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Generalized Peak Hour Directional Service Volume Tables. From Table 1A, none of the roadway segments analyzed are anticipated to be significantly impacted by the proposed development. A copy of the Generalized Service Volume Table is located in the Appendix of this report for reference.

## VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2023 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links that could be significantly impacted by this development. The growth rates were obtained through comparisons of annual traffic data obtained from 2016 Lee County Traffic Count Report. Based on the project distribution illustrated on Figure 2, the link data was analyzed for the year 2023 without the development and year 2023 with the development.

**Table 2A** in the Appendix of the report indicates the methodology utilized to obtain the year 2023 build-out traffic volumes as well as the growth rate utilized for each roadway segment. The base year traffic volumes were obtained from the 2017 Lee County Public Facilities Level of Service and Concurrency Report.

**Figure 3** indicates the year 2023 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service




TR TRANSPORTATION CONSULTANTS, INC

PROJECTED 2023 LEVEL OF SERVICE ANALYSIS
TREELINE 115 MPD

Figure 3

for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. This figure was derived from Table 2A contained in the Appendix.

## VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Figure 3 details the Level of Service for all links inside the project's area of influence based on this analysis. In comparing the links' functional classification and calculated 2023 traffic volumes to the Service Volume Tables, it was determined that all roadway links except for Daniels Parkway, will continue to operate at an acceptable Level of Service in 2023 both with and without the proposed development. All analyzed segments of Daniels Parkway are shown to operate at a LOS "F" both with and without the project in the year 2023. Therefore, Daniels Parkway is considered as future transportation deficiency that this project should not be responsible for mitigating. All other roadway links analyzed are shown to operate at a LOS "C" both with and without the proposed development in the year 2023. Therefore roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed development.

Turn lane improvements at the site access drive intersections will be evaluated at the time the project seeks Local Development Order approval.

## VIII. CONCLUSION

The development of the subject property with approximately 50,000 square feet of retail uses, 50,000 square feet of retail uses and 487 multi-family units on the west site of Treeline Avenue approximately ½ of a mile north of Daniels Parkway in Lee County, Florida will not degrade the roadway Level of Service on the roadways within the study area. All of the roadway links except for Daniels Parkway, will continue to operate at an acceptable Level of Service pursuant to the Lee County Comprehensive Plan in 2023 both with and without the proposed development. Daniels Parkway is shown to operate

below the minimum acceptable Level of Service in 2023 both with and without the proposed Treeline 115 MPD development. For this reason, Daniels Parkway is considered as future transportation deficiency that this project should not be responsible for mitigating. Therefore, the existing roadway networks can accommodate the additional new vehicle trips the development is anticipated to generate. Site specific turn lane improvements will be warranted based on the Lee County Turn Lane Policy and will be further defined in the Development Order process.

# APPENDIX

# TABLE 1A & 2A

# TABLE 1A
# PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
# TREELINE 115 - REZONING

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 392 VPH IN= 186 OUT= 206

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 396 VPH IN= 200 OUT= 196

| ROADWAY | SEGMENT | ROADWAY CLASS | LOS A VOLUME | LOS B VOLUME | LOS C VOLUME | LOS D VOLUME | LOS E VOLUME | PERCENT PROJECT TRAFFIC | PROJECT TRAFFIC | PROJ/ LOS C |
|---|---|---|---|---|---|---|---|---|---|---|
| Daniels Pkwy | E. of Palomino Ln. | 6LD | 0 | 400 | 2840 | 2940 | 2940 | 25% | 52 | 1.8% |
| | E. of I-75 | 6LD | 0 | 400 | 2840 | 2940 | 2940 | 40% | 82 | 2.9% |
| | E. of Treeline Ave. | 6LD | 0 | 400 | 2840 | 2940 | 2940 | 20% | 41 | 1.5% |
| Treeline Ave. | N. of Site | 4LD | 0 | 250 | 1,840 | 1,960 | 1,960 | 25% | 52 | 2.8% |
| | N. of Daniels Pkwy | 4LD | 0 | 250 | 1,840 | 1,960 | 1,960 | 75% | 155 | 8.4% |
| | S. of Daniels Pwky | 4LD | 0 | 250 | 1,840 | 1,960 | 1,960 | 15% | 31 | 1.7% |

* The Level of Service thresholds were for all roadways were obtained from the Lee County Generalized Service Volume Table.

# TABLE 2A
# LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
# TREELINE 115 - REZONING

TOTAL PROJECT TRAFFIC AM = 392 VPH IN = 186 OUT= 206
TOTAL PROJECT TRAFFIC PM = 396 VPH IN= 200 OUT= 196

| ROADWAY | SEGMENT | SITE/ STATION | BASE YR ADT | LATEST ADT | YRS OF GROWTH.[1] | ANNUAL RATE | 2016 PK HR PK SEASON PEAK DIR.[2] | 2023 PK HR PK SEASON PEAK DIRECTION VOLUME | LOS | V/C Ratio | PERCENT PROJECT TRAFFIC | AM PROJ TRAFFIC | PM PROJ TRAFFIC | 2023 BCKGRND + AM PROJ VOLUME | LOS | V/C Ratio | 2023 BCKGRND + PM PROJ VOLUME | LOS | V/C Ratio |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Daniels Pkwy | E. of Palomino Ln. | 264 | 59,300 | 60,600 | 8 | 2.00% | 3,060 | 3,515 | F | 1.20 | 25% | 52 | 50 | 3,566 | F | 1.21 | 3,565 | F | 1.21 |
| | E. of I-75 | 52 | 45,400 | 44,200 | 8 | 2.00% | 2,656 | 3,051 | F | 1.04 | 40% | 82 | 80 | 3,133 | F | 1.07 | 3,131 | F | 1.06 |
| | E. of Treeline Ave. | 52 | 45,400 | 44,200 | 8 | 2.00% | 2,656 | 3,051 | F | 1.04 | 20% | 41 | 40 | 3,092 | F | 1.05 | 3,091 | F | 1.05 |
| Treeline Ave. | N. of Site | 454 | 5,100 | 5,400 | 3 | 2.00% | 696 | 754 | C | 0.38 | 25% | 52 | 50 | 806 | C | 0.41 | 804 | C | 0.41 |
| | N. of Daniels Pkwy | 454 | 5,100 | 5,400 | 3 | 2.00% | 696 | 754 | C | 0.38 | 75% | 155 | 150 | 909 | C | 0.46 | 904 | C | 0.46 |
| | S. of Daniels Pwky | 502 | 27,600 | 22,100 | 3 | 2.00% | 1,390 | 1,455 | C | 0.74 | 15% | 31 | 30 | 1,486 | C | 0.76 | 1,485 | C | 0.76 |

1 Annual Growth Rate was calculated utilizing AADT data from 2016 Lee County Traffic Count Report.

2 2016 peak hour peak season peak direction traffic volumes were obtained from the 2017 Public Facilities Level of Service and Concurrency Report.

# LEE COUNTY GENERALIZED SERVICE VOLUMES TABLE

**Lee County**
**Generalized Peak Hour Directional Service Volumes**
**Urbanized Areas**

April 2016 c:\input5

**Uninterrupted Flow Highway**

Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | 130 | 420 | 850 | 1,210 | 1,640 |
| 2 | Divided | 1,060 | 1,810 | 2,560 | 3,240 | 3,590 |
| 3 | Divided | 1,600 | 2,720 | 3,840 | 4,860 | 5,380 |

**Arterials**

Class I (40 mph or higher posted speed limit)

Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | * | 140 | 800 | 860 | 860 |
| 2 | Divided | * | 250 | 1,840 | 1,960 | 1,960 |
| 3 | Divided | * | 400 | 2,840 | 2,940 | 2,940 |
| 4 | Divided | * | 540 | 3,830 | 3,940 | 3,940 |

Class II (35 mph or slower posted speed limit)

Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | * | * | 330 | 710 | 780 |
| 2 | Divided | * | * | 710 | 1,590 | 1,660 |
| 3 | Divided | * | * | 1,150 | 2,450 | 2,500 |
| 4 | Divided | * | * | 1,580 | 3,310 | 3,340 |

**Controlled Access Facilities**

Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | * | 160 | 880 | 940 | 940 |
| 2 | Divided | * | 270 | 1,970 | 2,100 | 2,100 |
| 3 | Divided | * | 430 | 3,050 | 3,180 | 3,180 |

**Collectors**

Level of Service

| Lane | Divided | A | B | C | D | E |
|---|---|---|---|---|---|---|
| 1 | Undivided | * | * | 310 | 660 | 740 |
| 1 | Divided | * | * | 330 | 700 | 780 |
| 2 | Undivided | * | * | 730 | 1,440 | 1,520 |
| 2 | Divided | * | * | 770 | 1,510 | 1,600 |

Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.

# TRAFFIC DATA FROM THE 2017 LEE COUNTY PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

Table 18 (cont.): Existing and Future Roadway LOS on County-Maintained Arterials in Unincorporated Areas

| ROADWAY LINK | | | | 100TH HIGHEST HOUR DIRECTIONAL VOLUMES | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | STANDARD | | 2016 | | 2021 | | |
| NAME | FROM | TO | TYPE | LOS | MAX | LOS | EXISTING | LOS | FUTURE | NOTES |
| CYPRESS LAKE DR | McGREGOR BLVD | SOUTH POINT BLVD | 4LD | E | 1,940 | D | 1,249 | D | 1,313 | |
| | SOUTH POINT BLVD | WINKLER RD | 4LD | E | 1,940 | D | 1,249 | D | 1,313 | |
| | WINKLER RD | SUMMERLIN RD | 4LD | E | 1,940 | D | 1,315 | D | 1,382 | |
| | SUMMERLIN RD | US 41 | 6LD | E | 2,940 | D | 2,101 | D | 2,208 | |
| DANIELS PKWY | US 41 | METRO PKWY | 6LD | E | 2,680 | D | 2,291 | D | 2,408 | |
| | METRO PKWY | SIX MILE PKWY | 6LD | E | 2,680 | D | 2,109 | D | 2,381 | Constrained |
| | SIX MILE PKWY | PALOMINO LN | 6LD | E | 3,040 | F | 3,060 | F | 3,359 | Constrained |
| | PALOMINO LN | I-75 | 6LD | E | 3,040 | F | 3,060 | F | 3,216 | Constrained |
| | I-75 | TREELINE AVE | 6LD | E | 3,260 | B | 2,656 | B | 2,791 | |
| | TREELINE AVE | CHAMBERLIN PKWY | 6LD | E | 3,260 | B | 2,656 | B | 2,791 | |
| | CHAMBERLIN PKWY | GATEWAY BLVD | 6LD | E | 3,260 | B | 2,589 | B | 2,721 | |
| | GATEWAY BLVD | SR 82 | 4LD | E | 2,160 | B | 1,928 | B | 2,108 | SKY Walk |
| DEL PRADO BLVD | US 41 | SLATER RD | 2LN | E | 860 | C | 380 | F | 878 | old count, Crane Landing |
| GLADIOLUS DR | McGREGOR BLVD | PINE RIDGE RD | 4LD | E | 1,840 | C | 634 | C | 666 | |
| | PINE RIDGE RD | BASS RD | 4LD | E | 1,840 | C | 1,233 | C | 1,337 | |
| | BASS RD | WINKLER RD | 6LD | E | 2,780 | C | 1,233 | C | 1,296 | |
| | WINKLER RD | SUMMERLIN RD | 6LD | E | 2,780 | C | 1,233 | C | 1,296 | |
| | SUMMERLIN RD | US 41 | 6LD | E | 2,780 | B | 2,026 | C | 2,171 | |
| GUNNERY RD | SR 82 | 23RD ST SW | 4LD | E | 1,920 | B | 1,017 | B | 1,086 | |
| | 23RD ST SW | LEE BLVD | 4LD | E | 1,920 | B | 1,017 | B | 1,086 | |
| | LEE BLVD | BUCKINGHAM RD | 2LN | E | 1,020 | C | 763 | C | 896 | |
| HANCOCK BRIDGE PKWY | NE 24TH AVE | ORANGE GROVE BLVD | 4LD | E | 1,880 | B | 1,397 | B | 1,468 | |
| | ORANGE GROVE BLVD | MOODY RD | 4LD | E | 1,880 | B | 1,382 | B | 1,452 | |
| | MOODY RD | US 41 | 4LD | E | 1,880 | B | 1,382 | B | 1,452 | |
| HOMESTEAD RD | SR 82 | MILWAUKEE BLVD | 2LN | E | 1,010 | D | 506 | E | 532 | |
| | MILWAUKEE BLVD | SUNRISE BLVD | 2LN | E | 1,010 | D | 506 | E | 532 | |
| | SUNRISE BLVD | LEELAND HEIGHTS | 4LN | E | 2,960 | D | 1,239 | D | 1,302 | 4 lane under construction |
| | LEELAND HEIGHTS | LEE BLVD | 4LN | E | 2,960 | D | 1,239 | D | 1,302 | |
| JOEL BLVD | BELL BLVD | 18TH ST | 4LN | E | 2,120 | B | 622 | B | 831 | Joel Blvd CPD |
| | 18TH ST | SR 80 | 2LN | E | 1,010 | C | 377 | C | 396 | |
| LEE BLVD | SR 82 | ALVIN AVE | 6LD | E | 2,840 | B | 2,552 | B | 2,682 | |
| | ALVIN AVE | GUNNERY RD | 6LD | E | 2,840 | B | 2,064 | B | 2,184 | |
| | GUNNERY RD | HOMESTEAD RD | 6LD | E | 2,840 | B | 2,364 | B | 2,485 | |
| | HOMESTEAD RD | WILLIAMS AVE | 4LD | E | 1,980 | B | 649 | B | 682 | |
| | WILLIAMS AVE | LEELAND HEIGHTS | 2LN | E | 1,020 | B | 649 | B | 682 | |
| LEELAND HEIGHTS | HOMESTEAD RD | JOEL BLVD | 4LN | E | 1,800 | B | 832 | B | 853 | |
| LITTLETON RD | CORBETT RD | US 41 | 2LN | E | 860 | C | 393 | C | 413 | |
| | US 41 | BUS 41 | 2LN | E | 860 | C | 431 | C | 453 | |
| LUCKETT RD | ORTIZ AVE | I-75 | 2LN | E | 880 | B | 357 | B | 439 | 4 Ln design & ROW |

Table 18 (cont.): Existing and Future Roadway LOS on County-Maintained Arterials in Unincorporated Areas

| ROADWAY LINK | | | | 100TH HIGHEST HOUR DIRECTIONAL VOLUMES | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | STANDARD | | 2016 | | 2021 | | NOTES |
| NAME | FROM | TO | TYPE | LOS | MAX | LOS | EXISTING | LOS | FUTURE | |
| THREE OAKS PKWY | ESTERO PKWY | SAN CARLOS BLVD | 4LD | E | 1,940 | B | 1,120 | B | 1,221 | |
| | SAN CARLOS BLVD | ALICO RD | 4LD | E | 1,940 | B | 665 | B | 838 | |
| TREELINE AVE | TERMIMAL ACCESS RD | DANIELS PKWY | 4LD | E | 1,980 | B | 1,455 | B | 1,673 | Harley Davidson |
| | DANIELS PKWY | AMBERWOOD RD | 4LD | E | 1,980 | A | 754 | A | 792 | |
| WINKLER RD | SUMMERLIN RD | GLADIOLUS DR | 4LD | E | 1,520 | D | 469 | D | 495 | |
| | GLADIOLUS DR | BRANDYWINE CIR | 2LN | E | 880 | B | 593 | B | 625 | |
| | BRANDYWINE CIR | CYPRESS LAKE DR | 2LN | E | 880 | B | 666 | B | 700 | |
| | CYPRESS LAKE DR | COLLEGE PKWY | 4LD | E | 1,780 | D | 669 | D | 756 | old count projection |
| | COLLEGE PKWY | McGREGOR BLVD | 2LN | E | 800 | B | 350 | B | 395 | old count projection |

F = Does not meet the County adopted LOS standard (NOTE: Below LOS standard is acceptable on constrained roads)

# TRAFFIC DATA FROM THE 2016 LEE COUNTY TRAFFIC COUNT REPORT

## Daily Traffic Volume (AADT)

| STREET | LOCATION | Station # | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | PCS | Area |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SUNRISE BLVD | E OF BELL BLVD | 480 | 900 | 800 | 700 | 900 | | | | | | | 6 | 5 |
| SUNSHINE BLVD | N OF IMMOKALEE RD | 413 | 3600 | 3600 | 2800 | 3000 | | | 3900 | 4000 | | 3900 | 22 | 5 |
| SUNSHINE BLVD | S OF LEE BLVD | 406 | 6300 | 5300 | 5700 | 6500 | | | 6100 | 7100 | | 7500 | 22 | 5 |
| SUNSHINE BLVD | N OF LEE BLVD (CR 884) | 412 | 10200 | 9100 | 8600 | 9600 | | | 10300 | 8300 | | 10100 | 22 | 5 |
| SUNSHINE BLVD | N OF W 12TH ST | 479 | 6200 | 6200 | 5200 | | | | | | | | 22 | 5 |
| TERMINAL ACCESS RD | E OF TREELINE AVE | 59 | 25000 | 23800 | 23400 | 23800 | 24000 | 23300 | 23500 | 26400 | | | | 4 |
| THREE OAKS PKWY | S OF CORKSCREW RD | 525 | 14000 | 17700 | 15700 | 16700 | 16100 | 18700 | 18800 | | 20900 | 21800 | 25 | 4 |
| THREE OAKS PKWY | N OF CORKSCREW RD | 415 | 18000 | | 15100 | 13200 | 14700 | 20200 | 19900 | | | | 25 | 4 |
| THREE OAKS PKWY | S OF ESTERO PKWY | 72 | | | | | | | 16000 | 16600 | 16500 | 16800 | | |
| THREE OAKS PKWY | S OF ALICO RD | 414 | 9900 | | | 9500 | 9500 | 12700 | 13700 | 11800 | 12300 | 13100 | 25 | 4 |
| TICE ST | W OF ORTIZ AV | 417 | 3400 | 2900 | 2500 | 2600 | | | | | | | 20 | 3 |
| TICE ST | W OF I 75 | 416 | 3400 | 2600 | 2200 | 2400 | | | | 3000 | | 3500 | 20 | 3 |
| TREELINE AVE | S OF COLONIAL BLVD | 453 | 7100 | | 8800 | 7300 | | | | | | | 61 | 3 |
| TREELINE AVE | S OF PELICAN COLONY BLVD | 62 | | 5600 | 6900 | 6600 | 7300 | 8200 | 8900 | 9700 | 10800 | 11600 | | 3 |
| TREELINE AVE | N OF DANIELS PKWY | 454 | 5100 | 5600 | 4500 | 5400 | | | | | | | 61 | 3 |
| TREELINE AVE | S OF DANIELS PKWY | 502 | 27600 | 23500 | 25900 | 22100 | | | | | | | 61 | 4 |
| TREELINE AVE | N OF AIRPORT TERMINAL | 61 | 27700 | 25500 | 25100 | 24000 | 23600 | 23800 | 24500 | 25500 | 23800 | 25000 | | 4 |
| 12 ST W | E OF GUNNERY RD | 472 | 5100 | 3100 | 3200 | 3400 | | | | | 4100 | | 22 | 5 |
| 23RD ST SW | E OF GUNNERY RD | 469 | 10000 | 8700 | 9400 | 10100 | | | 10200 | 11000 | | 11800 | 22 | 5 |

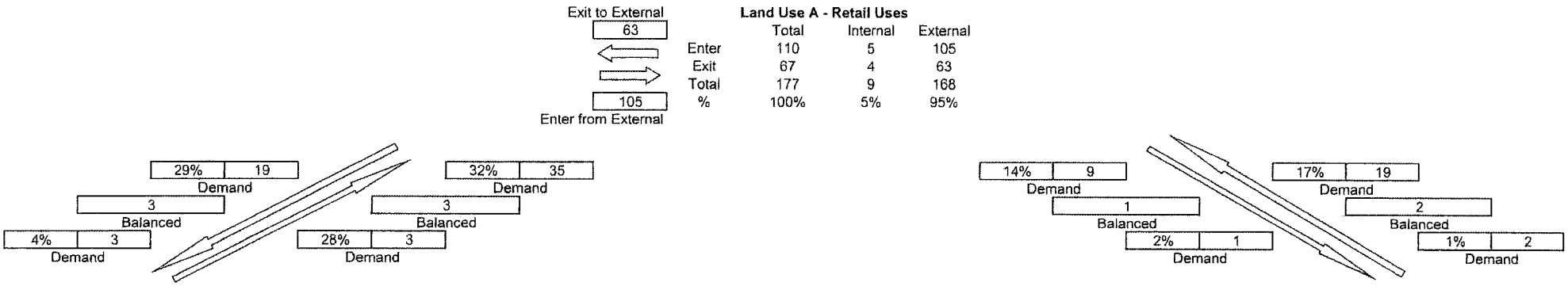
## Daily Traffic Volume (AADT)

| STREET | LOCATION | Station # | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | PCS | Area |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| DANIELS PKWY | E OF SIX MILE PKWY | 31 | 65300 | 58600 | 56100 | 55600 | 53600 | 52200 | 53200 | 51800 | 53200 | 59700 | | 4 |
| DANIELS PKWY | W OF I - 75 | 264 | 59300 | 49300 | 52000 | 47900 | 58400 | 60900 | 48700 | 51500 | 60600 | | 31 | 4 |
| DANIELS PKWY | E OF I - 75 | 52 | 45400 | 33400 | 48000 | 49000 | 48000 | 49500 | 44800 | 47100 | 44200 | | | 4 |
| DANIELS PKWY | E OF CHAMBERLIN PKWY | 48 | 38100 | 35100 | 34200 | 36100 | 35700 | | 35800 | 38100 | 37300 | 41900 | 31 | |
| DANIELS PKWY | W OF GATEWAY BLVD | 89 | | | | | | | | | 35800 | 34500 | | |
| DANIELS PKWY | S OF IMMOKALEE RD | 524 | 22000 | 17400 | 23400 | 25800 | 24400 | 29800 | 20600 | 28200 | 29000 | 33400 | 48 | 5 |
| DANLEY RD | W OF METRO PKWY | 518 | 6400 | 4300 | 4900 | 4500 | | | | 4900 | | 6300 | 45 | 3 |
| DAVIS RD | N OF McGREGOR BLVD | 265 | 2300 | 1900 | 2200 | 2000 | | | | | | | 36 | 7 |
| DEL PRADO BLVD | S OF SE 46TH LN | 266 | 29600 | 26400 | 28100 | | | | | | | | 2 | 1 |
| DEL PRADO BLVD | S OF CORONADO PKWY | 268 | 30100 | 32200 | 30000 | | | | | | | | 2 | 1 |
| DEL PRADO BLVD | S OF CORNWALLIS PKWY | 2 | 42800 | 39700 | 38600 | 37800 | 37400 | 36600 | 37100 | 37800 | 38300 | | | 1 |
| DEL PRADO BLVD | S OF EVEREST PKWY | 515 | 47700 | 46700 | 49000 | | | | | | | | 2 | 1 |
| DEL PRADO BLVD | N OF VETERANS PKWY | 516 | 56000 | 49600 | 51300 | | | | | | | | 40 | 1 |
| DEL PRADO BLVD | AT FOUR MILE COVE RD | 40 | 53000 | 50000 | 47100 | 48600 | 48300 | 45200 | 45800 | 46500 | 45600 | 46500 | | 1 |
| DEL PRADO BLVD | S OF HANCOCK PKWY | 270 | 42900 | 46500 | 42600 | | | | | | | | 40 | 1 |
| DEL PRADO BLVD | S OF PINE ISLAND RD | 267 | 30600 | 35500 | 29600 | 29000 | | | | | | | 40 | 1 |
| DEL PRADO BLVD | N OF PINE ISLAND RD | 24 | 23200 | | | | | | | | | | | 1 |
| DEL PRADO BLVD | E OF US 41 | 443 | 5900 | 5000 | 4900 | | | | 4700 | 5400 | 6000 | 6600 | 34 | 1 |
| E 21ST ST | E OF JOEL BLVD | 475 | 800 | 500 | 500 | | | | | | | | 22 | 5 |
| EAST TERRY ST | E OF OLD 41 | 271 | 10000 | 13000 | 11900 | | | | | | | | 42 | 6 |
| EDGEWOOD AVE | W OF SHOEMAKER BLVD | 632 | 1500 | 1500 | 1100 | | | | | | | | 11 | 3 |

# INTERNAL CAPTURE WORKSHEETS

## Internal Capture Calculation Summary Sheet

**Weekday AM Peak Hour**




**Land Use A - Retail Uses**

| | Total | Internal | External |
|---|---|---|---|
| Enter | 110 | 5 | 105 |
| Exit | 67 | 4 | 63 |
| Total | 177 | 9 | 168 |
| % | 100% | 5% | 95% |

Exit to External: 7
Enter from External: 58

**Land Use B - Office Uses**

| | Total | Internal | External |
|---|---|---|---|
| Enter | 63 | 5 | 58 |
| Exit | 10 | 3 | 7 |
| Total | 73 | 8 | 65 |
| % | 100% | 11% | 89% |

| Demand | | Balance | Demand | |
|---|---|---|---|---|
| 3% | 2 | 2 | 2% | 3 |
| 1% | 0 | 0 | 0% | 0 |

**Land Use C - Residential Uses**

| | Total | Internal | External |
|---|---|---|---|
| Enter | 49 | 1 | 48 |
| Exit | 166 | 4 | 162 |
| Total | 215 | 5 | 210 |
| % | 100% | 2% | 98% |

Exit to External: 162
Enter from External: 48

**Net External Trips for Multi-Use Development**

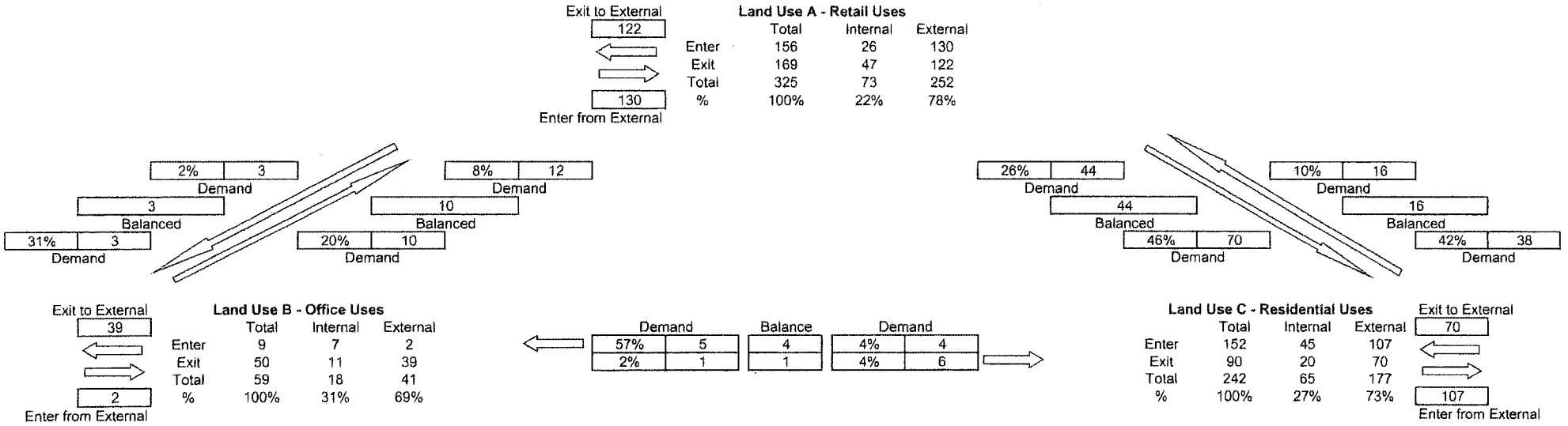
| | Land Use A | Land Use B | Land Use C | Total |
|---|---|---|---|---|
| Enter | 105 | 58 | 48 | 211 |
| Exit | 63 | 7 | 162 | 232 |
| Total | 168 | 65 | 210 | 443 |
| Single-Use Trip Gen. Est. | 177 | 73 | 215 | 465 |

**Internal Capture Rate**

5%

## Internal Capture Calculation Summary Sheet

**WEEKDAY PM PEAK HOUR**




**Land Use A - Retail Uses**

| | Total | Internal | External |
|---|---|---|---|
| Enter | 156 | 26 | 130 |
| Exit | 169 | 47 | 122 |
| Total | 325 | 73 | 252 |
| % | 100% | 22% | 78% |

**Land Use B - Office Uses**

| | Total | Internal | External |
|---|---|---|---|
| Enter | 9 | 7 | 2 |
| Exit | 50 | 11 | 39 |
| Total | 59 | 18 | 41 |
| % | 100% | 31% | 69% |

**Land Use C - Residential Uses**

| | Total | Internal | External |
|---|---|---|---|
| Enter | 152 | 45 | 107 |
| Exit | 90 | 20 | 70 |
| Total | 242 | 65 | 177 |
| % | 100% | 27% | 73% |

**Net External Trips for Multi-Use Development**

| | Land Use A | Land Use B | Land Use C | Total |
|---|---|---|---|---|
| Enter | 130 | 2 | 107 | 239 |
| Exit | 122 | 39 | 70 | 231 |
| Total | 252 | 41 | 177 | 470 |
| Single-Use Trip Gen. Est. | 325 | 59 | 242 | 626 |

**Internal Capture Rate**

**25%**

# TRIP GENERATION EQUATIONS

# TRIP GENERATION EQUATIONS

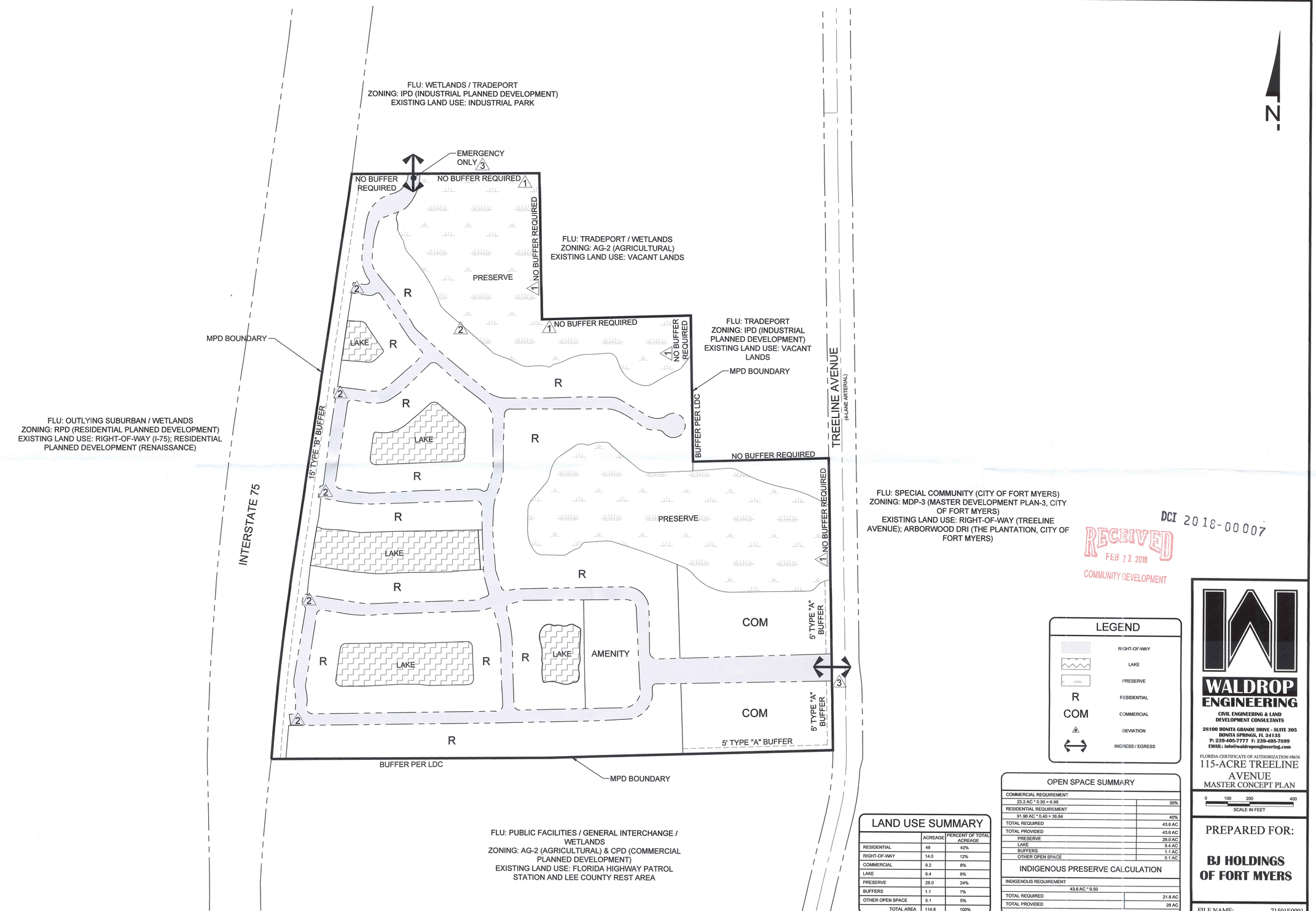
## TREELINE 115 MPD
### ITE TRIP GENERATION REPORT, 10th EDITION
### 50,000 SQ.FT. RETAIL USES
### 50,000 SQ.FT. OFFICE USES
### 487 MULTI-FAMILY DWELLING UNITS

| Land Use | Weekday AM Peak Hour | Weekday PM Peak Hour | Daily (2-way) |
|---|---|---|---|
| Shopping Center<br>(LUC 820) | T = 0.50 (X) + 151.78<br>(62% In/38% Out) | Ln (T) = 0.74 Ln (X) + 2.89<br>(48% In/52% Out) | Ln (T) = 0.68 Ln (X) + 5.57 |
| T = Trips, X = 1,000's of square feet GLA | | | |
| General Office<br>(LUC 710) | T = 0.94 (X) + 26.49<br>(86% In/14% Out) | Ln (T) = 0.95 Ln (X) + 0.36<br>(16% In/84% Out) | Ln (T) = 0.97 Ln (X) + 2.50 |
| T = Trips, X = 1,000's of square feet of Gross Floor Area (GFA) | | | |
| Multifamily Housing<br>(Low-Rise)<br>(LUC 220) | Ln (T) = 0.95 Ln (X) – 0.51<br>(23% In/77% Out) | Ln (T) = 0.89 Ln (X) – 0.02<br>(63% In/37% Out) | T = 7.56 (X) – 40.86 |
| T = Trips, X = Number of Dwelling Units | | | |

# MASTER CONCEPT PLAN
# (24x36)

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007




DCI 2018-00007

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

## LEGEND

| | |
|---|---|
| | RIGHT-OF-WAY |
| | LAKE |
| | PRESERVE |
| R | RESIDENTIAL |
| COM | COMMERCIAL |
| △ | DEVIATION |
| | INGRESS / EGRESS |

## LAND USE SUMMARY

| | ACREAGE | PERCENT OF TOTAL ACREAGE |
|---|---|---|
| RESIDENTIAL | 48 | 42% |
| RIGHT-OF-WAY | 14.0 | 12% |
| COMMERCIAL | 9.2 | 8% |
| LAKE | 9.4 | 8% |
| PRESERVE | 28.0 | 24% |
| BUFFERS | 1.1 | 1% |
| OTHER OPEN SPACE | 5.1 | 5% |
| TOTAL AREA | 114.8 | 100% |

## OPEN SPACE SUMMARY

| | |
|---|---|
| COMMERCIAL REQUIREMENT | |
| 23.2 AC * 0.30 = 6.96 | 30% |
| RESIDENTIAL REQUIREMENT | |
| 81.96 AC * 0.40 = 36.64 | 40% |
| TOTAL REQUIRED | 43.6 AC |
| TOTAL PROVIDED | 43.6 AC |
| PRESERVE | 28.0 AC |
| LAKE | 9.4 AC |
| BUFFERS | 1.1 AC |
| OTHER OPEN SPACE | 5.1 AC |

## INDIGENOUS PRESERVE CALCULATION

| | |
|---|---|
| INDIGENOUS REQUIREMENT | |
| 43.6 AC * 0.50 | |
| TOTAL REQUIRED | 21.8 AC |
| TOTAL PROVIDED | 28 AC |


WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899
EMAIL: info@waldropeng@meering.com
FLORIDA CERTIFICATE OF AUTHORIZATION #8636


# 115-ACRE TREELINE AVENUE
## MASTER CONCEPT PLAN

0 100 200 400
SCALE IN FEET

PREPARED FOR:

**BJ HOLDINGS OF FORT MYERS**

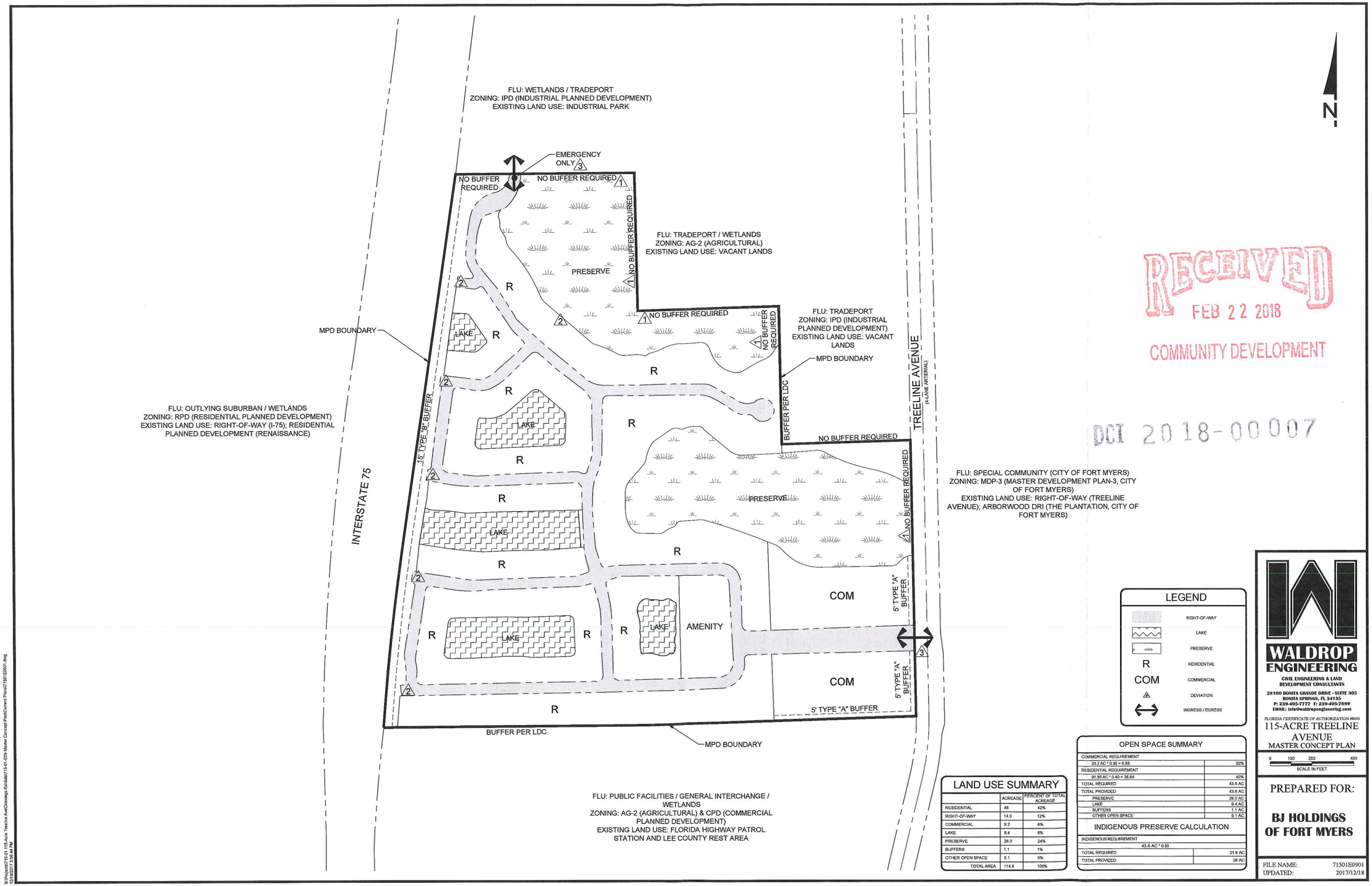
FILE NAME: 71501E0901
UPDATED: 2017/12/18

B:\Projects\715-01 115-Acre Treeline Ave\Drawings-Exhibits\715-01-E09 Master Concept Plan\Current Plans\71501IE0901.dwg
12/18/2017 3:39:44 PM

# MASTER CONCEPT PLAN
# (11x17)

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007




RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

## LEGEND

- RIGHT-OF-WAY
- LAKE
- PRESERVE
- R — RESIDENTIAL
- COM — COMMERCIAL
- DEVIATION
- INGRESS / EGRESS

## LAND USE SUMMARY

| | ACREAGE | PERCENT OF TOTAL ACREAGE |
|---|---|---|
| RESIDENTIAL | 48 | 42% |
| RIGHT-OF-WAY | 14.0 | 12% |
| COMMERCIAL | 9.2 | 8% |
| LAKE | 9.4 | 8% |
| PRESERVE | 28.0 | 24% |
| BUFFERS | 1.1 | 1% |
| OTHER OPEN SPACE | 5.1 | 5% |
| TOTAL AREA | 114.8 | 100% |

## OPEN SPACE SUMMARY

| | |
|---|---|
| COMMERCIAL REQUIREMENT | |
| 23.2 AC * 0.30 = 6.96 | 30% |
| RESIDENTIAL REQUIREMENT | |
| 91.96 AC * 0.40 = 36.64 | 40% |
| TOTAL REQUIRED | 43.6 AC |
| TOTAL PROVIDED | 43.6 AC |
| PRESERVE | 28.0 AC |
| LAKE | 9.4 AC |
| BUFFERS | 1.1 AC |
| OTHER OPEN SPACE | 5.1 AC |

## INDIGENOUS PRESERVE CALCULATION

| | |
|---|---|
| INDIGENOUS REQUIREMENT | |
| 43.6 AC * 0.50 | |
| TOTAL REQUIRED | 21.8 AC |
| TOTAL PROVIDED | 28 AC |


WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
28100 BONITA GRANDE DRIVE - SUITE 305
BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899
EMAIL: info@waldropengineering.com
FLORIDA CERTIFICATE OF AUTHORIZATION #8635


# 115-ACRE TREELINE AVENUE MASTER CONCEPT PLAN

0 100 200 400
SCALE IN FEET

PREPARED FOR:

**BJ HOLDINGS OF FORT MYERS**

FILE NAME: 71501E0901
UPDATED: 2017/12/18


S:\Projects\15-01-119 Alico Treeline Ave\Drawings-Exhibits\15-01-E09 Master Concept Plan\Current Plans\71501E0901.dwg
12/18/2017 8:56:4 AM

# SCHEDULE OF USES

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

# Treeline 115 Mixed Use Planned Development – Schedule of Uses

## Commercial Tract:

Accessory uses and structures
Accessory apartment
Administrative offices
Agricultural uses, as limited by Conditions
Animals, clinic or kennel
ATM (Automatic Teller Machine)
Auto parts store
Automobile repair and service
Automobile service station
Bar or cocktail lounge
Banks and financial establishments, Group I
Bed and breakfast
Business services, Group I
Car wash
Caretaker's residence
Cleaning and maintenance services
Clothing stores, general
Clubs:
    Fraternal, membership organization
    Private
Community gardens
Consumption on premises
Convenience food and beverage store
Cultural facilities
Day care center, child and adult
Drive-through facility for any permitted use
Drugstore, pharmacy
Dwelling units
    Live-work
    Single-family
    Two-family attached
    Townhouse
    Multiple-family building
    Zero lot line
Entrance gates and gatehouse
Essential services
Essential service facilities, Group I
Excavation – water detention and retention
Fences, walls
Food and beverage service, limited
Food stores, Group I

Gift and souvenir shop
Hardware store
Healthcare facilities, Groups I-III
Hobby, toy and game shops
Home occupation
Insurance company
Lawn and garden supply store
Manufacturing of food and kindred products, Group II (brewery)
Medical office
Model homes, model display center
Nonstore retailers, Group I
Paint, glass and wallpaper stores
Parks, Groups I and II
Parking lot, accessory
Personal Services, Groups I and II (excluding massage parlors and steam or Turkish bath)
Pet services
Pet shops
Pharmacy
Post office
Real estate sales office
Recreation facilities, commercial
Recreational facilities, personal, private on-site, private off-site
Religious facilities
Rental or leasing establishments, Group I-III
Residential accessory uses
Restaurant, fast food
Restaurants, all groups
Schools, commercial and non-commercial
Self-service fuel pumps
Signs, in accordance with Chapter 30
Specialty retail shops, all groups
Storage, indoor and open
Studios
Supermarket
Temporary Uses
Transportation services, Groups II-III
Used merchandise stores, Group I
Variety Store
Vehicle and equipment dealers, Groups I-III

**Residential Tract:**

Accessory uses, as defined by the LDC
Clubs, private
Community administrative office
Community gardens
Consumption on Premises in conjunction with recreational facilities
Dwelling units – Limited to 487 dwelling units in MPD:
    Live-work

- Single-family
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

Entrance gates and gatehouses
Essential services
Essential service facilities, Group I
Excavation – water detention and retention
Fences, walls
Home occupation
Models, model home, display center, sales center
Parking lot, accessory, temporary
Real estate sales office
Residential accessory uses and structures
Signs – in accordance with Chapter 30 and 33 of LDC
Temporary Uses

# SITE DEVELOPMENT REGULATIONS

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# Treeline 115 MPD

## Site Development Regulations

| SITE DEVELOPMENT REGULATIONS | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Land Use | Min. Lot Size | Min. Lot Width | Min. Lot Depth | Min. Front Setback [1] | Side Setback | Rear Setback | Accessory Setback [2] | Max. Bldg. Height | Min. Bldg. Separation | Max. Lot Coverage | Waterbody |
| Single-Family Detached | 4,500 SF | 45′ | 100′ | 20′/15′/10′ | 5′ | 10′ | 5′/0′ | 35′ | 10′ | 55% | 20′/0′ |
| Zero Lot Line | 4,000 SF | 40′ | 100′ | 20′/15′/10′ | 10′/0′ | 10′ | 5′/0′ | 35′ | 10′ | 60% | 20′/0′ |
| Two-Family Attached | 3,500 SF | 35′ | 100′ | 20′/10′ | 5′/0′ | 10′ | 5′/0′ | 35′ | 10′ | 60% | 20′/0′ |
| Townhouse | 1,800 SF | 18′ | 100′ | 20′/10′ | 7.5′/0′ | 10′ | 5′/0′ | 45′ | 15′ [3] | 65% | 20′/0′ |
| Multi-Family Building | 7,500 SF | 75′ | 100′ | 20′ | N/A | 10′ | 5′/0′ | 65′ | 15′ [3] | 50% | 20′/0′ |
| Retail | N/A | N/A | N/A | 25′ | 0′ | 0′ | 0′ | 65′ | N/A | 50% | 20′/0′ |
| Office | N/A | N/A | N/A | 25′ | 0′ | 0′ | 0′ | 65′ | N/A | 50% | 20′/0′ |
| Mixed-Use Buildings | N/A | N/A | N/A | 25′ | 0′ | 0′ | 0′ | 65′ | N/A | 50% | 20′/0′ |

(1) 20′ min. front setback for front-loaded garages. 15′ min. front setback for side loaded garages. 10′ min. front setback for rear-loaded/alley lots and secondary front setback on corner lots
(2) 0′ accessory setback where rear lot line abuts platted lake maintenance easement or landscape buffer easement
(3) 15′ minimum building separation for structures 35′ in height or less. For structures greater than 35′ in height, the minimum building separation will be ½ of the building height.

# SCHEDULE OF DEVIATIONS AND WRITTEN JUSTIFICATION

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

# Treeline 115 Mixed Use Planned Development
## Schedule of Deviations & Justifications

Deviation (1) from LDC 10-416(d)(1), which requires a buffer area along the entire perimeter of the proposed development whenever the proposed development abuts a different use; to allow for no perimeter buffers where onsite preserve areas abut the MPD perimeter.

JUSTIFICATION: The requested deviation will allow for the northern and eastern limits of the MPD to retain their natural preserve views. The MCP and FLUCCS Map submitted within this application demonstrate permanent native preserve areas along portions of the MPD boundary. These preserve areas are expansive and significantly exceed the minimum buffer requirement. The existing vegetation consists native plants that exceed the minimum required number of trees per 100 linear feet set forth in LDC Section 10-416 (as clustered in existing conditions). Therefore, the proposed deviation will serve as an enhancement to the project, and to the surrounding community by maintaining the natural conditions along the roadway. The deviation will not negatively impact public health, safety or welfare. This deviation only applies to the northern and eastern boundaries of the MPD. All other perimeter buffers will meet or exceed the LDC standards.

Deviation (2) from LDC 10-296(k)(1), which requires that dead-end streets be closed at one end by a circular turnaround for vehicles; to allow for five (5) dead-end streets.

JUSTIFICATION: The requested deviation will allow for five (5) dead-end streets at the terminus of private, local streets as shown on the Master Concept Plan in order to efficiently utilize the property's developable area. The maximum length of the proposed dead-end street will not exceed 150 feet. The proposed design is in compliance with state and local fire safety standards. Therefore, the requested deviation will not negatively impact public health, safety or welfare and will provide for design flexibility within the parcel.

Deviation (3) from LDC 10-291(3), which requires residential developments over 5 acres to provide two (2) points of ingress/egress, to allow for one (1) point of access to Treeline Avenue and one (1) emergency only access to the north.

JUSTIFICATION: The requested deviation will allow for one (1) point of access to Treeline Avenue and one (1) emergency only access to the north via an extension of Matterhorn Road. By reducing the number of access points the development minimizes impacts to wetlands which are located along the northern and eastern Property boundaries. Furthermore, the Property does not have access to the west due to the location of I-75 and only has approximately 1,300 FT of frontage along Treeline Avenue which limits the internal development pattern. To ameliorate any concerns regarding emergency services to the Property the Applicant proposes an emergency only access through Matterhorn Road to the north. Therefore, the requested deviation will not negatively impact public health, safety or welfare and will provide for design flexibility within the parcel.

# ENVIRONMENTAL REQUIREMENTS

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# Environmental Assessment
# Treeline 115

Prepared for

BJ Holdings of Fort Myers, LLC
4245 Fowler St.
Ft Myers, FL 33901

26 June 2017

Synecological Analysts® Inc.
2159 Morning Sun Ln
Naples, FL 34119

## 1.0 INTRODUCTION

The project presented with this application is located in Sections 14 and 15, Township 46 S, Range 27 E in Lee County, FL and is approximately 0.5 miles N from Daniels - Treeline intersection. This site is an assemblage of five parcels. The summary information for these parcels is included in the Appendix of this report. The Treeline 115 site is bounded by an industrial park and undeveloped land along its northern boundary. Treeline Ave and undeveloped land border this project site to the E. I-75 borders the site to the W. State land, including a FDOT rest area and FHP headquarters border this site to the S. The latitude/longitude information for the center of this site is 26 degrees, 33', 28.49" N and 81 degrees 42', 16.90" W.

The developer of this project is:

BJ Holding of Fort Myers, LLC
4245 Fowler St.
Ft Myers, FL 33901

The project planner is:

Waldrop Engineering, P.A.
Attn: Alexis Crespo, AICP,LEED AP
Suite 305
28100 Bonita Grande Dr.
Bonita Springs, FL 34135
alexisc@waldropengineering.com

The proposed project is to develop a residential housing.

Synecological Analysts® (SAI) conducted an Environmental Assessment on this site. This document responds to the Lee County requirement of an Environmental Assessment Report. SAI evaluated this property to determine distribution, extent and character of vegetational communities. Habitat types, jurisdictional wetland status, potential or presence of listed species and suitability of the on site habitat for listed species habitat were also evaluated. Soil types, distribution and extent were determined to assist in the other evaluations. Findings and conclusions are presented in subsequent portions of this document.

## 2.0 EXISTING SITE CONDITIONS

The proposed development consists of five parcels. Lee County summary data sheets for these parcels are included in the Appendix to this report. All native communities except the Cypress heads (FLUCCS 621) have been disturbed over an extended of time as a result of AG management practices. Disturbance influenced the considerable majority of this site and occurred in progressive fashion. A review of historical aerial photographs and comparing soil profiles with typic soil profiles for the series that originally comprised the site show that some areas were logged in the historic past and this logging activity continued into this decade. This site is bounded on the North by an industrial park and the NE by undeveloped land. Treeline Ave is the site boundary on the E and I-75 borders the site on the W. The southern boundary is State of Florida public use land including a rest area FHP headquarters. A borrow lake and partially developed parcel also occur just south of this project. The Treeline 115 is not a pristine site that approximates the pre-development character of this general area. Plant communities and habitat have been severely impacted over time by ongoing AG activity. Most of the non-Cypress canopy and much of the Saw palmetto upland shrub strata are largely absent. Regional and area drainage has been massively disrupted. Cycles of fire and renewal have been absent from this site for decades. Plant communities and land uses were identified according to the Florida Department of Transportation (FDOT$_{1991}$) Florida Land Use, cover and Forms Classification system (FLUCCS) protocol. The Exhibit on the following page identifies and delineates extant communities and land use. These are presented as Habitat Types and a description of their character on this site is presented in the following sections.

### 2.1 Soils

This site is not edaphically complex. The Hallendale wet fine sand, 0 - 2% slopes and Copeland loamy sand, depressional phase cover approximately 90% of the site. A general description of the character of these soils is presented in Appendix A. The combination of regional drainage impacts, road drainage both east and west and drainage plans for the nearby developments alter the original hydrologic nature of these soils to make an in depth discussion moot.

Originally these soils occurred on drainage ways on marine terraces in dip landform position on hydric or mesic lowlands. Rock is usually found within 36" of the surface.




SYNECOLOGICAL ANALYSTS
ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
Naples, Florida 34119
Phone: (239) 514-3998
Fax: (239) 514-0955

# FLUCCS MAP

## TREELINE 115

### FLUCCS CODE

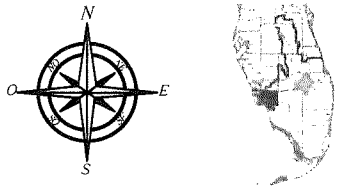
411 SLASH PINE FLATWOODS
424 MELALEUCA
621 CYPRESS
624 CYPRESS - PINE - CABBAGE PALM
742 BORROW AREA

### FLUCCS AREA of polygon

411 - 45.5 ac
411 D - 4.8 ac
411/424 D - 3.5 ac
621 - 19.9 ac
624 - 1.2 ac
624 D - 39.9 ac
742 - 0.1 ac

### DISTURBANCE CODE

D DRASTICALLY DISTURBED




0 250 500 1000 1500 ft

## 3.0 VEGETATION AND HABITAT POTENTIAL

### 2.1 Uplands

There are only two upland land use types identified on this site. They are shown on the FLUCCS map that follows this page. They will be discussed in numerical order.

411 - Palmetto - Pine Flatwoods - This community is characterized by a sparse Slash pine (Pinus elliottii) canopy of small to mid-size trees. The larger trees and many mid-size trees were logged a few years ago. The shrub strata is Saw palmetto dominated with occasional Sumac and Lyonia. Upland bluestems (Andropogon spp.) characterize the herbaceous strata.

411 - Palmetto - Pine Flatwoods / Disturbed -This community is characterized in the canopy level by scattered Slash pine and islands of Melaleuca that are growing on vegetation debris from past AG clearing. The shrub level of Saw palmetto has been drastically impacted. It still exists as a dominant, but in very reduced numbers. The herbaceous strata is often dominated by Grape with a trailing growth form. A complex mix of annual weedy species comprise the remainder of herbaceous vegetation.

424 - Melaleuca - The only significant presence of this exotic/invasive species exists exclusively on AG vegetation piles in one small area near the entrance gate off Treeline Ave. and in codominance with FLUCCS 411 in this 5.1 ac area.

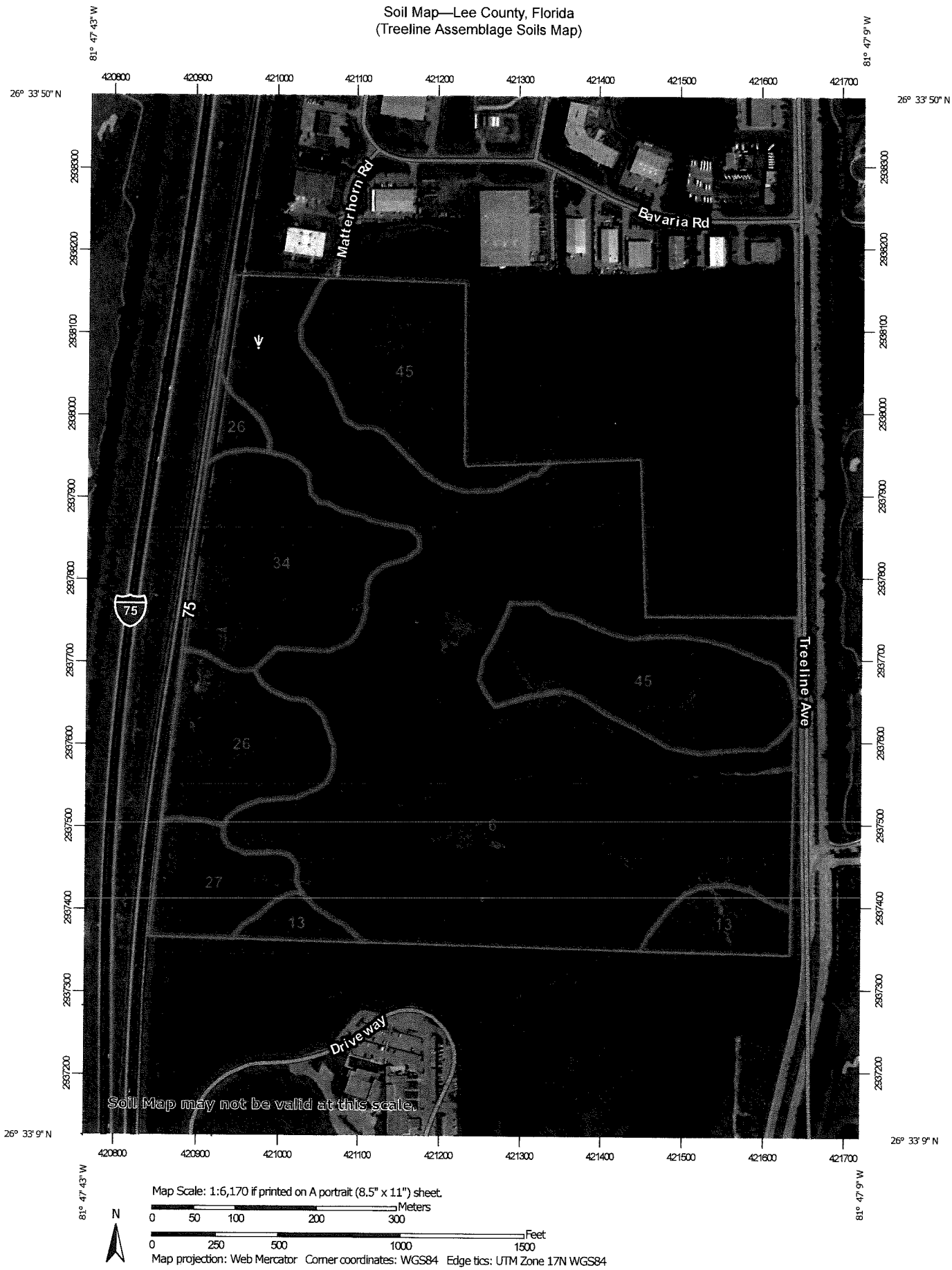
### 2.2 Wetlands

The SWFWMD has recently completed a wetland jurisdictional determination (# 36-00039) on this project and identified approximately 62 acres of wetlands. Efforts to complete the Federal wetland determination process on this site are underway. The SFWMD wetland map follows this page. Wetland and Borrow Area community summary descriptions are presented below.

621 - Cypress -This community occurs as isolated heads in the central portion of the site. Along the southeast and northeast site boundary, larger areas occur. Bald Cypress (Taxodium distichum) and Pond Cypress dominate the canopy. Scattered Slash pine occur within this cypress matrix. Swamp bay and Dahoon characterize the shrub stratum along the margins. The shrub component Representative herbaceous components include Swamp Fern (Blechnum serrulatum) and Laurel greenbrier (Smilax laurifolia).

624 - Cypress/Pine/Cabbage Palm - This community is characterized by a canopy dominated by Pond cypress and Slash Pine . The understory or minor canopy component of Cabbage palm (Sabal palmetto) typically found in this FLUCCS association is absent on this site, possibly because of the shallow cap rock found in many areas. The shrub component of this community is essentially absent because of previous logging impacts. Seedling Cypress and Slash pine, along with the occasional

Soil Map—Lee County, Florida
(Treeline Assemblage Soils Map)




Map Scale: 1:6,170 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 50 100 200 300

Feet
0 250 500 1000 1500

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

# Map Unit Legend

| Lee County, Florida (FL071) | | | |
|---|---|---|---|
| **Map Unit Symbol** | **Map Unit Name** | **Acres in AOI** | **Percent of AOI** |
| 6 | Hallandale fine sand, wet, 0 to 2 percent slopes | 69.2 | 58.1% |
| 13 | Boca fine sand, 0 to 2 percent slopes | 4.2 | 3.6% |
| 26 | Pineda fine sand, 0 to 2 percent slopes | 8.5 | 7.1% |
| 27 | Pompano fine sand, depressional | 4.5 | 3.8% |
| 34 | Malabar fine sand, 0 to 2 percent slopes | 12.3 | 10.3% |
| 45 | Copeland sandy loam, depressional | 20.3 | 17.1% |
| **Totals for Area of Interest** | | **119.1** | **100.0%** |

Dahoon holly comprise the few shrubby plants that exists here.

742 - Borrow Area - Borrow areas cover approximately 0.1 acres of this site and are essentially devoid of emergent vegetation.

2.3 Habitat Potential

The large majority of this site has significantly degraded habitat potential as a result of long term AG impacts. The less disturbed Cypress heads are not proposed for any significant impacts by the proposed development. The impact areas we propose have an essentially absent canopy, sparse and parsimonious shrub strata and herbaceous vegetation that is to a large degree degraded with an abundant presence of weedy annual herbs.

## 4.0 PROTECTED/LISTED SPECIES

SAI has conducted species surveys on these parcels over a period of five years. The most recent complete survey occurred in May and June of 2017. A complete listing of potential species can be found at the following link on the Lee County website http://www.leegov.com/dcd/Documents/ES/protspec/ProtectedSpeciesList.pdf. As discussed previously the habitat quality of vegetation on this site is not suitable for potential listed species.

### 4.1 Wildlife

No , sign, calls, tracks or other indication of listed animal species were encountered on this site beyond the few Snowy Egret sightings noted in the Species Report submitted to Lee County in conjunction with the Treeline 115. Two squirrel nests were identified, but are not Big Cypress Fox squirrel nests. This location of these nests is incompatible with preferred habitat for this species. No impacts proposed by this project impact any nests we observed.

Protected wildlife species lists by FLUCCS list are included in Appendix A for reference.

4.2 Vegetation - As discussed in previous sections, this site does not have a habitat diversity or quality to support potential listed species associated with the extant habitat types.

## 7.0 SUMMARY

This proposed project is located approximately 0.5 mile north of the Daniels - Treeline intersection, on the west side of Treeline Ave. It is bounded by an industrial park and undeveloped land on the North, I-75 to the west and on the south by State land and a partially built development. The site is comprised of five parcels. The applicant




DCI 2018-00007

SYNECOLOGICAL ANALYSTS
ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
Naples, Florida 34119
Phone: (239) 514-3998
Fax: (239) 514-0955

# TRANSECT MAP and SPECIES SIGHTING LOCATIONS

## TREELINE 115

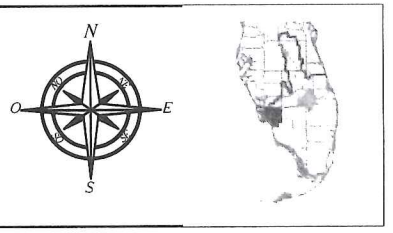
### SPECIES SIGHTING LOCATIONS CODES

S - EASTERN GREY SQUIRREL

E - SNOWY EGRET

B - BOBCAT

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT




0 250 500 1000 1500 ft

proposes to develop residential housing on this land.

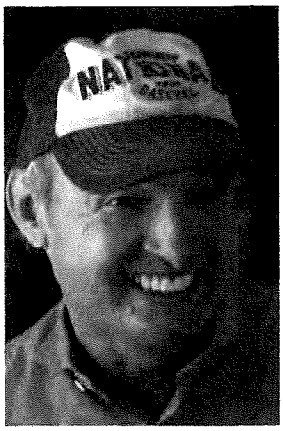
The SFWMD identified approximately 62 acres of wetlands and the Federal review is ongoing. Wetland impacts for the proposed development will be permitted and constructed consistent with State and Federal permitting protocols.

Because of historic AG uses on this parcel, the majority of this site is significantly degraded in habitat quality and integrity. The impacts proposed herein will offset any listed species and wetland impacts as part of the State and Federal approval process.

APPENDIX A

SYNECOLOGICAL ANALYSTS®

*Environmental Evaluation and Advocacy*
www.synecol.com



**BROWN COLLINS**

EDUCATION
B.S., Range Science - Texas A&M University, 1969
M.S. Plant Ecology/Soils - Texas A&M University, 1972

CERTIFICATIONS
Ecological Society of America Professional Ecologist - 1981
American Soc. Of Agronomy - Certified Prof. Soil Scientist # 762 - 1983

SUMMARY
Brown Collins has a B.S. and graduate degree in ecology and more than 40 years of southwest Florida experience. He brings realism founded on a firm technical base to the process of environmental evaluation and permitting. He has permitted hundreds of projects with many degrees of ecological complexity. He has done environmental consulting work on every continent except Antarctica. Representative projects include RMC South Florida Materials Corkscrew Road Mine, University Lakes, University Lakes West, Willow Run Mine and Livingston Lakes residential. Historic projects include the Turkey Point Nuclear Generating Station, Miami Jetport, initial IFC Phosphate mine and the first drilling pad in the Big Cypress Natl. Preserve. Other representative projects include mapping several thousand acres of wetlands in the STA 3/4 Area of the Everglades Restoration Project, permitting State Road 29 improvements from I-75 to Copeland and all Florida Department of Transportation mitigation site monitoring from Polk County to Collier County. An overview of Mr. Collins experience includes:

- Obtained over 500 permit approvals for projects impacting wetlands in SW Florida.
- Mapped more than 500,000 acres of Florida plant communities, primarily wetlands.
- Sampled and quantitatively analyzed more than 50,000 acres.
- Mapped more than 100,000 acres of soils and technically edited NRCS county Soil Surveys for the NRCS national offices

As president and founder of Synecological Analysts® in 1993 his focus has been primarily on wetland jurisdictional determinations, protected species issues, project permitting, violation resolution, client advocacy and wetland negotiations such as mitigation and enhancement.

**Suite 200 2159 Morning Sun Lane, Naples, FL 34119**
**239-514-3998 Fax: 305-900-4878**
brown@synecol.com




| Exhibit No: 1 | Exhibit Created On: 2017-04-19 | LEE COUNTY, FL |
|---|---|---|

REGULATION DIVISION

Project Name: TREELINE ASSEMBLAGE

0 0.05 0.1 Miles

N

Application

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

South Florida Water Management District

DCI 2018-00007

# Lee County, Florida

## 6—Hallandale fine sand, wet, 0 to 2 percent slopes

### Map Unit Setting

*National map unit symbol:* 2tzx1
*Elevation:* 0 to 70 feet
*Mean annual precipitation:* 46 to 56 inches
*Mean annual air temperature:* 70 to 77 degrees F
*Frost-free period:* 360 to 365 days
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Hallandale and similar soils:* 85 percent
*Minor components:* 15 percent
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Hallandale

#### Setting

*Landform:* Flatwoods on marine terraces
*Landform position (three-dimensional):* Tread, talf
*Down-slope shape:* Linear
*Across-slope shape:* Linear
*Parent material:* Sandy marine deposits over limestone

#### Typical profile

*A - 0 to 2 inches:* fine sand
*Eg - 2 to 7 inches:* fine sand
*Bw - 7 to 12 inches:* fine sand
*2R - 12 to 22 inches:* bedrock

#### Properties and qualities

*Slope:* 0 to 2 percent
*Depth to restrictive feature:* 2 to 20 inches to lithic bedrock
*Natural drainage class:* Poorly drained
*Runoff class:* High
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.60 to 5.95 in/hr)
*Depth to water table:* About 0 to 12 inches
*Frequency of flooding:* None
*Frequency of ponding:* None
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
*Sodium adsorption ratio, maximum in profile:* 4.0
*Available water storage in profile:* Very low (about 0.6 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified
*Land capability classification (nonirrigated):* 4w
*Hydrologic Soil Group:* B/D

*Other vegetative classification:* South Florida Flatwoods (R155XY003FL), Sandy soils on flats of mesic or hydric lowlands (G155XB141FL)
*Hydric soil rating:* Yes

**Minor Components**

**Boca**
*Percent of map unit:* 6 percent
*Landform:* Flatwoods on marine terraces
*Landform position (three-dimensional):* Tread, talf
*Down-slope shape:* Convex
*Across-slope shape:* Linear
*Ecological site:* South Florida Flatwoods (R155XY003FL)
*Other vegetative classification:* South Florida Flatwoods (R155XY003FL), Sandy over loamy soils on flats of hydric or mesic lowlands (G155XB241FL)
*Hydric soil rating:* Yes

**Rock outcrop, limestone**
*Percent of map unit:* 5 percent
*Landform:* Flatwoods on marine terraces
*Landform position (three-dimensional):* Talf
*Down-slope shape:* Linear
*Across-slope shape:* Linear
*Hydric soil rating:* Unranked

**Parkwood variant, mod. deep**
*Percent of map unit:* 2 percent
*Landform:* Drainageways on marine terraces
*Landform position (three-dimensional):* Dip
*Down-slope shape:* Linear
*Across-slope shape:* Concave
*Other vegetative classification:* Wetland Hardwood Hammock (R155XY012FL), Loamy and clayey soils on flats of hydric or mesic lowlands (G155XB341FL)
*Hydric soil rating:* Yes

**Wabasso**
*Percent of map unit:* 2 percent
*Landform:* Flatwoods on marine terraces
*Landform position (three-dimensional):* Tread, talf
*Down-slope shape:* Convex
*Across-slope shape:* Linear
*Other vegetative classification:* South Florida Flatwoods (R155XY003FL), Sandy soils on flats of mesic or hydric lowlands (G155XB141FL)

*Hydric soil rating:* No

## Data Source Information

Soil Survey Area: Lee County, Florida
Survey Area Data: Version 13, Sep 16, 2016

# Lee County, Florida

## 45—Copeland sandy loam, depressional

### Map Unit Setting

*National map unit symbol:* 1lsmx
*Mean annual precipitation:* 46 to 54 inches
*Mean annual air temperature:* 70 to 77 degrees F
*Frost-free period:* 358 to 365 days
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Copeland and similar soils:* 88 percent
*Minor components:* 12 percent
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Copeland

#### Setting

*Landform:* Depressions on marine terraces
*Landform position (three-dimensional):* Dip
*Down-slope shape:* Concave
*Across-slope shape:* Concave
*Parent material:* Sandy and loamy marine deposits

#### Typical profile

*A - 0 to 8 inches:* sandy loam
*Btg - 8 to 20 inches:* sandy loam
*2Cca - 20 to 28 inches:* sandy clay loam
*3R - 28 to 30 inches:* unweathered bedrock

#### Properties and qualities

*Slope:* 0 to 1 percent
*Depth to restrictive feature:* 20 to 50 inches to lithic bedrock
*Natural drainage class:* Very poorly drained
*Runoff class:* Negligible
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)
*Depth to water table:* About 0 inches
*Frequency of flooding:* None
*Frequency of ponding:* Frequent
*Calcium carbonate, maximum in profile:* 40 percent
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
*Sodium adsorption ratio, maximum in profile:* 4.0
*Available water storage in profile:* Low (about 3.5 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified
*Land capability classification (nonirrigated):* 7w
*Hydrologic Soil Group:* D

*Other vegetative classification:* Freshwater Marshes and Ponds (R155XY010FL), Loamy and clayey soils on stream terraces, flood plains, or in depressions (G155XB345FL)
*Hydric soil rating:* Yes

**Minor Components**

**Chobee**
*Percent of map unit:* 2 percent
*Landform:* Depressions on marine terraces
*Landform position (three-dimensional):* Dip
*Down-slope shape:* Concave
*Across-slope shape:* Concave
*Other vegetative classification:* Freshwater Marshes and Ponds (R155XY010FL), Organic soils in depressions and on flood plains (G155XB645FL)
*Hydric soil rating:* Yes

**Floridana**
*Percent of map unit:* 2 percent
*Landform:* Depressions on marine terraces
*Landform position (three-dimensional):* Dip
*Down-slope shape:* Concave
*Across-slope shape:* Concave
*Other vegetative classification:* Freshwater Marshes and Ponds (R155XY010FL), Sandy over loamy soils on stream terraces, flood plains, or in depressions (G155XB245FL)
*Hydric soil rating:* Yes

**Felda**
*Percent of map unit:* 2 percent
*Landform:* Depressions on marine terraces
*Landform position (three-dimensional):* Dip
*Down-slope shape:* Concave
*Across-slope shape:* Concave
*Other vegetative classification:* Freshwater Marshes and Ponds (R155XY010FL), Sandy over loamy soils on stream terraces, flood plains, or in depressions (G155XB245FL)
*Hydric soil rating:* Yes

**Pompano**
*Percent of map unit:* 2 percent
*Landform:* Depressions on marine terraces
*Landform position (three-dimensional):* Dip
*Down-slope shape:* Concave
*Across-slope shape:* Concave
*Other vegetative classification:* Freshwater Marshes and Ponds (R155XY010FL), Sandy soils on stream terraces, flood plains, or in depressions (G155XB145FL)
*Hydric soil rating:* Yes

**Anclote**
*Percent of map unit:* 2 percent
*Landform:* Depressions on marine terraces

*Landform position (three-dimensional):* Dip
*Down-slope shape:* Concave
*Across-slope shape:* Concave
*Other vegetative classification:* Freshwater Marshes and Ponds (R155XY010FL), Sandy soils on stream terraces, flood plains, or in depressions (G155XB145FL)
*Hydric soil rating:* Yes

**Boca**

*Percent of map unit:* 2 percent
*Landform:* Drainageways on marine terraces
*Landform position (three-dimensional):* Talf, dip
*Down-slope shape:* Concave
*Across-slope shape:* Linear
*Other vegetative classification:* Slough (R155XY011FL), Sandy over loamy soils on flats of hydric or mesic lowlands (G155XB241FL)
*Hydric soil rating:* Yes

## Data Source Information

Soil Survey Area: Lee County, Florida
Survey Area Data: Version 13, Sep 16, 2016

Lee County Property Appraiser

Tax Year



# Property Data

## STRAP: 14-45-25-00-00008.0000 Folio ID: 10256234

### Owner Of Record

BJ HOLDINGS OF FORT MYERS LLC
4245 FOWLER ST
FORT MYERS FL 33901

### Site Address

12850 TREELINE AVE
FORT MYERS FL 33913

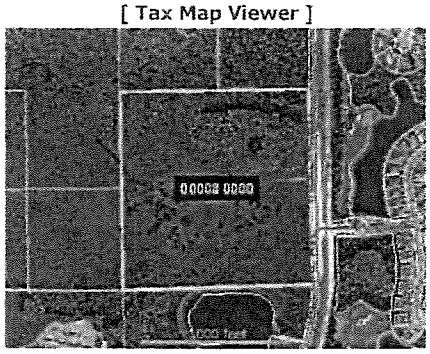
### Legal Description

SW 1/4 OF SW 1/4 LESS E 60
FT

### Classification / DOR Code

GRAZING LAND CLASS I / 60

[ Tax Map Viewer ]



[ Pictometry Aerial Viewer ]

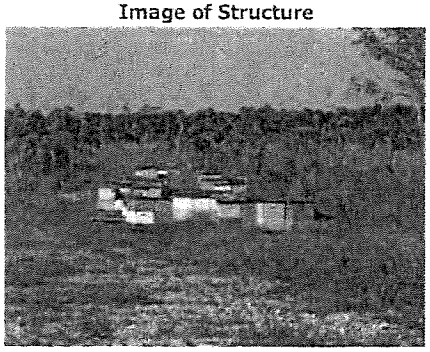
### Current Working Values

| | | | |
|---|---|---|---|
| **Just** | 1,718,100 | As Of | 01/25/2016 |

### Attributes

| | |
|---|---|
| Land Units Of Measure | AC |
| Units | 38.18 |
| Frontage | 0 |
| Depth | 0 |
| Total Number of Buildings | 0 |
| Total Bedrooms / Bathrooms | 0 |
| Total Living Area | 0 |
| 1st Year Building on Tax Roll | 0 |
| Historic District | No |

Image of Structure



< Photo Date October of 2013 >

## + Exemptions

## + Values (2015 Tax Roll)

## + Taxing Authorities

## - Sales / Transactions

| Sale Price | Date | OR Number | Type | Description | Vacant/Improved |
|---|---|---|---|---|---|
| 10.00 | 12/27/2012 | 2012000284384 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 5 additional parcel(s) with this document (may have been split after the transaction date)...<br>14-45-25-00-00006.0000 15-45-25-00-00006.0000 15-45-25-00-00007.0000 15-45-25-00-00008.0000 15-45-25-00-00008.0010 | V |
| 0.00 | 01/17/2011 | 2011000171963 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 15 additional parcel(s) with this document (may have been split after the transaction date)... | I |

| | | | | | |
|---|---|---|---|---|---|
| | | | | 10-45-25-P2-00001.0010 13-45-26-00-00001.0020 13-45-26-00-00001.002A 14-45-25-00-00006.0000 15-45-25-00-00006.0000 15-45-25-00-00007.0000 15-45-25-00-00008.0000 15-45-25-00-00008.0010 21-45-25-01-00000.030G 23-45-25-01-00008.0000 23-45-25-01-00009.0000 23-45-25-01-00016.0000 23-45-25-01-00017.0000 25-45-26-00-00001.1000 34-45-25-00-00001.0000 | |
| 1,300,000.00 | 12/17/2003 | 4164/1508 | 06 | **Sales qualified and included for sales ratio analysis**<br>Qualified (Fair Market Value / Arms Length / One STRAP #) | V |
| 550,000.00 | 11/01/1980 | 1466/1746 | 06 | **Sales qualified and included for sales ratio analysis**<br>Qualified (Fair Market Value / Arms Length / One STRAP #) | V |
| 0.00 | 01/01/1900 | 626/537 | | **Not Classified** | |

## + Building/Construction Permit Data

## + Location Information

## + Solid Waste (Garbage) Roll Data

## + Flood and Storm Information

## + Appraisal Details (2015 Tax Roll)

TRIM (proposed tax) Notices are available for the following tax years
[ 2007 2008 2009 2010 2011 2012 2013 2014 2015 ]

Previous Parcel Number Next Parcel Number New Query Search Results Home

INSTR # 2012000284384, Doc Type D, Pages 3, Recorded 12/27/2012 at 02:04 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D $0.70 Rec. Fee $27.00 Deputy Clerk LFAHRNER

This Instrument Prepared By:
Brian Freeman, Esq.
The Freeman Law Firm, P.A.
4245 Fowler Street
Fort Myers, Florida 33901

Parcel I.D. No. 14-45-25-00-00006.0000
Parcel I.D. No. 14-45-25-00-00008.0000
Parcel I.D. No. 15-45-25-00-00006.0000
Parcel I.D. No. 15-45-25-00-00007.0000
Parcel I.D. No. 15-45-25-00-00008.0010
Parcel I.D. No. 15-45-25-00-00008.0000

**PERSONAL REPRESENTATIVE'S DISTRIBUTIVE DEED**
**(Intestate)**

THIS INDENTURE is made this 21th day of December, 2012, by and between

Brian S. Freeman, the duly qualified and acting Personal Representative of the estate of Jeffrey B. Freeman, deceased, whose address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the first part, and BJ Holdings of Fort Myers, LLC., whose post office address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the second part.

WITNESSETH: That WHEREAS, Jeffrey B. Freeman died intestate, a resident of Lee County, Florida, on January 17, 2011, seized and possessed of the real property hereinafter described; and

WHEREAS, title to said property passed to the party of the second part as of the date of said decedent's death subject only to the right of the party of the first part to sell or encumber the property for the purpose of defraying claims, costs, and expenses of administration of decedent's estate; and

WHEREAS, the party of the first part wishes to distribute said property to the party of the second part and evidence the release of the property from said right to sell or encumber,

NOW THEREFORE, in consideration of the foregoing and in connection with the distribution of the estate of said decedent, the party of the first part has released to the party of the second part the right to sell or encumber said property and granted, conveyed and confirmed unto the party of the second part, their heirs and assigns forever, all of the interest of said decedent in and to the real property situated in Lee County, Florida, described as follows:

> The Southwest quarter (SW1/4) of the Northwest quarter (NE 1/4) of the Southwest quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East,
> and
> The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) and the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, LESS AND EXCEPT a portion of the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of Section 15 as described in that certain deed recorded in O.R. Book 1074, Page 748, Public Records of Lee County, Florida.

and
The Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East, less the East 60 feet for road right-of-way situated in Lee County, Florida.
and

That portion of the Northwest quarter of the Southeast quarter of the Southeast quarter of Section 15, Township 45 South, Range 25 East, Lee County, Florida lying East of the Right of Way of Interstate 75.
and
The South half (S ½) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, Lee County, Florida, less and except that parcel described in that certain deed dated August 13, 1974, given by Velma Cannon McDonald to the State of Florida, for I-75 recorded in O.R. Book 1050, page 257, Public Records of Lee County, Florida.

SUBJECT PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR NOR CONTIGUOUS THERETO.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances belonging to or in any way appertaining to that real property, subject to all restrictions, reservations, and easements of record, if any, and ad valorem taxes for the current year.

Because this deed is given to evidence the distribution of assets of a decedent's estate and involves the assumption of no mortgage, minimum state documentary stamps are affixed.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, Sealed and Delivered
in the presence of:

Sign: Jeannie Drum

Print: Jeannie Drum

Sign:

Print: Reyn. Pi

Brian S. Freeman, as Personal Representative, Estate of Jeffrey B. Freeman

STATE OF FLORIDA
COUNTY OF LEE

The foregoing Personal Representative's Distributive Deed was acknowledged before me this 27th day of December, 2012, by Brian S. Freeman, PERSONAL REPRESENTATIVE, ESTATE OF JEFFREY B. FREEMAN.

Notary Public State of Florida
Martin F Tapia
My Commission EE 206717
Expires 06/10/2016

Notary Public
Personally Known ✓ Produced Identification _____
Type of Identification Produced _____
Commission No. EE 206717
My Commission Expires: 6.10.2016

INSTR # 6100163
OR BK 04164 Pgs 1508 - 1509; (2pgs)
RECORDED 01/06/2004 03:35:32 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.50
DEED DOC 9,100.00
DEPUTY CLERK V Fuller

Prepared by and return to:
**Gordon R. Duncan**
**Attorney at Law**
**Duncan & Tardif, P.A.**
**1601 Jackson Street Suite 101**
**Fort Myers, FL 33901**

File Number: **2003017**
Will Call No.: **41**

[Space Above This Line For Recording Data]

# Warranty Deed

**This Warranty Deed** made this **17th** day of **December, 2003** between **Dan-Port, Ltd., a Florida Limited Partnership** whose post office address is **7901 SW 6th Court, #490, Fort Lauderdale, FL 33324**, grantor, and **Jeffrey B. Freeman, Trustee** whose post office address is **25435 Loblolly Bay Road S.W., Labelle, FL 33935**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lee County, Florida** to-wit:

**The Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East, less the East 60 feet for road right-of-way situated in Lee County, Florida**

**Parcel Identification Number: 14-45-25-00-00008.0000**

This conveyance is subject to:
1. Zoning and building ordinances and other governmental regulations.
2. All easements, restrictions, limitations of record and all matters of survey.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2003.**

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTime®

Signed, sealed and delivered in our presence:

Witness Name: _____

Witness Name: _____

Dan-Port, Ltd., a Florida Limited Partnership

By: _____
Kenneth F. Hackett, General Partner

State of Florida
County of BROWARD

The foregoing instrument was acknowledged before me this 11th day of December, 2003 by Kenneth F. Hackett, General Partner on behalf of Dan-Port, Ltd., a Florida Limited Partnership. He [✓] is personally known to me or [X] has produced a driver's license as identification.

[Notary Seal]

OFFICIAL NOTARY SEAL
CATHERINE WORMSBACHER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD032521
MY COMMISSION EXP. JULY 2,2005

Notary Public

Printed Name: _____

My Commission Expires: _____

BJ HOLDINGS OF FORT MYERS LLC
4245 FOWLER ST
FORT MYERS FL 33901

ACCESS UNDETERMINED
FORT MYERS FL

NE 1/4 OF SE 1/4 + NE 1/4
OF SE 1/4 OF SE 1/4. LESS
PT TO STATE FOR RD R/W

GRAZING LAND CLASS V / 64

[ Tax Map Viewer ]




[ Property Aerial Viewer ]

Image of Structure

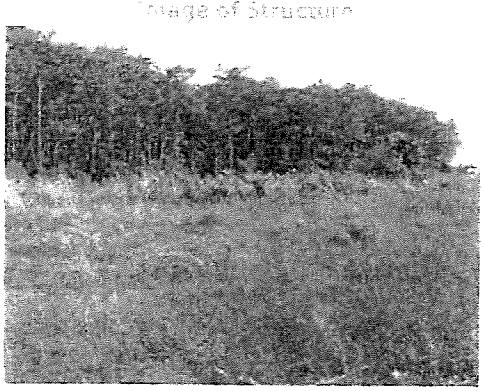


Photo Date October of 2013

| | | | |
|---|---|---|---|
| **Just** | 1,379,000 | As Of | 01/25/2016 |

| | |
|---|---|
| Land Units Of Measure | AC |
| Units | 39.40 |
| Frontage | 0 |
| Depth | 0 |
| Total Number of Buildings | 0 |
| Total Bedrooms / Bathrooms | 0 |
| Total Living Area | 0 |
| 1st Year Building on Tax Roll | 0 |
| Historic District | No |

| Tax Year | Just | Market Assessed | Capped Assessed | Taxable |
|---|---|---|---|---|
| 1992 | 595,060 | 2,130 | 2,130 | 2,130 |
| 1993 | 595,060 | 2,000 | 2,000 | 2,000 |
| 1994 | 595,060 | 2,490 | 2,490 | 2,490 |
| 1995 | 595,060 | 2,500 | 2,500 | 2,500 |
| 1996 | 595,060 | 1,950 | 1,950 | 1,950 |
| 1997 | 471,580 | 1,020 | 1,020 | 1,020 |
| 1998 | 471,580 | 1,780 | 1,780 | 1,780 |
| 1999 | 471,580 | 1,520 | 1,520 | 1,520 |
| 2000 | 471,580 | 1,380 | 1,380 | 1,380 |
| 2001 | 502,450 | 1,510 | 1,510 | 1,510 |
| 2002 | 517,880 | 1,880 | 1,880 | 1,880 |
| 2003 | 1,764,530 | 2,260 | 2,260 | 2,260 |
| 2004 | 1,221,400 | 2,420 | 2,420 | 2,420 |
| 2005 | 3,581,460 | 2,760 | 2,760 | 2,760 |
| 2006 | 3,581,460 | 2,860 | 2,860 | 2,860 |
| 2007 | 5,949,400 | 2,390 | 2,390 | 2,390 |
| 2008 | 5,949,400 | 3,100 | 3,100 | 3,100 |
| 2009 | 1,379,000 | 3,330 | 3,330 | 3,330 |
| 2010 | 1,379,000 | 3,298 | 3,298 | 3,298 |
| 2011 | 1,379,000 | 2,792 | 2,792 | 2,792 |
| 2012 | 1,379,000 | 3,298 | 3,298 | 3,298 |
| 2013 | 1,379,000 | 3,197 | 3,197 | 3,197 |
| 2014 | 1,379,000 | 3,430 | 3,430 | 3,430 |
| 2015 | 1,379,000 | 3,025 | 3,025 | 3,025 |

e **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to Fair Market Value we produce and is dated as of uary 1st of the tax year in question (F.A.C. 12D-1.002).

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the Highest and Best Use standard or the Present Use standard (F.S. 193.011) . For Agriculturally Classified parcels (or parts thereof), only agricultural uses are considered in the assessment (F.S. 193.461 (6) (a)). The difference between the Highest and Best Use/Present Use and the Agricultural Use is often referred to as the Agricultural Exemption.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the Market Assessment after any Save Our Homes or 10% Assessment Limitation cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the Consumer Price Index or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Taxable** value is the Capped Assessment after exemptions (Homestead, etc.) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

## Exemptions

| Exemption | Amount |
|---|---|
| Agriculture | 1,375,975.00 |

## Values (2015 Tax Roll)

| Property Values | | Attributes | |
|---|---|---|---|
| Just | 1,379,000 | Land Units Of Measure | AC |
| Assessed | 3,025 | Units | 39.40 |
| Portability Applied | 0 | Frontage | 0 |
| Cap Assessed | 3,025 | Depth | 0 |
| Taxable | 3,025 | Total Number of Buildings | 0 |
| Cap Difference | 0 | Total Bedrooms / Bathrooms | 0 / 0 |
| | | Total Living Area | 0 |
| | | 1st Year Building on Tax Roll | 0 |
| | | Historic District | No |

## Taxing Authorities

SOUTH TRAIL FIRE / 047

| Name / Code | Category | Mailing Address |
|---|---|---|
| LEE CO GENERAL REVENUE / 044 | County | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO ALL HAZARDS PROTECTION DIST / 101 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO LIBRARY DIST / 052 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO UNINCORPORATED MSTU / 020 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO HYACINTH CONTROL DIST / 051 | Independent District | RUSSELL BAKER<br>15191 HOMESTEAD RD<br>LEHIGH ACRES FL 33971 |
| LEE CO MOSQUITO CONTROL DIST / 053 | Independent District | RUSSELL BAKER<br>15191 HOMESTEAD RD<br>LEHIGH ACRES FL 33971 |
| SOUTH TRAIL FIRE DISTRICT / 085 | Independent District | WILLIAM B LOMBARDO FIRE CHIEF<br>5531 HALIFAX AVE<br>FORT MYERS FL 33912 MILLAGE CAP 2.5000 |
| WEST COAST INLAND NAVIGATION DIST / 098 | Independent District | CHARLES W LISTOWSKI EXECUTIVE DIRECTOR<br>200 MIAMI AVE E<br>VENICE FL 34285-2408 |
| PUBLIC SCHOOL - BY LOCAL BOARD / 012 | Public Schools | AMI DESAMOURS BUDGET DEPARTMENT<br>2855 COLONIAL BLVD<br>FORT MYERS FL 33966 |

| | | |
|---|---|---|
| PUBLIC SCHOOL - BY STATE LAW / 013 | Public Schools | AMI DESAMOURS BUDGET DEPARTMENT<br>2855 COLONIAL BLVD<br>FORT MYERS FL 33966 |
| SFWMD-DISTRICT-WIDE / 110 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH, FL 33406 |
| SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH, FL 33406 |
| SFWMD-OKEECHOBEE BASIN / 308 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH FL 33406 |

## Sales / Transactions

| Sale Price | Date | OR Number | Type | Description | Vacant/Improved |
|---|---|---|---|---|---|
| 10.00 | 12/27/2012 | 2012000284384 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 5 additional parcel(s) with this document (may have been split after the transaction date)...<br>14-45-25-00-00006.0000 14-45-25-00-00008.0000 15-45-25-00-00007.0000 15-45-25-00-00008.0000 15-45-25-00-00008.0010 | V |
| 0.00 | 01/17/2011 | 2011000171963 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 15 additional parcel(s) with this document (may have been split after the transaction date)...<br>10-45-25-P2-00001.0010 13-45-26-00-00001.0020 13-45-26-00-00001.002A 14-45-25-00-00006.0000 14-45-25-00-00008.0000 15-45-25-00-00007.0000 15-45-25-00-00008.0000 15-45-25-00-00008.0010 21-45-25-01-00000.030G 23-45-25-01-00008.0000 23-45-25-01-00009.0000 23-45-25-01-00016.0000 23-45-25-01-00017.0000 25-45-26-00-00001.1000 34-45-25-00-00001.0000 | I |
| 2,000,700.00 | 02/24/2004 | 4212/708 | 02 | **Sales qualified but excluded from sales ratio analysis**<br>Qualified (Multiple STRAP # / 06-09I) | V |
| 100.00 | 12/01/1995 | 2664/1508 | 01 | **Sales disqualified as a result of examination of the deed**<br>Disqualified (Doc Stamp .70 / SP less th $100 / Other Disq) | V |
| 1,307,300.00 | 05/01/1987 | 1914/2344 | 01 | **Sales disqualified as a result of examination of the deed**<br>Disqualified (Doc Stamp .70 / SP less th $100 / Other Disq) | V |

## Location Information

| Township | Range | Section | Block | Lot |
|---|---|---|---|---|
| 45 | 25E | 15 | | |

| Municipality | Latitude | Longitude |
|---|---|---|
| Lee County Unincorporated | 26.55912 | -81.79231 |

**Links**

View Parcel on Google Maps | View Parcel on GeoView

## Solid Waste (Garbage) Roll Data

| Solid Waste District | Roll Type | Category | Unit / Area | Tax Amount |
|---|---|---|---|---|
| 003 - Service Area 3 | - | | 0 | 0.00 |

**Collection Days**

| Garbage | Recycling | Horticulture |
|---|---|---|
| Friday | Thursday | Thursday |

## Flood and Storm Information

| Storm Surge Zone | Evacuation Zone | Flood Insurance [ FIRM Look-up ] Community | Panel | Version | Date |
|---|---|---|---|---|---|

| | | | | | | |
|---|---|---|---|---|---|---|
| | C | D | 125124 | 0445 | F | 8/28/2008 |

## Appraisal Details (2015 Tax Roll)

Land

**Land Tracts**

| Use Code | Use Code Description | Depth | Frontage | Number of Units | Unit of Measure |
|---|---|---|---|---|---|
| 6400 | Pasture, Native, Good | 0 | 0 | 30.87 | Acres |
| 6500 | Pasture, Waste | 0 | 0 | 8.53 | Acres |

INSTR # 2012000284384, Doc Type D, Pages 3, Recorded 12/27/2012 at 02:04 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D $0.70 Rec. Fee $27.00 Deputy Clerk LFAHRNER

This Instrument Prepared By:
Brian Freeman, Esq.
The Freeman Law Firm, P.A.
4245 Fowler Street
Fort Myers, Florida 33901

Parcel I.D. No. 14-45-25-00-00006.0000
Parcel I.D. No. 14-45-25-00-00008.0000
Parcel I.D. No. 15-45-25-00-00006.0000
Parcel I.D. No. 15-45-25-00-00007.0000
Parcel I.D. No. 15-45-25-00-00008.0010
Parcel I.D. No. 15-45-25-00-00008.0000

**PERSONAL REPRESENTATIVE'S DISTRIBUTIVE DEED**
**(Intestate)**

THIS INDENTURE is made this 27th day of December, 2012, by and between

Brian S. Freeman, the duly qualified and acting Personal Representative of the estate of Jeffrey B. Freeman, deceased, whose address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the first part, and BJ Holdings of Fort Myers, LLC., whose post office address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the second part.

WITNESSETH: That WHEREAS, Jeffrey B. Freeman died intestate, a resident of Lee County, Florida, on January 17, 2011, seized and possessed of the real property hereinafter described; and

WHEREAS, title to said property passed to the party of the second part as of the date of said decedent's death subject only to the right of the party of the first part to sell or encumber the property for the purpose of defraying claims, costs, and expenses of administration of decedent's estate; and

WHEREAS, the party of the first part wishes to distribute said property to the party of the second part and evidence the release of the property from said right to sell or encumber,

NOW THEREFORE, in consideration of the foregoing and in connection with the distribution of the estate of said decedent, the party of the first part has released to the party of the second part the right to sell or encumber said property and granted, conveyed and confirmed unto the party of the second part, their heirs and assigns forever, all of the interest of said decedent in and to the real property situated in Lee County, Florida, described as follows:

> The Southwest quarter (SW1/4) of the Northwest quarter (NE 1/4) of the Southwest quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East,
> and
> The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) and the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, LESS AND EXCEPT a portion of the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of Section 15 as described in that certain deed recorded in O.R. Book 1074, Page 748, Public Records of Lee County, Florida.

and
The Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East, less the East 60 feet for road right-of-way situated in Lee County, Florida.
and

That portion of the Northwest quarter of the Southeast quarter of the Southeast quarter of Section 15, Township 45 South, Range 25 East, Lee County, Florida lying East of the Right of Way of Interstate 75.
and
The South half (S ½) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, Lee County, Florida, less and except that parcel described in that certain deed dated August 13, 1974, given by Velma Cannon McDonald to the State of Florida, for I-75 recorded in O.R. Book 1050, page 257, Public Records of Lee County, Florida.

SUBJECT PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR NOR CONTIGUOUS THERETO.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances belonging to or in any way appertaining to that real property, subject to all restrictions, reservations, and easements of record, if any, and ad valorem taxes for the current year.

Because this deed is given to evidence the distribution of assets of a decedent's estate and involves the assumption of no mortgage, minimum state documentary stamps are affixed.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, Sealed and Delivered
in the presence of:

Sign: Jeannie Drum

Print: Jeannie Drum

Sign: [signature]

Print: Roy M. Pi

Brian S. Freeman, as Personal Representative, Estate of Jeffrey B. Freeman

STATE OF FLORIDA
COUNTY OF LEE

The foregoing Personal Representative's Distributive Deed was acknowledged before me this 27th day of December, 2012, by Brian S. Freeman, PERSONAL REPRESENTATIVE, ESTATE OF JEFFREY B. FREEMAN.

Notary Public State of Florida
Martin F Tapia
My Commission EE 206717
Expires 06/10/2016

Notary Public
Personally Known ✓ Produced Identification _____
Type of Identification Produced _____
Commission No. EE 206717
My Commission Expires: 6.10.2016

Doc Stps 14,004.90
Int Tax
Rec Fee 15.00
Total 14,019.90

INSTR # 6164472
OR BK 04212 Pgs 0708 - 710; (3pgs)
RECORDED 02/27/2004 03:56:16 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 15.00
DEED DOC 14,004.90
DEPUTY CLERK L Ambrosio

Prepared by and return to:
**Gordon R. Duncan**
**Attorney at Law**
**Duncan & Tardif, P.A.**
**1601 Jackson Street Suite 101**
**Fort Myers, FL 33901**

File Number: **096.0256**
Will Call No.: **41**

[Space Above This Line For Recording Data]

# Trustee's Deed

**This Trustee's Deed** made this 24 day of **February, 2004** between **Gerard A. McHale, Jr., as Successor Trustee of the Treeline Land Trust** whose post office address is **1601 Jackson Street, Ste 200, Fort Myers, FL 33901**, grantor, and **Jeffrey B. Freeman, Trustee** whose post office address is **25435 Loblolly Bay Road S.W., Labelle, FL 33935**, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantees heirs and assigns forever, the following described land, situate, lying and being in **Lee County**, Florida, to-wit:

**See Attached Exhibit A**

**Parcel Indentification Number: 14-45-25-00-00006.0000**

This conveyance is subject to:
1. Zoning and building ordinances and other governmental regulations
2. All easements, restrictions, limitations of record and all matters of survey.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTime

Signed, sealed and delivered in our presence:

Witness Name: R. David Tisley

Witness Name: Gordon Duncan

Gerard A. McHale, Jr.

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 24 day of February, 2004 by Gerard A. McHale, Jr., who [X] is personally known or [ ] has produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name: _____

Gordon R. Duncan
My Commission DD204460
Expires April 30, 2007

My Commission Expires: _____

# EXHIBIT "A"

The Southwest quarter (SW 1/4) of the Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East,
and
The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) and the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, LESS AND EXCEPT a portion of the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of Section 15 as described in that certain deed recorded in O.R. Book 1074, Page 748, Public Records of Lee County, Florida.

# Property Data

## STRAP: 15-45-25-00-00007.0000 Folio ID: 10256302

### Owner Of Record

BJ HOLDINGS OF FORT MYERS LLC
4245 FOWLER ST
FORT MYERS FL 33901

### Site Address

ACCESS UNDETERMINED
FORT MYERS FL

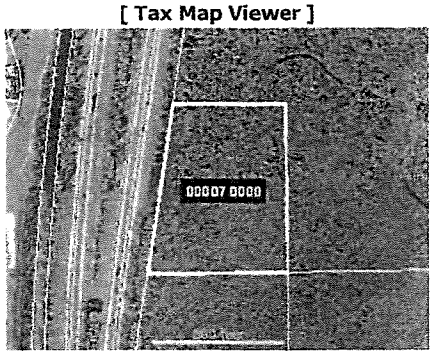
### Legal Description

NW 1/4 OF SE 1/4 OF SE 1/4
LESS I-75 R/W

### Classification / DOR Code

GRAZING LAND CLASS III / 62

[ Tax Map Viewer ]




[ Pictometry Aerial Viewer ]

### Current Working Values

| | | | |
|---|---|---|---|
| **Just** | 267,400 | As Of | 01/25/2016 |

### Attributes

| | |
|---|---|
| Land Units Of Measure | AC |
| Units | 7.64 |
| Frontage | 0 |
| Depth | 0 |
| Total Number of Buildings | 0 |
| Total Bedrooms / Bathrooms | 0 |
| Total Living Area | 0 |
| 1st Year Building on Tax Roll | 0 |
| Historic District | No |

### Image of Structure



< Photo Date October of 2013 >

## Property Value History

| Tax Year | Just | Market Assessed | Capped Assessed | Taxable |
|---|---|---|---|---|
| 1992 | 105,560 | 390 | 390 | 390 |
| 1993 | 105,560 | 370 | 370 | 370 |
| 1994 | 105,560 | 460 | 460 | 460 |
| 1995 | 105,560 | 460 | 460 | 460 |
| 1996 | 105,560 | 360 | 360 | 360 |
| 1997 | 83,800 | 190 | 190 | 190 |
| 1998 | 83,800 | 330 | 330 | 330 |
| 1999 | 83,800 | 280 | 280 | 280 |
| 2000 | 83,800 | 250 | 250 | 250 |
| 2001 | 89,240 | 280 | 280 | 280 |
| 2002 | 91,960 | 340 | 340 | 340 |
| 2003 | 509,970 | 410 | 410 | 410 |
| 2004 | 236,840 | 440 | 440 | 440 |
| 2005 | 694,480 | 510 | 510 | 510 |
| 2006 | 694,470 | 520 | 520 | 520 |
| 2007 | 1,153,640 | 440 | 440 | 440 |
| 2008 | 1,153,640 | 1,020 | 1,020 | 1,020 |
| 2009 | 267,400 | 1,090 | 1,090 | 1,090 |
| 2010 | 267,400 | 1,087 | 1,087 | 1,087 |
| 2011 | 267,400 | 913 | 913 | 913 |
| 2012 | 267,400 | 1,082 | 1,082 | 1,082 |
| 2013 | 267,400 | 1,047 | 1,047 | 1,047 |
| 2014 | 267,400 | 1,123 | 1,123 | 1,123 |
| 2015 | 267,400 | 989 | 989 | 989 |

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question (F.A.C. 12D-1.002).

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are

## Exemptions

| Exemption | Amount |
|---|---|
| Agriculture | 266,411.00 |

## Values (2015 Tax Roll)

| Property Values | | Attributes | |
|---|---|---|---|
| Just | 267,400 | Land Units Of Measure | AC |
| Assessed | 989 | Units | 7.64 |
| Portability Applied | 0 | Frontage | 0 |
| Cap Assessed | 989 | Depth | 0 |
| Taxable | 989 | Total Number of Buildings | 0 |
| Cap Difference | 0 | Total Bedrooms / Bathrooms | 0 / 0 |
| | | Total Living Area | 0 |
| | | 1st Year Building on Tax Roll | 0 |
| | | Historic District | No |

## Taxing Authorities

### SOUTH TRAIL FIRE / 047

| Name / Code | Category | Mailing Address |
|---|---|---|
| LEE CO GENERAL REVENUE / 044 | County | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO ALL HAZARDS PROTECTION DIST / 101 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO LIBRARY DIST / 052 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO UNINCORPORATED MSTU / 020 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO HYACINTH CONTROL DIST / 051 | Independent District | RUSSELL BAKER<br>15191 HOMESTEAD RD<br>LEHIGH ACRES FL 33971 |
| LEE CO MOSQUITO CONTROL DIST / 053 | Independent District | RUSSELL BAKER<br>15191 HOMESTEAD RD<br>LEHIGH ACRES FL 33971 |
| SOUTH TRAIL FIRE DISTRICT / 085 | Independent District | WILLIAM B LOMBARDO FIRE CHIEF<br>5531 HALIFAX AVE<br>FORT MYERS FL 33912 MILLAGE CAP 2.5000 |
| WEST COAST INLAND NAVIGATION DIST / 098 | Independent District | CHARLES W LISTOWSKI EXECUTIVE DIRECTOR<br>200 MIAMI AVE E<br>VENICE FL 34285-2408 |
| PUBLIC SCHOOL - BY LOCAL BOARD / 012 | Public Schools | AMI DESAMOURS BUDGET DEPARTMENT<br>2855 COLONIAL BLVD<br>FORT MYERS FL 33966 |
| PUBLIC SCHOOL - BY STATE LAW / 013 | Public Schools | AMI DESAMOURS BUDGET DEPARTMENT<br>2855 COLONIAL BLVD<br>FORT MYERS FL 33966 |
| SFWMD-DISTRICT-WIDE / 110 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH, FL 33406 |
| SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH, FL 33406 |
| SFWMD-OKEECHOBEE BASIN / 308 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH FL 33406 |

assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard (*F.S. 193.011*). For *Agriculturally Classified* parcels (or parts thereof), only

agricultural uses are considered in the assessment (*F.S. 193.461 (6) (a)*). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

## Sales / Transactions

| Sale Price | Date | OR Number | Type | Description | Vacant/Improved |
|---|---|---|---|---|---|
| 10.00 | 12/27/2012 | 2012000284384 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 5 additional parcel(s) with this document (may have been split after the transaction date)...<br>14-45-25-00-00006.0000 14-45-25-00-00008.0000 15-45-25-00-00006.0000<br>15-45-25-00-00008.0000 15-45-25-00-00008.0010 | V |
| 0.00 | 01/17/2011 | 2011000171963 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 15 additional parcel(s) with this document (may have been split after the transaction date)...<br>10-45-25-P2-00001.0010 13-45-26-00-00001.0020 13-45-26-00-00001.002A<br>14-45-25-00-00006.0000 14-45-25-00-00008.0000 15-45-25-00-00006.0000<br>15-45-25-00-00008.0000 15-45-25-00-00008.0010 21-45-25-01-00000.030G<br>23-45-25-01-00008.0000 23-45-25-01-00009.0000 23-45-25-01-00016.0000<br>23-45-25-01-00017.0000 25-45-26-00-00001.1000 34-45-25-00-00001.0000 | I |
| 475,000.00 | 01/15/2005 | 4562/1378 | 05 | **Sales qualified and included for sales ratio analysis**<br>Qualified (Agriculture Classified - Single or Multi Parcels) | V |
| 100.00 | 10/01/1992 | 2331/3879 | 01 | **Sales disqualified as a result of examination of the deed**<br>Disqualified (Doc Stamp .70 / SP less th $100 / Other Disq) | V |
| 20,000.00 | 09/01/1979 | 1376/999 | 03 | **Sales disqualified as a result of examination of the deed**<br>Disqualified (Interest Sales / Court Docs / Government) | V |

## Location Information

| Township | Range | Section | Block | Lot |
|---|---|---|---|---|
| 45 | 25E | 15 | | |

| Municipality | Latitude | Longitude |
|---|---|---|
| Lee County Unincorporated | 26.55729 | -81.79344 |

**Links**

View Parcel on Google Maps View Parcel on GeoView

## Solid Waste (Garbage) Roll Data

| Solid Waste District | Roll Type | Category | Unit / Area | Tax Amount |
|---|---|---|---|---|
| 003 - Service Area 3 | - | | 0 | 0.00 |

**Collection Days**

| Garbage | Recycling | Horticulture |
|---|---|---|
| Friday | Thursday | Thursday |

## Flood and Storm Information

| Storm Surge Zone | Evacuation Zone | Flood Insurance [ FIRM Look-up ] | | | |
|---|---|---|---|---|---|
| | | Community | Panel | Version | Date |

| | | | | | |
|---|---|---|---|---|---|
| C | D | 125124 | 0445 | F | 8/28/2008 |

## Appraisal Details (2015 Tax Roll)

### Land

#### Land Tracts

| Use Code | Use Code Description | Depth | Frontage | Number of Units | Unit of Measure |
|---|---|---|---|---|---|
| 6200 | Pasture, Semi-Improved, Poor | 0 | 0 | 5.44 | Acres |
| 6500 | Pasture, Waste | 0 | 0 | 2.20 | Acres |

INSTR # 2012000284384, Doc Type D, Pages 3, Recorded 12/27/2012 at 02:04 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D $0.70 Rec. Fee $27.00 Deputy Clerk LFAHRNER

This Instrument Prepared By:
Brian Freeman, Esq.
The Freeman Law Firm, P.A.
4245 Fowler Street
Fort Myers, Florida 33901

Parcel I.D. No. 14-45-25-00-00006.0000
Parcel I.D. No. 14-45-25-00-00008.0000
Parcel I.D. No. 15-45-25-00-00006.0000
Parcel I.D. No. 15-45-25-00-00007.0000
Parcel I.D. No. 15-45-25-00-00008.0010
Parcel I.D. No. 15-45-25-00-00008.0000

**PERSONAL REPRESENTATIVE'S DISTRIBUTIVE DEED**
**(Intestate)**

THIS INDENTURE is made this 27th day of December, 2012, by and between

Brian S. Freeman, the duly qualified and acting Personal Representative of the estate of Jeffrey B. Freeman, deceased, whose address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the first part, and BJ Holdings of Fort Myers, LLC., whose post office address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the second part.

WITNESSETH: That WHEREAS, Jeffrey B. Freeman died intestate, a resident of Lee County, Florida, on January 17, 2011, seized and possessed of the real property hereinafter described; and

WHEREAS, title to said property passed to the party of the second part as of the date of said decedent's death subject only to the right of the party of the first part to sell or encumber the property for the purpose of defraying claims, costs, and expenses of administration of decedent's estate; and

WHEREAS, the party of the first part wishes to distribute said property to the party of the second part and evidence the release of the property from said right to sell or encumber,

NOW THEREFORE, in consideration of the foregoing and in connection with the distribution of the estate of said decedent, the party of the first part has released to the party of the second part the right to sell or encumber said property and granted, conveyed and confirmed unto the party of the second part, their heirs and assigns forever, all of the interest of said decedent in and to the real property situated in Lee County, Florida, described as follows:

> The Southwest quarter (SW1/4) of the Northwest quarter (NE 1/4) of the Southwest quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East,
> and
> The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) and the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, LESS AND EXCEPT a portion of the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of Section 15 as described in that certain deed recorded in O.R. Book 1074, Page 748, Public Records of Lee County, Florida.

and
The Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East, less the East 60 feet for road right-of-way situated in Lee County, Florida.
and

That portion of the Northwest quarter of the Southeast quarter of the Southeast quarter of Section 15, Township 45 South, Range 25 East, Lee County, Florida lying East of the Right of Way of Interstate 75.
and
The South half (S ½) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, Lee County, Florida, less and except that parcel described in that certain deed dated August 13, 1974, given by Velma Cannon McDonald to the State of Florida, for I-75 recorded in O.R. Book 1050, page 257, Public Records of Lee County, Florida.

SUBJECT PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR NOR CONTIGUOUS THERETO.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances belonging to or in any way appertaining to that real property, subject to all restrictions, reservations, and easements of record, if any, and ad valorem taxes for the current year.

Because this deed is given to evidence the distribution of assets of a decedent's estate and involves the assumption of no mortgage, minimum state documentary stamps are affixed.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, Sealed and Delivered
in the presence of:

Sign: Jeannie Drum

Print: Jeannie Drum

Sign: [signature]

Print: Reyn. Pi

Brian S. Freeman, as Personal Representative, Estate of Jeffrey B. Freeman

STATE OF FLORIDA
COUNTY OF LEE

The foregoing Personal Representative's Distributive Deed was acknowledged before me this 27th day of December, 2012, by Brian S. Freeman, PERSONAL REPRESENTATIVE, ESTATE OF JEFFREY B. FREEMAN.

Notary Public State of Florida
Martin F Tapia
My Commission EE 206717
Expires 06/10/2016

Notary Public
Personally Known ✓ Produced Identification _____
Type of Identification Produced _____
Commission No. EE 206717
My Commission Expires: 6.10.2016

This Instrument Prepared by and Return to:

**RICHARD W. WINESETT**
AVERY, WHIGHAM & WINESETT, P.A.
2248 FIRST STREET
FORT MYERS, FLORIDA 33901

Property Appraisers Parcel Identification (Folio) Numbers:
**15-45-25-00-00007.0000**

INSTR # 6610440
OR BK 04562 Pg 1378; (1pg)
RECORDED 01/20/2005 04:16:10 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.00
DEED DOC 3,325.00
DEPUTY CLERK N Kortright

Grantee SS #: [redacted] SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED**, made the **15th** day of **January, A.D. 2005** by **B.J. McCRACKEN and BEVERLY S. McCRACKEN, husband and wife** herein called the grantors, whose post office address is **1714 Country Club Boulevard, Cape Coral, Florida 33990**, to **JEFFREY B. FREEMAN, Trustee** whose post office address is **25435 Loblolly Road, SW, LaBelle, FL 33935**, hereinafter called the Grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**W I T N E S S E T H:** That the grantors, for and in consideration of the sum of TEN AND 00/100'S ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in LEE County, State of Florida, viz:

**That portion of the Northwest quarter of the Southeast quarter of the Southeast quarter of Section 15, Township 45 south, Range 25 East, Lee County, Florida lying East of the Right of Way of Interstate 75.**

**This deed confers and the Trustee named herein is, pursuant to Florida Statute 689.071 hereby vested with full power and authority to protect, conserve and to sell or to lease or to encumber or to otherwise manage and dispose of the real property described herein.**

**TOGETHER**, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD**, the same in fee simple forever.

**AND**, the grantors hereby covenant with said grantee that the grantors is/are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2004.

**IN WITNESS WHEREOF**, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

D. K. Corbett
Signature
D.K. CORBETT
Printed Signature

Signature
PATRICK HAYES
Printed Signature

Signature

Printed Signature

L.S.
**B.J. McCRACKEN**

Beverly S. McCracken L.S.
**BEVERLY S. McCRACKEN**

**STATE OF FLORIDA**
**COUNTY OF LEE**

The foregoing instrument was acknowledged before me this 19th day of January, 2005 ~~2004~~ by B.J. McCRACKEN and BEVERLY S. McCRACKEN, husband and wife, who is/are ~~[]~~ personally known to me or have produced [] driver license(s) or []_____ as identification.

**SEAL**

RICHARD W. WINESETT
MY COMMISSION # DD 017144
EXPIRES: May 14, 2005
Bonded Thru Notary Public Underwriters

Richard W. Winesett
Notary Signature

Printed Notary Signature
My Commission Expires:

File # 04-759

# Property Data

## STRAP: 15-45-25-00-00008.0000 Folio ID: 10256303

### Owner Of Record

BJ HOLDINGS OF FORT MYERS LLC
4245 FOWLER ST
FORT MYERS FL 33901

### Site Address

ACCESS UNDETERMINED
FORT MYERS FL

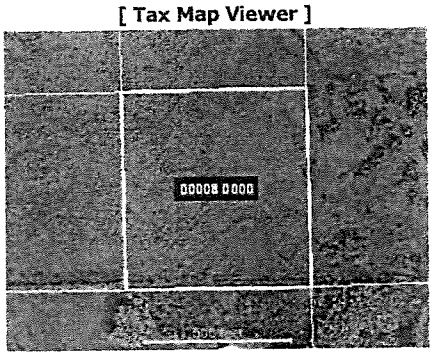
### Legal Description

E 1/2 OF S 1/2 OF SE 1/4
OF SE 1/4

### Classification / DOR Code

GRAZING LAND CLASS III / 62

[ Tax Map Viewer ]




[ Pictometry Aerial Viewer ]

### Current Working Values

| | | | |
|---|---|---|---|
| **Just** | 350,000 | As Of | 01/25/2016 |

### Attributes

| | |
|---|---|
| Land Units Of Measure | AC |
| Units | 10.00 |
| Frontage | 0 |
| Depth | 0 |
| Total Number of Buildings | 0 |
| Total Bedrooms / Bathrooms | 0 |
| Total Living Area | 0 |
| 1st Year Building on Tax Roll | 0 |
| Historic District | No |

### Image of Structure



< Photo Date October of 2013 >

## Property Value History

| Tax Year | Just | Market Assessed | Capped Assessed | Taxable |
|---|---|---|---|---|
| 1992 | 190,000 | 620 | 620 | 620 |
| 1993 | 190,000 | 580 | 580 | 580 |
| 1994 | 190,000 | 740 | 740 | 740 |
| 1995 | 190,000 | 740 | 740 | 740 |
| 1996 | 190,000 | 580 | 580 | 580 |
| 1997 | 150,000 | 290 | 290 | 290 |
| 1998 | 150,000 | 530 | 530 | 530 |
| 1999 | 150,000 | 450 | 450 | 450 |
| 2000 | 150,000 | 410 | 410 | 410 |
| 2001 | 160,000 | 450 | 450 | 450 |
| 2002 | 165,000 | 560 | 560 | 560 |
| 2003 | 667,500 | 670 | 670 | 670 |
| 2004 | 310,000 | 720 | 720 | 720 |
| 2005 | 909,000 | 820 | 820 | 820 |
| 2006 | 909,000 | 850 | 850 | 850 |
| 2007 | 1,510,000 | 710 | 710 | 710 |
| 2008 | 1,510,000 | 1,760 | 1,760 | 1,760 |
| 2009 | 350,000 | 1,880 | 1,880 | 1,880 |
| 2010 | 350,000 | 1,870 | 1,870 | 1,870 |
| 2011 | 350,000 | 1,570 | 1,570 | 1,570 |
| 2012 | 350,000 | 1,860 | 1,860 | 1,860 |
| 2013 | 350,000 | 1,800 | 1,800 | 1,800 |
| 2014 | 350,000 | 1,930 | 1,930 | 1,930 |
| 2015 | 350,000 | 1,700 | 1,700 | 1,700 |

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question (F.A.C. 12D-1.002).

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are

## Exemptions

| Exemption | Amount |
|---|---|
| Agriculture | 348,300.00 |

## Values (2015 Tax Roll)

| Property Values | | Attributes | |
|---|---|---|---|
| Just | 350,000 | Land Units Of Measure | AC |
| Assessed | 1,700 | Units | 10.00 |
| Portability Applied | 0 | Frontage | 0 |
| Cap Assessed | 1,700 | Depth | 0 |
| Taxable | 1,700 | Total Number of Buildings | 0 |
| Cap Difference | 0 | Total Bedrooms / Bathrooms | 0 / 0 |
| | | Total Living Area | 0 |
| | | 1st Year Building on Tax Roll | 0 |
| | | Historic District | No |

## Taxing Authorities

**SOUTH TRAIL FIRE / 047**

| Name / Code | Category | Mailing Address |
|---|---|---|
| LEE CO GENERAL REVENUE / 044 | County | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO ALL HAZARDS PROTECTION DIST / 101 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO LIBRARY DIST / 052 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO UNINCORPORATED MSTU / 020 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO HYACINTH CONTROL DIST / 051 | Independent District | RUSSELL BAKER<br>15191 HOMESTEAD RD<br>LEHIGH ACRES FL 33971 |
| LEE CO MOSQUITO CONTROL DIST / 053 | Independent District | RUSSELL BAKER<br>15191 HOMESTEAD RD<br>LEHIGH ACRES FL 33971 |
| SOUTH TRAIL FIRE DISTRICT / 085 | Independent District | WILLIAM B LOMBARDO FIRE CHIEF<br>5531 HALIFAX AVE<br>FORT MYERS FL 33912 MILLAGE CAP 2.5000 |
| WEST COAST INLAND NAVIGATION DIST / 098 | Independent District | CHARLES W LISTOWSKI EXECUTIVE DIRECTOR<br>200 MIAMI AVE E<br>VENICE FL 34285-2408 |
| PUBLIC SCHOOL - BY LOCAL BOARD / 012 | Public Schools | AMI DESAMOURS BUDGET DEPARTMENT<br>2855 COLONIAL BLVD<br>FORT MYERS FL 33966 |
| PUBLIC SCHOOL - BY STATE LAW / 013 | Public Schools | AMI DESAMOURS BUDGET DEPARTMENT<br>2855 COLONIAL BLVD<br>FORT MYERS FL 33966 |
| SFWMD-DISTRICT-WIDE / 110 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH, FL 33406 |
| SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH, FL 33406 |
| SFWMD-OKEECHOBEE BASIN / 308 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH FL 33406 |

assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard (*F.S. 193.011*). For *Agriculturally Classified* parcels (or parts thereof), only

agricultural uses are considered in the assessment (*F.S. 193.461 (6) (a)*). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption.*
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

## Sales / Transactions

| Sale Price | Date | OR Number | Type | Description | Vacant/Improved |
|---|---|---|---|---|---|
| 10.00 | 12/27/2012 | 2012000284384 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 5 additional parcel(s) with this document (may have been split after the transaction date)...<br>14-45-25-00-00006.0000 14-45-25-00-00008.0000 15-45-25-00-00006.0000 15-45-25-00-00007.0000 15-45-25-00-00008.0010 | V |
| 0.00 | 01/17/2011 | 2011000171963 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 15 additional parcel(s) with this document (may have been split after the transaction date)...<br>10-45-25-P2-00001.0010 13-45-26-00-00001.0020 13-45-26-00-00001.002A 14-45-25-00-00006.0000 14-45-25-00-00008.0000 15-45-25-00-00006.0000 15-45-25-00-00007.0000 15-45-25-00-00008.0010 21-45-25-01-00000.030G 23-45-25-01-00008.0000 23-45-25-01-00009.0000 23-45-25-01-00016.0000 23-45-25-01-00017.0000 25-45-26-00-00001.1000 34-45-25-00-00001.0000 | I |
| 825,000.00 | 01/20/2005 | 4562/1333 | 05 | **Sales qualified and included for sales ratio analysis**<br>Qualified (Agriculture Classified - Single or Multi Parcels) | V |
| 0.00 | 12/01/1981 | 1565/2298 | 01 | **Sales disqualified as a result of examination of the deed**<br>Disqualified (Doc Stamp .70 / SP less th $100 / Other Disq) | V |
| 55,000.00 | 11/01/1980 | 1469/291 | 06 | **Sales qualified and included for sales ratio analysis**<br>Qualified (Fair Market Value / Arms Length / One STRAP #) | V |

## Location Information

| Township | Range | Section | Block | Lot |
|---|---|---|---|---|
| 45 | 25E | 15 | | |

| Municipality | Latitude | Longitude |
|---|---|---|
| Lee County Unincorporated | 26.55547 | -81.79161 |

**Links**

View Parcel on Google Maps View Parcel on GeoView

## Solid Waste (Garbage) Roll Data

| Solid Waste District | Roll Type | Category | Unit / Area | Tax Amount |
|---|---|---|---|---|
| 003 - Service Area 3 | - | | 0 | 0.00 |

**Collection Days**

| Garbage | Recycling | Horticulture |
|---|---|---|
| Friday | Thursday | Thursday |

## Flood and Storm Information

| Storm Surge Zone | Evacuation Zone | Flood Insurance [ FIRM Look-up ] Community | Panel | Version | Date |
|---|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| C | D | 125124 | 0445 | F | 8/28/2008 |

## Appraisal Details (2015 Tax Roll)

### Land

#### Land Tracts

| Use Code | Use Code Description | Depth | Frontage | Number of Units | Unit of Measure |
|---|---|---|---|---|---|
| 6200 | Pasture, Semi-Improved, Poor | 0 | 0 | 10.00 | Acres |

INSTR # 2012000284384, Doc Type D, Pages 3, Recorded 12/27/2012 at 02:04 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D $0.70 Rec. Fee $27.00 Deputy Clerk LFAHRNER

This Instrument Prepared By:
Brian Freeman, Esq.
The Freeman Law Firm, P.A.
4245 Fowler Street
Fort Myers, Florida 33901

Parcel I.D. No. 14-45-25-00-00006.0000
Parcel I.D. No. 14-45-25-00-00008.0000
Parcel I.D. No. 15-45-25-00-00006.0000
Parcel I.D. No. 15-45-25-00-00007.0000
Parcel I.D. No. 15-45-25-00-00008.0010
Parcel I.D. No. 15-45-25-00-00008.0000

**PERSONAL REPRESENTATIVE'S DISTRIBUTIVE DEED**
**(Intestate)**

THIS INDENTURE is made this 27th day of December, 2012, by and between

Brian S. Freeman, the duly qualified and acting Personal Representative of the estate of Jeffrey B. Freeman, deceased, whose address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the first part, and BJ Holdings of Fort Myers, LLC., whose post office address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the second part.

WITNESSETH: That WHEREAS, Jeffrey B. Freeman died intestate, a resident of Lee County, Florida, on January 17, 2011, seized and possessed of the real property hereinafter described; and

WHEREAS, title to said property passed to the party of the second part as of the date of said decedent's death subject only to the right of the party of the first part to sell or encumber the property for the purpose of defraying claims, costs, and expenses of administration of decedent's estate; and

WHEREAS, the party of the first part wishes to distribute said property to the party of the second part and evidence the release of the property from said right to sell or encumber,

NOW THEREFORE, in consideration of the foregoing and in connection with the distribution of the estate of said decedent, the party of the first part has released to the party of the second part the right to sell or encumber said property and granted, conveyed and confirmed unto the party of the second part, their heirs and assigns forever, all of the interest of said decedent in and to the real property situated in Lee County, Florida, described as follows:

> The Southwest quarter (SW1/4) of the Northwest quarter (NE 1/4) of the Southwest quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East,
> and
> The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) and the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, LESS AND EXCEPT a portion of the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of Section 15 as described in that certain deed recorded in O.R. Book 1074, Page 748, Public Records of Lee County, Florida.

and
The Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East, less the East 60 feet for road right-of-way situated in Lee County, Florida.
and

That portion of the Northwest quarter of the Southeast quarter of the Southeast quarter of Section 15, Township 45 South, Range 25 East, Lee County, Florida lying East of the Right of Way of Interstate 75.
and
The South half (S ½) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, Lee County, Florida, less and except that parcel described in that certain deed dated August 13, 1974, given by Velma Cannon McDonald to the State of Florida, for I-75 recorded in O.R. Book 1050, page 257, Public Records of Lee County, Florida.

SUBJECT PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR NOR CONTIGUOUS THERETO.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances belonging to or in any way appertaining to that real property, subject to all restrictions, reservations, and easements of record, if any, and ad valorem taxes for the current year.

Because this deed is given to evidence the distribution of assets of a decedent's estate and involves the assumption of no mortgage, minimum state documentary stamps are affixed.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, Sealed and Delivered
in the presence of:

Sign: Jeannie Drum

Print: Jeannie Drum

Sign: [signature]

Print: Reyn. Pi

Brian S. Freeman, as Personal Representative, Estate of Jeffrey B. Freeman

STATE OF FLORIDA
COUNTY OF LEE

The foregoing Personal Representative's Distributive Deed was acknowledged before me this 27th day of December, 2012, by Brian S. Freeman, PERSONAL REPRESENTATIVE, ESTATE OF JEFFREY B. FREEMAN.

Notary Public State of Florida
Martin F Tapia
My Commission EE 206717
Expires 08/10/2016

Notary Public
Personally Known ✓ Produced Identification _____
Type of Identification Produced _____
Commission No. EE 206717
My Commission Expires: 6.10.2016

This Instrument Prepared by and Return to:

RICHARD W. WINESETT
AVERY, WHIGHAM & WINESETT, P.A.
2248 FIRST STREET
FORT MYERS, FLORIDA 33901

Property Appraisers Parcel Identification (Folio) Numbers:
**15-45-25-00-00008.0000**

INSTR # 6610426
OR BK 04562 Pg 1333; (1pg)
RECORDED 01/20/2005 04:13:09 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.00
DEED DOC 5,775.00
DEPUTY CLERK N Kortright

Grantee SS #:

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED,** made the **20th** day of **January, A.D. 2005** by **D.K. CORBETT, individually and as Trustee** herein called the grantor, whose post office address is **4589 Orange River Loop Road, Fort Myers, Florida 33905,** to **JEFFREY B. FREEMAN, Trustee** whose post office address is **24535 Loblolly Road, SW, LaBelle, FL 33955,** hereinafter called the Grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**W I T N E S S E T H:** That the grantor, for and in consideration of the sum of TEN AND 00/100'S ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in LEE County, State of Florida, viz:

**The South half (S1/2) of the Southeast quarter (SE1/4) of the Southeast quarter (SE1/4) of Section 15, Township 45 South, Range 25 East, Lee County, Florida, less and except that parcel described in that certain deed dated August 13, 1974, given by Velma Cannon McDonald to the State of Florida, for I-75 recorded in O.R. Book 1050, page 257, Public Records of Lee County, Flroida.**

This deed confers and the Trustee named herein is, pursuant to Florida Statute 689.071 hereby vested with full power and authority to protect, conserve and to sell or to lease or to encumber or to otherwise manage and dispose of the real property described herein.

The above-described property is not the homestead property of the Grantor nor is it contiguous to any other property owned by D.K. CORBETT.

**TOGETHER,** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD,** the same in fee simple forever.

**AND,** the grantor hereby covenants with said grantee that the grantor is/are lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2000.

**IN WITNESS WHEREOF,** the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Signature

PATRICK HAYES
Printed Signature

Richard W. Winesett
Signature

Richard W. Winesett
Printed Signature

D. K. Corbett L.S.
D.K. CORBETT

**STATE OF FLORIDA**
**COUNTY OF LEE**

The foregoing instrument was acknowledged before me this **20th** day of **January 2005** by D.K. CORBETT who is/are personally known to me or has produced _____ as identification.

SEAL

Richard W. Winesett
Notary Signature

RICHARD W. WINESETT
MY COMMISSION # DD 017144
EXPIRES: May 14, 2005
Bonded Thru Notary Public Underwriters

Printed Notary Signature
My Commission Expires:

File # 04-758A

# Property Data

STRAP: 15-45-25-00-00008.0010 Folio ID: 10256304

**Owner Of Record**

BJ HOLDINGS OF FORT MYERS LLC
4245 FOWLER ST
FORT MYERS FL 33901

**Site Address**

ACCESS UNDETERMINED
FORT MYERS FL

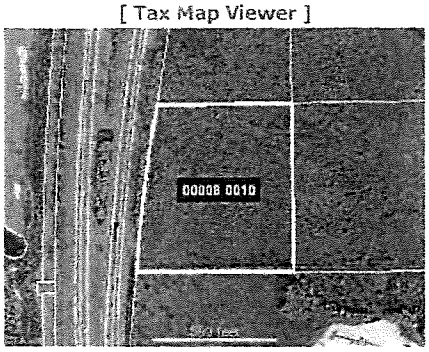
**Legal Description**

W 1/2 OF S 1/2 OF SE 1/4
OF SE 1/4 LESS I-75 R/W

**Classification / DOR Code**

GRAZING LAND CLASS V / 64

[ Tax Map Viewer ]




[ Pictometry Aerial Viewer ]

**Current Working Values**

| | | | |
|---|---|---|---|
| **Just** | 318,150 | As Of | 01/25/2016 |

**Attributes**

| | |
|---|---|
| Land Units Of Measure | AC |
| Units | 9.09 |
| Frontage | 0 |
| Depth | 0 |
| Total Number of Buildings | 0 |
| Total Bedrooms / Bathrooms | 0 |
| Total Living Area | 0 |
| 1st Year Building on Tax Roll | 0 |
| Historic District | No |

**Image of Structure**



< Photo Date October of 2013 >

# Property Value History

| Tax Year | Just | Market Assessed | Capped Assessed | Taxable |
|---|---|---|---|---|
| 1992 | 172,710 | 560 | 560 | 560 |
| 1993 | 172,710 | 530 | 530 | 530 |
| 1994 | 172,710 | 670 | 670 | 670 |
| 1995 | 172,710 | 670 | 670 | 670 |
| 1996 | 172,710 | 530 | 530 | 530 |
| 1997 | 136,350 | 260 | 260 | 260 |
| 1998 | 136,350 | 480 | 480 | 480 |
| 1999 | 136,350 | 410 | 410 | 410 |
| 2000 | 136,350 | 370 | 370 | 370 |
| 2001 | 145,440 | 410 | 410 | 410 |
| 2002 | 149,990 | 510 | 510 | 510 |
| 2003 | 606,760 | 610 | 610 | 610 |
| 2004 | 281,790 | 650 | 650 | 650 |
| 2005 | 826,290 | 750 | 750 | 750 |
| 2006 | 826,280 | 770 | 770 | 770 |
| 2007 | 1,372,600 | 650 | 650 | 650 |
| 2008 | 1,372,590 | 840 | 840 | 840 |
| 2009 | 318,150 | 900 | 900 | 900 |
| 2010 | 318,150 | 891 | 891 | 891 |
| 2011 | 318,150 | 754 | 754 | 754 |
| 2012 | 318,150 | 891 | 891 | 891 |
| 2013 | 318,150 | 864 | 864 | 864 |
| 2014 | 318,150 | 927 | 927 | 927 |
| 2015 | 318,150 | 818 | 818 | 818 |

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question (F.A.C. 12D-1.002).

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard (*F.S. 193.011*). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment (*F.S. 193.461 (6)(a)*). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often

referred to as the *Agricultural Exemption.*
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

## Exemptions

| Exemption | Amount |
|---|---|
| Agriculture | 317,332.00 |

## Values (2015 Tax Roll)

| Property Values | | Attributes | |
|---|---|---|---|
| Just | 318,150 | Land Units Of Measure | AC |
| Assessed | 818 | Units | 9.09 |
| Portability Applied | 0 | Frontage | 0 |
| Cap Assessed | 818 | Depth | 0 |
| Taxable | 818 | Total Number of Buildings | 0 |
| Cap Difference | 0 | Total Bedrooms / Bathrooms | 0 / 0 |
| | | Total Living Area | 0 |
| | | 1st Year Building on Tax Roll | 0 |
| | | Historic District | No |

## Taxing Authorities

**SOUTH TRAIL FIRE / 047**

| Name / Code | Category | Mailing Address |
|---|---|---|
| LEE CO GENERAL REVENUE / 044 | County | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO ALL HAZARDS PROTECTION DIST / 101 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO LIBRARY DIST / 052 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO UNINCORPORATED MSTU / 020 | Dependent District | LEE COUNTY BUDGET SERVICES<br>PO BOX 398<br>FORT MYERS FL 33902-0398 |
| LEE CO HYACINTH CONTROL DIST / 051 | Independent District | RUSSELL BAKER<br>15191 HOMESTEAD RD<br>LEHIGH ACRES FL 33971 |
| LEE CO MOSQUITO CONTROL DIST / 053 | Independent District | RUSSELL BAKER<br>15191 HOMESTEAD RD<br>LEHIGH ACRES FL 33971 |
| SOUTH TRAIL FIRE DISTRICT / 085 | Independent District | WILLIAM B LOMBARDO FIRE CHIEF<br>5531 HALIFAX AVE<br>FORT MYERS FL 33912 MILLAGE CAP 2.5000 |
| WEST COAST INLAND NAVIGATION DIST / 098 | Independent District | CHARLES W LISTOWSKI EXECUTIVE DIRECTOR<br>200 MIAMI AVE E<br>VENICE FL 34285-2408 |
| PUBLIC SCHOOL - BY LOCAL BOARD / 012 | Public Schools | AMI DESAMOURS BUDGET DEPARTMENT<br>2855 COLONIAL BLVD<br>FORT MYERS FL 33966 |
| PUBLIC SCHOOL - BY STATE LAW / 013 | Public Schools | AMI DESAMOURS BUDGET DEPARTMENT<br>2855 COLONIAL BLVD<br>FORT MYERS FL 33966 |
| SFWMD-DISTRICT-WIDE / 110 | Water District | |

| | | |
|---|---|---|
| | | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH, FL 33406 |
| SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH, FL 33406 |
| SFWMD-OKEECHOBEE BASIN / 308 | Water District | MICHELLE QUIGLEY<br>3301 GUN CLUB RD<br>WEST PALM BEACH FL 33406 |

## Sales / Transactions

| Sale Price | Date | OR Number | Type | Description | Vacant/Improved |
|---|---|---|---|---|---|
| 10.00 | 12/27/2012 | 2012000284384 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 5 additional parcel(s) with this document (may have been split after the transaction date)...<br>14-45-25-00-00006.0000 14-45-25-00-00008.0000 15-45-25-00-00006.0000 15-45-25-00-00007.0000 15-45-25-00-00008.0000 | V |
| 0.00 | 01/17/2011 | 2011000171963 | 11 | **Sales disqualified as a result of examination of the deed**<br>Corrective deed, quit claim deed, or tax deed; Deed bearing Florida Documentary Stamp at the minimum rate prescribed under Chapter 201, F.S.; Transfer of ownership where no doc stamps were paid.<br>There are 15 additional parcel(s) with this document (may have been split after the transaction date)...<br>10-45-25-P2-00001.0010 13-45-26-00-00001.0020 13-45-26-00-00001.002A 14-45-25-00-00006.0000 14-45-25-00-00008.0000 15-45-25-00-00006.0000 15-45-25-00-00007.0000 15-45-25-00-00008.0000 21-45-25-01-00000.030G 23-45-25-01-00008.0000 23-45-25-01-00009.0000 23-45-25-01-00016.0000 23-45-25-01-00017.0000 25-45-26-00-00001.1000 34-45-25-00-00001.0000 | I |
| 825,000.00 | 01/20/2005 | 4562/1333 | 05 | **Sales qualified and included for sales ratio analysis**<br>Qualified (Agriculture Classified - Single or Multi Parcels) | V |
| 0.00 | 12/01/1981 | 1565/2298 | 01 | **Sales disqualified as a result of examination of the deed**<br>Disqualified (Doc Stamp .70 / SP less th $100 / Other Disq) | V |
| 55,000.00 | 11/01/1980 | 1469/295 | 06 | **Sales qualified and included for sales ratio analysis**<br>Qualified (Fair Market Value / Arms Length / One STRAP #) | V |

## Location Information

| Township | Range | Section | Block | Lot |
|---|---|---|---|---|
| 45 | 25E | 15 | | |

| Municipality | Latitude | Longitude |
|---|---|---|
| Lee County Unincorporated | 26.55545 | -81.79356 |

**Links**

View Parcel on Google Maps | View Parcel on GeoView

## Solid Waste (Garbage) Roll Data

| Solid Waste District | Roll Type | Category | Unit / Area | Tax Amount |
|---|---|---|---|---|
| 003 - Service Area 3 | - | | 0 | 0.00 |

**Collection Days**

| Garbage | Recycling | Horticulture |
|---|---|---|
| Friday | Thursday | Thursday |

## Flood and Storm Information

| Storm Surge Zone | Evacuation Zone | Flood Insurance [ FIRM Look-up ] | | | |
|---|---|---|---|---|---|
| | | Community | Panel | Version | Date |
| C | D | 125124 | 0445 | F | 8/28/2008 |

## Appraisal Details (2015 Tax Roll)

**Land**

**Land Tracts**

| Use Code | Use Code Description | Depth | Frontage | Number of Units | Unit of Measure |
|---|---|---|---|---|---|
| 6400 | Pasture, Native, Good | 0 | 0 | 9.09 | Acres |

INSTR # 2012000284384, Doc Type D, Pages 3, Recorded 12/27/2012 at 02:04 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D $0.70 Rec. Fee $27.00 Deputy Clerk LFAHRNER

This Instrument Prepared By:
Brian Freeman, Esq.
The Freeman Law Firm, P.A.
4245 Fowler Street
Fort Myers, Florida 33901

Parcel I.D. No. 14-45-25-00-00006.0000
Parcel I.D. No. 14-45-25-00-00008.0000
Parcel I.D. No. 15-45-25-00-00006.0000
Parcel I.D. No. 15-45-25-00-00007.0000
Parcel I.D. No. 15-45-25-00-00008.0010
Parcel I.D. No. 15-45-25-00-00008.0000

**PERSONAL REPRESENTATIVE'S DISTRIBUTIVE DEED**
**(Intestate)**

THIS INDENTURE is made this 27th day of December, 2012, by and between

Brian S. Freeman, the duly qualified and acting Personal Representative of the estate of Jeffrey B. Freeman, deceased, whose address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the first part, and BJ Holdings of Fort Myers, LLC., whose post office address is 4245 Fowler Street, Fort Myers, Florida 33901, party of the second part.

WITNESSETH: That WHEREAS, Jeffrey B. Freeman died intestate, a resident of Lee County, Florida, on January 17, 2011, seized and possessed of the real property hereinafter described; and

WHEREAS, title to said property passed to the party of the second part as of the date of said decedent's death subject only to the right of the party of the first part to sell or encumber the property for the purpose of defraying claims, costs, and expenses of administration of decedent's estate; and

WHEREAS, the party of the first part wishes to distribute said property to the party of the second part and evidence the release of the property from said right to sell or encumber,

NOW THEREFORE, in consideration of the foregoing and in connection with the distribution of the estate of said decedent, the party of the first part has released to the party of the second part the right to sell or encumber said property and granted, conveyed and confirmed unto the party of the second part, their heirs and assigns forever, all of the interest of said decedent in and to the real property situated in Lee County, Florida, described as follows:

> The Southwest quarter (SW1/4) of the Northwest quarter (NE 1/4) of the Southwest quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East,
> and
> The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) and the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, LESS AND EXCEPT a portion of the Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of Section 15 as described in that certain deed recorded in O.R. Book 1074, Page 748, Public Records of Lee County, Florida.

and
The Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 14, Township 45 South, Range 25 East, less the East 60 feet for road right-of-way situated in Lee County, Florida.
and

That portion of the Northwest quarter of the Southeast quarter of the Southeast quarter of Section 15, Township 45 South, Range 25 East, Lee County, Florida lying East of the Right of Way of Interstate 75.
and
The South half (S ½) of the Southeast quarter (SE 1/4) of the Southeast quarter (SE 1/4) of Section 15, Township 45 South, Range 25 East, Lee County, Florida, less and except that parcel described in that certain deed dated August 13, 1974, given by Velma Cannon McDonald to the State of Florida, for I-75 recorded in O.R. Book 1050, page 257, Public Records of Lee County, Florida.

SUBJECT PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR NOR CONTIGUOUS THERETO.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances belonging to or in any way appertaining to that real property, subject to all restrictions, reservations, and easements of record, if any, and ad valorem taxes for the current year.

Because this deed is given to evidence the distribution of assets of a decedent's estate and involves the assumption of no mortgage, minimum state documentary stamps are affixed.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, Sealed and Delivered
in the presence of:

Sign: Jeannie Drum

Print: Jeannie Drum

Sign:

Print: Reg M. Pi

Brian S. Freeman, as Personal Representative, Estate of Jeffrey B. Freeman

STATE OF FLORIDA
COUNTY OF LEE

The foregoing Personal Representative's Distributive Deed was acknowledged before me this 27th day of December, 2012, by Brian S. Freeman, PERSONAL REPRESENTATIVE, ESTATE OF JEFFREY B. FREEMAN.

Notary Public State of Florida
Martin F Tapia
My Commission EE 206717
Expires 06/10/2016

Notary Public
Personally Known ✓ Produced Identification _____
Type of Identification Produced _____
Commission No. EE 206717
My Commission Expires: 6.10.2016

This instrument Prepared by and Return to:

**RICHARD W. WINESETT**
AVERY, WHIGHAM & WINESETT, P.A.
2248 FIRST STREET
FORT MYERS, FLORIDA 33901

Property Appraisers Parcel Identification (Folio) Numbers:
**15-45-25-00-00008.0000**

Grantee SS #:

INSTR # 6610426
OR BK 04562 Pg 1333; (1pg)
RECORDED 01/20/2005 04:13:09 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 10.00
DEED DOC 5,775.00
DEPUTY CLERK N Kortright

SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS WARRANTY DEED,** made the **20th** day of **January, A.D. 2005** by **D.K. CORBETT, Individually and as Trustee** herein called the grantor, whose post office address is **4589 Orange River Loop Road, Fort Myers, Florida 33905,** to **JEFFREY B. FREEMAN, Trustee** whose post office address is **24535 Loblolly Road, SW, LaBelle, FL 33955,** hereinafter called the Grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**W I T N E S S E T H:** That the grantor, for and in consideration of the sum of TEN AND 00/100'S ($10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in LEE County, State of Florida, viz:

**The South half (S1/2) of the Southeast quarter (SE1/4) of the Southeast quarter (SE1/4) of Section 15, Township 45 South, Range 25 East, Lee County, Florida, less and except that parcel described in that certain deed dated August 13, 1974, given by Velma Cannon McDonald to the State of Florida, for I-75 recorded in O.R. Book 1050, page 257, Public Records of Lee County, Florida.**

This deed confers and the Trustee named herein is, pursuant to Florida Statute 689.071 hereby vested with full power and authority to protect, conserve and to sell or to lease or to encumber or to otherwise manage and dispose of the real property described herein.

The above-described property is not the homestead property of the Grantor nor is it contiguous to any other property owned by D.K. CORBETT.

**TOGETHER,** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD,** the same in fee simple forever.

**AND,** the grantor hereby covenants with said grantee that the grantor is/are lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2000.

**IN WITNESS WHEREOF,** the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Signature

PATRICK HAYES
Printed Signature

Richard W. Winesett
Signature

Richard W. Winesett
Printed Signature

D. K. Corbett L.S.
D.K. CORBETT

**STATE OF FLORIDA**
**COUNTY OF LEE**

The foregoing instrument was acknowledged before me this **20th** day of **January 2005** by D.K. CORBETT who is/are personally known to me or has produced _____ as identification.

SEAL

Richard W. Winesett
Notary Signature

RICHARD W. WINESETT
MY COMMISSION # DD 017144
EXPIRES: May 14, 2005
Bonded Thru Notary Public Underwriters

Printed Notary Signature
My Commission Expires:

File # 04-758A

# SURFACE WATER MANAGEMENT PLAN

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

WALDROP ENGINEERING
PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
BONITA SPRINGS Tampa Orlando Sarasota
28100 Bonita Grande Dr., Suite 305, Bonita Springs, FL 34135
p. (239) 405-7777 f. (239) 405-7899

# Treeline 115 Mixed Use Planned Development
## Surface Water Management Plan

The subject property is surrounded by development. Treeline Avenue is located directly east of the subject property, effectively blocking all flow from the east toward the subject property. All stormwater from the east is directed around the subject property. A commercial/industrial subdivision is located to the north. All stormwater from this subdivision is direct to an internal lake system which discharges to the north, away from the subject property. The FDOT rest area and office building located to the southwest discharges east to the I-75 right of way. Commercial subdivision located to the southeast discharged into a wetland that flow north toward the subject property. Flows from this development will be directed around the subject property to I-75.

Stormwater runoff from the subject property generally flows from east to west toward I-75. Water is directed under I-75 through a 6' x 4' box culvert located near the southwest corner of the subject property.

Onsite stormwater runoff will be conveyed to stormwater ponds where it will be treated and attenuated prior to discharging offsite. The peak discharge rate will be limited to 37 csm, the basin allowable discharge rate. Stormwater treatment will be provided in accordance with SFWMD requirements.

# LETTER OF UTILITY AVAILABILITY

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

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
*County Chief Hearing Examiner*

September 25, 2017 Via E-Mail

Cindy Brizuela
Waldrop Engineering
28100 Bonita Grande Dr., Suite 305
Bonita Springs, FL 34135

**RE: Potable Water and Wastewater Availability**
**Treeline 115, 12850 Treeline Avenue**
**STRAP #s: 15-45-25-00-00006.0000, 14-45-25-00-00006.0000, 14-45-25-00-00008.0000, 15-45-25-00-00008.0000, 15-45-25-00-00008.0010, and 15-45-25-00-00007.0000**

Dear Ms. Brizuela:

The subject parcels are located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water lines are in operation adjacent to the parcels mentioned above on Treeline Avenue. Wastewater lines are in operation along Daniels and Treeline south of Daniels, please schedule a pre-design meeting. However, in order to provide service to them, developer funded system enhancements such as line extensions will be required.

Your firm has indicated that this project will consist of 487 single family residential units with an estimated flow demand of approximately 125,500 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and wastewater service as estimated above.

Availability of potable water and wastewater 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 the Corkscrew Water Treatment Plant.

Wastewater service will be provided by the Gateway Wastewater Treatment 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.

With regard to effluent reuse service; there are currently no reuse facilities available in the vicinity of the project site and therefore, Lee County does not have the capability of providing service at this time.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as 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 the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and wastewater service is to be utilized for rezoning purposes only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

Nathan Beals, PMP
Principal Planner
(239) 533-8157
LEE COUNTY UTILITIES

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

# EXISTING AGRICULTURAL USE AFFIDAVIT

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT

DCI 2018-00007

**AGRICULTURAL USES AT TIME OF ZONING APPLICATION**
**AFFIDAVIT**

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, on this 9th day of November, 2017, personally appeared Brian Freeman, who is personally known to me or who produced _____ as identification and who did take an oath, who deposes and says as follows:

1. That I am the Authorized Representative of the following described property, to wit:

   See attached Exhibit "A"

2. That the above described property was used for bona fide agricultural purposes, to wit pasture/cattle grazing, sod farming, and row crops, at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described in the attached Exhibit "A".

3. The agricultural use of the property is an existing bona fide agricultural use.

4. The agricultural use is being conducted on the entire 115+/- acres. The entire property described on the attached Exhibit "A" is being used for the pasture/cattle grazing, sod farming and row crops.

5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard and read to him, the full facts of this affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NAUGHT.

Managing Member

**Authorized Agent for BJ Holdings of Fort Myers, LLC**

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)

NOTARY PUBLIC STATE OF FLORIDA
**ALEXANDRA PARSONS**
MY COMMISSION #FF145559
EXPIRES July 27, 2018
(407) 398-0153 FloridaNotaryService.com

Commission No.

Signature of Notary Public

Alexandra Parsons
(Print, type or stamp commissioned name of Notary Public)

DCI 2018-00007

RECEIVED
FEB 22 2018
COMMUNITY DEVELOPMENT