Summary of Hearing Examiner Recommendation

BRIGHTWATER RPD F/K/A STONEYBROOK NORTH

(By Stacy Hewitt, AICP, of Banks Engineering,
on behalf of North Brook Holdings, LLC)

Hearing Examiner Remarks

Applicant seeks to update the development plan of an existing RPD. The Brightwater RPD was approved in 2004 for 1,275 single family/two-family attached dwelling units. The request proposes several changes, most notably to increase density and open the lagoon amenity to non-residents on a limited basis.

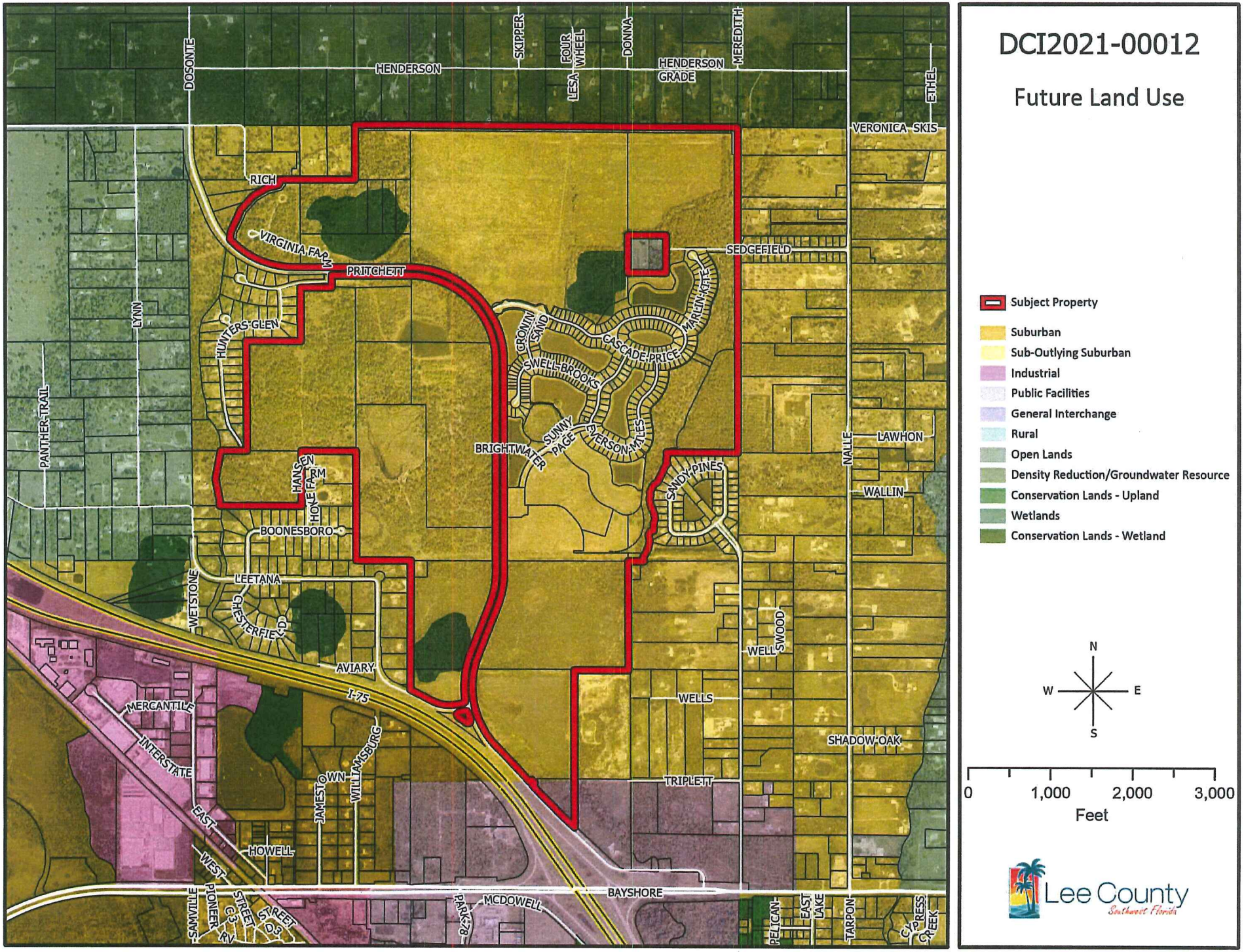
The request seeks an additional 225 units, resulting from a Lee Plan amendment that allows density on lands previously prohibited for residential use. Applicant mitigates off-site impacts associated with the density increase by deed restricting 590 units to senior housing. Additional residential units are concentrated interior to the project.

Several concerned residents spoke at hearing to oppose the request, with one speaker in support. Primary concerns cited were traffic and noise generated from the project, flooding, environmental impact, public access to the lagoon amenity, and compatibility of the RPD in the Bayshore community.

On rebuttal, Applicant offered to reduce the request to 200 units to provide further assurance of compatibility. Should the Board approve the request at the reduced density of 1,475 units, Condition 1 and the Density Summary on the MCP require revision.

With respect to opening the lagoon amenity to non-residents, proposed conditions of approval limit public access to the lagoon. Applicant will utilize a fee-based reservation system to control the number of daily visitors. Brightwater Country Club staff will open reservations based upon daily parking availability. Limited lagoon parking is available for non-residents. Developer must install signage indicating parking areas. In sum, proposed conditions provide safeguards to ensure the lagoon operates primarily as an amenity for Brightwater residents.

Detailed recommendation follows



DCI2021-00012

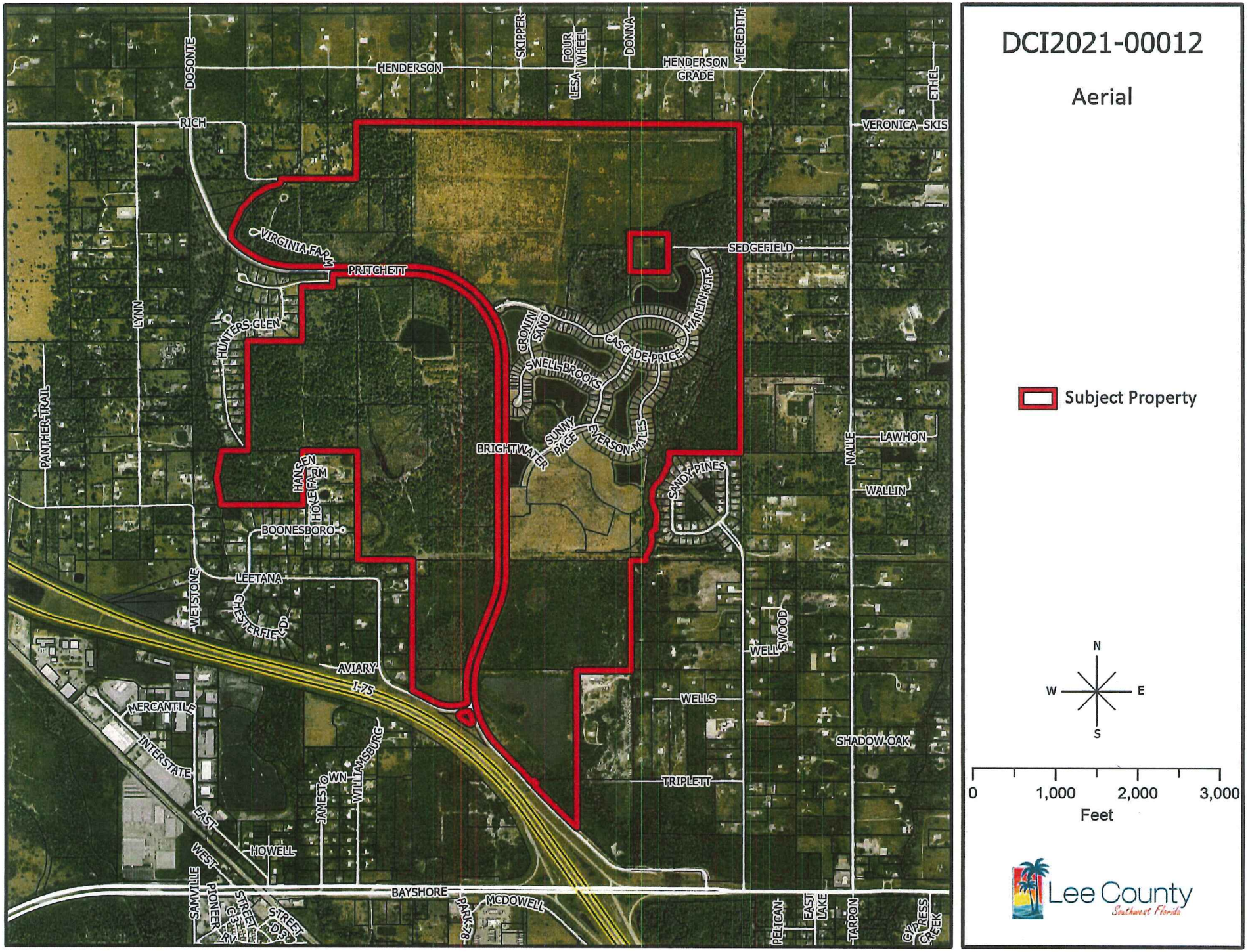
Future Land Use

- Subject Property
- Suburban
- Sub-Outlying Suburban
- Industrial
- Public Facilities
- General Interchange
- Rural
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland
- Wetlands
- Conservation Lands - Wetland

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Lee County
Southwest Florida


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Aerial
Subject Property
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Lee County
Southwest Florida
HENDERSON
RICH
VERONICA SKIS
SEDGEFIELD
PRITCHETT
VIRGINIA FARM
HUNTERS GLEN
LYNN
PANTHER TRAIL
BRIGHTWATER
SUNNY PAGE
EVERSON MILES
CASCADE PRICE
SWELL BROOKS
MARTIN HILL
SANDY PINES
LAWHON
WALLIN
BOONESBORO
LEETANA
AVIARY
I-75
MERCANTILE
INTERSTATE
EAST
WEST
HOWELL
JAMESTOWN
WILLIAMSBURG
BAYSHORE
MCDOWELL
WELLS
SHADOW OAK
TRIPLETT
PENTEAN
EAST LAKE
TARPON
CYPRESS CREEK

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: DCI2021-00012

Regarding: **BRIGHTWATER RPD F/K/A STONEYBROOK NORTH**

Location: Both sides of Pritchett Parkway,, North of the I-75/Bayshore Road interchange

Bayshore Planning Community
(District 5)

Hearing Date: **April 28, 2022**

I. Request

Amend the existing Brightwater Residential Planned Development (RPD) f/k/a Stoneybrook North to:

(1) Reconfigure tracts;
(2) Relocate dwelling units to the interior;
(3) Add 'Dwelling Unit, Townhouse' to the approved schedule of uses;
(4) Add Brightwater Country Club and allow limited non-resident access to the Crystal Lagoon amenity;
(5) Add 225 dwelling units [increase maximum dwelling units from 1,275 to 1,500];
(6) Convert 590 single-family dwelling units to senior adult housing;
(7) Incorporate voluntary enhancements;
(8) Allow fill material to be moved across Pritchett Parkway; and
(9) Add two deviations.[1]

The property's legal description is set forth in Exhibit A.

II. Hearing Examiner Recommendation

Approval, subject to conditions and deviations set forth in Exhibit B.

III. Discussion

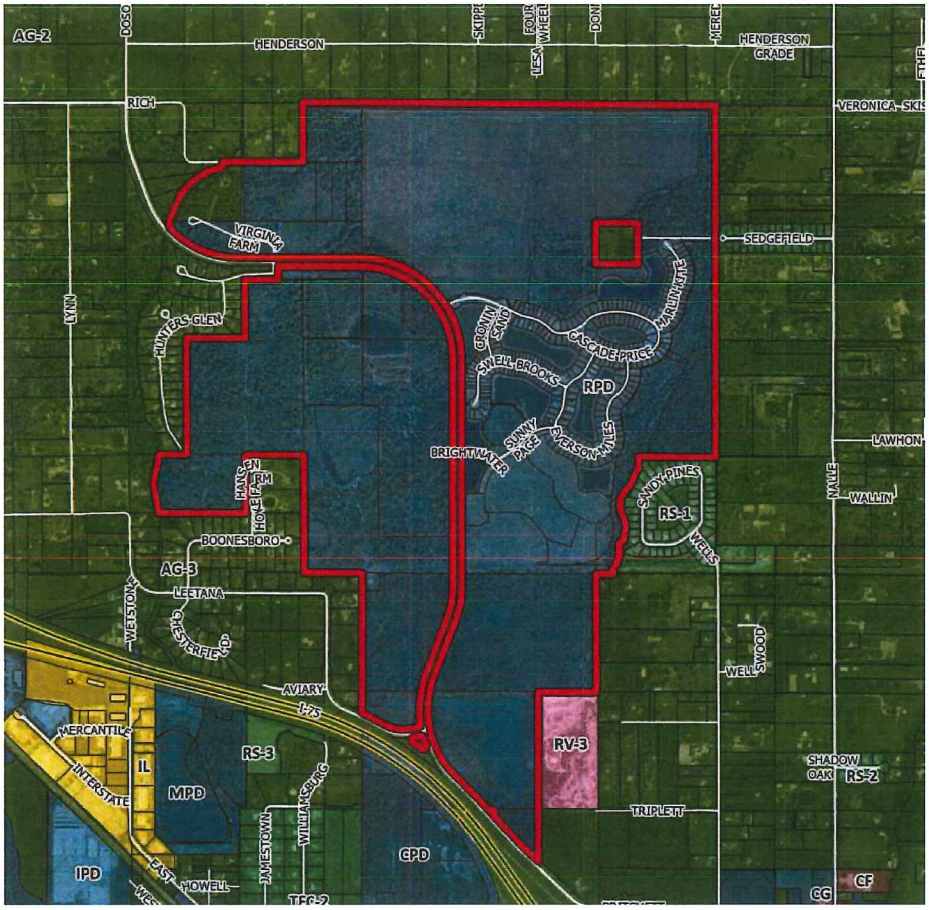
The Hearing Examiner serves in an advisory capacity to the Board of County Commissioners (Board) on applications to rezone property.[2] In satisfaction of this

[1] The request included three deviation requests, but Applicant withdrew one. *See* Applicant Ex. A.
[2] LDC 34-145(d)(1)(a) & (2)(a).

duty, the Hearing Examiner accepted testimony and evidence on the application to amend an existing RPD.

In preparing a recommendation to the Board, the Hearing Examiner must consider the Lee County Comprehensive Plan (Lee Plan), the Land Development Code (LDC), and other applicable County regulations to the facts presented in a rezoning request.[3] Specifically, the Hearing Examiner must find the request compatible with surrounding uses and complies with Lee Plan and LDC requirements relating to such items as transportation facilities, natural resources, and urban services.[4] The Hearing Examiner may take judicial notice of previous Board decisions.[5] The Hearing Examiner's recommendation must be based on competent and substantial evidence.[6]

Discussion supporting the recommendation of approval of the proposed RPD amendment follows below.



[3] LDC 34-145(d)(3).
[4] LDC 34-145(d)(4).
[5] Lee Co. Admin. Code 2-6, 2.3.D(4)(b).
[6] Lee Co. Admin. Code 2-6, 3.3.A(2); LDC 34-83(a)(4)(a)(1)(a).

Synopsis of Request and Zoning History

The 741.22± acre property is in the Bayshore Planning Community, east of the I-75/Bayshore Road interchange.[7]

The Board first zoned the site RPD in 2004 to permit 1,275 single family and two-family attached dwelling units.[8] Four subsequent administrative amendments followed.[9]

In 2016, a Lee Plan amendment reclassified Interchange lands to the General Interchange category.[10] The change allowed density on lands previously prohibiting residential use.[11]

Applicant now seeks to amend the RPD and codify prior zoning approvals. The requested RPD amendment:

- Updates development parameters with attendant site plan redesign;
- Increases density in light of Lee Plan changes since original approval;[12]
- Moves density from General Interchange areas on the RPD's perimeter to the project's interior to minimize off-site impacts;
- Deed restricts 590 dwelling units as senior housing to offset traffic generated by the additional units;[13]
- Recalibrates residential unit types/location to accommodate market demand; and
- Opens the RPD's lagoon amenity to the public in a limited capacity.

The project contains a recreational water amenity referred to as "Crystal Lagoon." The lagoon is located on a tract identified as "Recreation Facility Private On-Site Club." Applicant proposes to open the lagoon to non-residents through a fee-based reservation system, and re-label the tract "Recreation Facility/Country Club."

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[7] The affected area of amendment is 638.17± acres. *See* Applicant's Ex. A. The entire RPD is 741.22± acres.

[8] Z-02-070.

[9] *See* ADD2013-00083, ADD2014-00074, ADD2015-00134, and ADD2020-00046. Recommended conditions and deviations represent a codification of prior development approvals. *See* Staff Report (pg. 1-2, Attachment D); Applicant's Ex. 1 (slide 7).

[10] *See* Staff Report (pg. 6-7); Applicant's Ex. 1 (slide 10).

[11] The Interchange category did not allow density, while General Interchange permits a standard density range of 8-14 units per acre, with a maximum density of 22 units per acre. *See* Policy 1.3.2; Applicant's Ex. 1 (slide 10).

[12] *See* Staff Report (pg. 6-7); Applicant's Ex. 1 (slide 10). Interchange lands did not permit density when the site was first rezoned. The 2016 Lee Plan amendment to General Interchange allows 8-14 units per acre with a maximum density of 22 units per acre. *See* Lee Plan Policy 1.3.2. The request is for an additional 225 units, but Applicant offered to reduce requested units to 200 at hearing. Testimony of Steve Hartsell (Transcript pg. 129-30).

[13] Applicant committed to no less than 590 units. Testimony of Mr. Hartsell (Transcript pg. 127-28).

The RPD was approved for phased development and is under active construction. Phase 1 is complete with 258 homes east of Pritchett Parkway, exotics removal, and sabal palm relocation.[14] Phases 2, 3, and the lagoon are under construction.[15] Applicant has maintained and enhanced Popash and Bayshore Creeks to improve drainage.[16]

The proposed site plan requires two new deviations and condition modifications. Staff recommended approval, finding the proposed RPD amendment satisfied LDC review criteria.[17]

Zoning Review Criteria

Before recommending approval, the Hearing Examiner must find the request:

A. Complies with the Lee Plan;

B. Meets the LDC and other applicable County regulations or qualifies for deviations;

C. Is compatible with existing and planned uses in the surrounding area;

D. Will provide access sufficient to support the proposed development intensity;

E. Addresses impacts on transportation facilities by County regulations or conditions of approval;

F. Will not adversely affect environmentally critical/sensitive areas or natural resources; and

G. Will be served by urban services if located in a Future Urban area.[18]

When the requested zoning action is a planned development, the Hearing Examiner must also find:

H. The proposed use/mix of uses is appropriate at the proposed location;

I. Recommended conditions (1) provide sufficient safeguards to the public interest, and (2) reasonably relate to impacts on the public interest expected from the proposed development; and

[14] Applicant's Ex. 1 (slide 14); *See* Staff Report (Attachment D, pg. 4-5).
[15] *Id.*
[16] *Id.* Maintenance and enhancements were conducted pursuant to prior zoning approvals.
[17] Applicant withdrew deviation 19.
[18] LDC 34-145(d)(4)(a)(1).

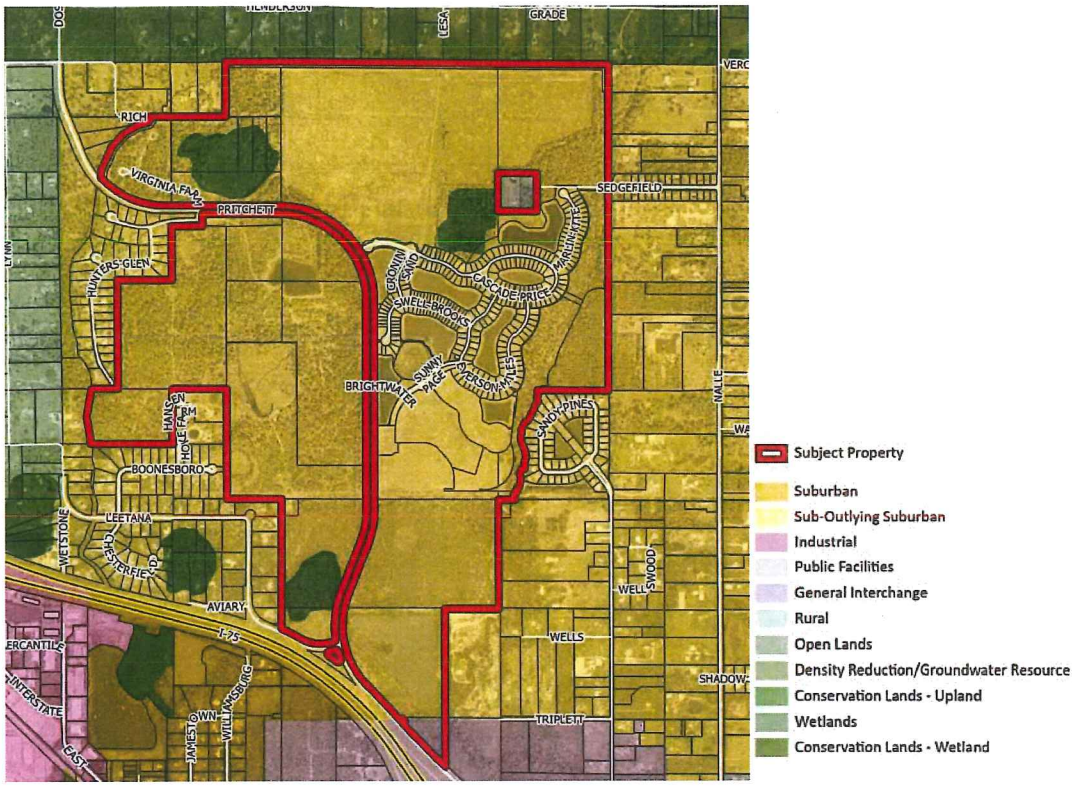
J. Requested deviations (1) enhance achievement of the objectives of the planned development, and (2) promote the LDC's intent to protect public health, safety, and welfare.[19]

Character of the Area

The property is located east of I-75, north of Bayshore Road. Agricultural and low density/large lot residential uses characterize the area.[20] A recreational vehicle park abuts to the southeast.

Lee Plan Consistency and Compatibility

All planned developments must be consistent with the Lee Plan.[21] Rezoning requests must be compatible with existing/planned uses in the surrounding area.[22] Planned developments must be located to minimize negative effects of proposed uses on neighboring properties.[23]



[19] LDC 34-145(d)(4)(a)(2).
[20] *See* Applicant's Ex. 1 (slide 6); Staff Report (pg. 1-2).
[21] LDC 34-411(a).
[22] LDC 34-145(d)(4)(a).
[23] LDC 34-411(c) and (i).

Lee Plan Consistency

The Lee Plan Future Land Use Map classifies the site as Sub-Outlying Suburban, General Interchange, and Wetlands.[24]

The majority of the site is within the Sub-Outlying Suburban category.[25] Sub-Outlying Suburban lands are predominantly low density residential areas.[26] The standard density range is one to two units per acre.[27] The RPD is currently approved for two units per acre.[28] The request retains this density limitation, consistent with the Sub-Outlying Suburban category. [29]

The property hosts three large pockets of Wetlands areas totaling 63.5± acres.[30] Wetlands consist of very low density residential/recreational uses without adverse effect to ecological function.[31] The request preserves Wetland areas and relocates density from wetlands to uplands.[32] Original RPD approval included five acres of wetland impacts.[33] The request now proposes no wetland impacts.[34]

Remaining portions of the site proximate to I-75 and Bayshore Road sit within the General Interchange future land use category. When the RPD was first approved, the Interchange category did not permit residential development. Subsequent Lee Plan amendments re-designated this category as General Interchange with a residential component permitting eight to fourteen units per acre.[35] The request transfers density from these lands to the project's interior.

In sum, the requested changes remain consistent with the property's future land use designations. The proposed amendment retains the project's low density residential character and reduces wetland impacts.[36]

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[24] *See* Lee Plan Map 1-A, Policy 1.1.11, 1.3.2, and 1.5.1; Staff Report (pg. 1-2, Attachment B).
[25] Nearly 91% of the RPD is within this category. *See* Staff Report (Attachment D pg. 9).
[26] Lee Plan Policy 1.1.11.
[27] *Id.*
[28] *See* Staff Report (pg. 6). At the time of original approval, the property was designated as Outlying Suburban with a permitted density range of one to two units per acre. Subsequent Lee Plan amendments increased density in this category to three units per acre.
[29] *See* Staff Report (pg. 6). The property was re-classified to Sub-Outlying Suburban to preserve the RPD's two unit per acre density limitation. Applicant proposes two units per acre for the 674.27 acres of Sub-Outlying Suburban land, yielding 1348.5 dwelling units. *See* Staff Report (pg. 5, Attachment N). Applicant elaborates that due to Phase 1's construction, the request is narrowed to 1,242 units on 638.17 acres, or 1.95 units per acre. *See* Staff Report (Attachment D pg. 11).
[30] *See* Staff Report (pg. 7).
[31] Lee Plan Policy 1.5.1.
[32] *See* Staff Report (pg. 5). Applicant proposes two units per Wetland acre, totaling 127 units. These units are moved from wetlands to uplands.
[33] Z-02-070.
[34] *See* Staff Report (pg. 3, 7); Lee Plan Policy 1.5.1, Goal 124.
[35] *See* Staff Report (pg. 6); Lee Plan Policy 1.3.2. Maximum density of 22 units per acre can be achieved using bonus density.
[36] Lee Plan Policy 5.1.10 permits the sum of allowable density for each land use category to be allocated.

The site also lies within the Bayshore Planning Community.[37] The Bayshore Community endeavors to retain its rural residential character by maintaining low densities with minimal commercial activities.[38] Community principles urge projects to provide open space, buffers, and setbacks that protect high quality environmental areas from development.[39] Planned developments must be conditioned to locate low residential densities along the project's perimeters.[40]

The proposal complies with planning community directives by:

- Retaining residential uses;
- Continuing established development patterns;[41]
- Proposing density below the maximum permitted;[42]
- Providing enhanced buffers and setbacks;
- Exceeding open space requirements;[43]
- Protecting environmental areas by enhancing Popash and Bayshore Creeks;
- Eliminating five acres of wetland impacts; and
- Moving density from the project's perimeter to its interior.

Compatibility

The proposed unit mix and project design is compatible with the Bayshore Community, as evidenced by:

- Residential units remain within the standard density range;[44]
- Impacts generated from the additional 225 units are offset by restricting 590 homes to senior housing;[45]
- The request relocates density from the project's perimeter to the interior to minimize offsite impacts;[46]
- Reconfiguration of tracts are internal to the RPD;
- Enhanced open space buffering from neighboring communities;[47] and

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[37] Lee Plan Map 1-B and 2-A; Lee Plan Goal 18.
[38] *See* Lee Plan Policy 18.
[39] *See* Lee Plan Objective 18.1.
[40] *Id.*
[41] *See* Lee Plan Goal 18, Objectives 2.1, 2.2, Policies 2.2.1, 2.2.2, 135.1.9, 158.1.9; Applicant's Ex. 1 (slide 32). Phase 1 is already completed. The RPD complements existing neighborhoods west of Pritchett Parkway.
[42] Total maximum standard density is 1,524 dwelling units. Applicant seeks 1,500 units. Further, for the area subject to the amendment (638.17± acres), Applicant proposes 1,242 units while the maximum density for that area is 1,318 units. *See* Staff Report (Attachment D pg. 10-11).
[43] The MCP reflects 187.2 acres open space required, 200.0 acres provided. *See* Applicant's Ex. 3.
[44] *See* Staff Report (pg. 5, Attachment N).
[45] Applicant offered to reduce requested units to 200 at hearing, further reducing traffic impacts. Testimony of Steve Hartsell (Transcript pg. 129-30).
[46] *See* Staff Report (pg. 13); Lee Plan Policy 5.1.5.
[47] Tract A, near Leetana Road, has an increased setback from 35 to 82 feet. Testimony of Steve Hartsell (Transcript pg. 10).

- Adding townhomes to the schedule of uses furthers Lee Plan directives to diversify housing opportunities.[48]

The request to add the "Brightwater Country Club" and open the lagoon amenity to non-residents, however, warrants further analysis.

Lagoon Amenity

The proposed lagoon is unique in the county and is not specifically categorized in the LDC.[49] Pursuant to the LDC, the Zoning Manager rendered a written opinion finding the use most similar to a golf course.[50]

The parties testified that opening the lagoon on a limited basis is akin to a golf course within a planned development whereby non-residents make tee times.[51] As such, the proposed use is permissible within an RPD.[52]

Proposed conditions of approval ensure the lagoon will not transition into a public water park.[53] The conditions include:

- Brightwater Crystal Lagoon is open to members and guests for a fee. Resident memberships *must* be included in every purchase of a Brightwater home;
- The lagoon must remain fully gated;
- Access may be granted to non-members through a reservation system. Daily reservations are limited based on parking availability. Parking must be adjacent to the amenity, monitored, and controlled by country club staff;
- Signage along Pritchett Parkway must be installed to notify the public that no parking is permitted on the roadway;

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[48] *See* Lee Plan Policy 135.1.9. Applicant coordinated with Brightwater residents to modify the MCP to add Tract J-1, prohibit townhomes on Tract J-1, and restrict height on that tract to address internal compatibility concerns of residents. Testimony of Steve Hartsell (Transcript pg. 7-8).

[49] As an RPD on Sub-Outlying Suburban lands, it would not be permissible to create a commercial water park open to the public carte blanche. *See* LDC 34-934, Lee Plan Policy 1.1.11. Amusement parks are not a permitted use within the RPD category. *Amusement parks* are defined to mean permanent establishments known as amusement parks, kiddie parks, theme parks, etc., which operate one or more amusement attractions such as mechanical rides, amusement devices, exhibits and refreshment stands or picnic grounds, for a profit. LDC 34-2. Testimony of Dirk Danley, Jr. (Transcript pg. 57-61). Accordingly, the parties detailed that the proposed lagoon amenity will not be a public water park. Testimony of Dirk Danley (Transcript pg. 55-62).

[50] *See* Staff Ex. 3: Memorandum from Anthony Rodriguez, AICP dated April 27, 2022, finding the proposed use most similar to Club, Country as defined in LDC 34-2 (issued pursuant to LDC 34-620, 34-933).

[51] *Id.*; Testimony of Stacy Hewitt (Transcript pg. 29, 47).

[52] Country Clubs are permitted in RPDs under LDC 34-934.

[53] *See* Condition 34.

- The country club/lagoon parking lot is limited to a particular tract and must provide 180-400 parking spaces.[54] A third of the spaces must be reserved for resident-only use, clearly marked and signed;[55] and
- Golf cart parking is available only to Brightwater homeowners.

In total, these conditions ensure the lagoon is primarily an amenity for Brightwater residents with limited access for non-residents.[56]

The Board previously found the Brightwater RPD compatible with the surrounding area and in compliance with the Lee Plan.[57] As conditioned, the requested changes do not alter this finding.

Transportation/Traffic

Planned developments must have access to roads with sufficient capacity to support proposed intensity.[58] Existing regulations or conditions of approval must address expected impacts on transportation facilities.[59]

Access

The project directly accesses Pritchett Parkway on both the east and west.[60] Pritchett Parkway is a county-maintained major collector road.[61] Bayshore Road is a state-maintained road intersecting Pritchett Parkway to the south.[62] The request does not alter approved access points, previously deemed sufficient to support the RPD.[63]

Impacts to Transportation Facilities

The Traffic Impact Statement concludes the requested amendment will not cause additional trip generation.[64] Rather, record evidence shows a reduction in traffic

[54] Providing this range serves the dual purpose of ensuring adequate parking is provided on-site while limiting the number of patrons visiting the lagoon.
[55] If the maximum 400 spaces are provided, 132 of those spaces must be reserved for residents. Country club staff would easily observe parking occupancy due to required signage, and open reservations to non-residents accordingly.
[56] The Staff Report details the proposed lagoon amenity and reservation system (pg. 5-7); Testimony of Dirk Danley (Transcript pg. 130).
[57] Z-02-070; LDC 34-145(d)(4)(a)(1)(c); Staff Report (pg. 1-2); Applicant's Ex. 1.
[58] LDC 34-145(d)(4)(a)(1)(d); 34-411(d)(1).
[59] LDC 34-145(d)(4)(a)(1)(e); 34-411(d)(2).
[60] *See* Staff Report (Attachment B); Applicant's Ex. 3: Updated MCP.
[61] *See* Staff Report (pg. 2, Attachment P).
[62] *Id.*
[63] *See* Staff Report (Attachment D pg. 19).
[64] *See* Applicant's Ex. 4. The TIS evaluated the impacts of 225 units. Notably, if the request is reduced to 200 units while 590 units are still age-restricted, the resulting traffic impact would be further reduced.

compared to what is currently approved.[65] The reduction is due to the inclusion of townhomes and senior housing.[66]

Traffic engineers analyzed numerous roadway segments to determine functionality with/without the project.[67] All segments maintained acceptable levels of service with project approval, except for Bayshore Road east of Pritchett Parkway.[68] Applicant's engineer testified efforts are underway to widen Bayshore Road to a four-lane divided road, which increases capacity for the affected segment.[69]

Significant discussion at hearing centered on the Bayshore Road/Pritchett Parkway intersection. The parties recounted challenges to signalizing the intersection given the proximity to the I-75 interchange, and jurisdictional considerations since the County maintains Pritchett Parkway while the State oversees Bayshore Road.[70] Conditions of approval require Applicant to coordinate with the County and State to improve the intersection.[71]

Discussion also touched upon the adequacy of the traffic study conducted for the lagoon amenity.[72] The parties confirmed the study met County Code requirements.[73]

Applicant demonstrated the request provides sufficient access to support proposed development.[74] Site related impacts will be evaluated during development order review.[75]

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[65] *See* Applicant's Ex. 4: Traffic Impact Statement; Testimony of Ted Treesh (Transcript pg. 36-38); Applicant's Ex. 1 (slide 29).
[66] *Id.* Original zoning approval evaluated 1,275 single family units, which generates more traffic than the proposed 910 single family/townhome units and 590 senior housing units. Should the request be limited to 1,475 units as Applicant offered at hearing, traffic impacts will be even further reduced.
[67] *See* Staff Report (pg. 10-11, Attachment P); Applicant's Ex. 4: TIS.
[68] *Id.* Mellow Drive operates at a failing level of service even without the project.
[69] *See* Applicant's Ex. 1 (slide 29); Testimony of Ted Treesh (Transcript pg. 38-39).
[70] Testimony of Ted Treesh (Transcript pg. 42-44) and Dirk Danley (Transcript pg. 67-70); *See* Staff Report (pg. 11).
[71] *See* Condition 20.
[72] Testimony of Ted Treesh (Transcript pg. 39-40, 122), Public Testimony (Transcript pg. 79-81, 90).
[73] Testimony of Ted Treesh (Transcript pg. 122); *See* Staff Report (pg. 10-11, Attachments O, P). Members of the public thoroughly reviewed the staff report and application materials, pointing to various concerns regarding the Wesley Chapel facility Applicant utilized for its traffic study. Absent competing data, however, the Hearing Examiner cannot find Applicant did not provide competent substantial evidence, as its submittals complied with Code criteria. *See* Lee Co. Admin. Code 13-17; LDC 34-202(b)2, 34-373(a)(7). The TIS showed low trip generation at the Wesley Chapel facility, which is purportedly much larger than the proposed lagoon. *See* Applicant's Ex. 4; Testimony of Ted Treesh (Transcript pg. 39-40, 122). More detailed traffic analysis will occur at the time of development order. *See* LDC 10-154, 10-286, 10-287.
[74] LDC 34-145(d)(4)(a)(1)(d); Applicant's Ex. 1 (slides 29), Ex. 4; Staff Report (pg. 19-20, Attachment P).
[75] Site related improvements include capital improvements and right-of-way dedications for "direct access" improvements to the project. Direct access improvements include site driveways/roads, median cuts made necessary by driveways/roads, right-turn, left-turn and deceleration/acceleration lanes serving driveways/roads, traffic control measures, and roads/intersection improvements whose primary purpose at the time of construction is to provide access to the development. *See,* Lee Plan Glossary and LDC 2-264; Lee Plan Objective 39.1, Policy 39.1.1. LDC 2-66 *et. seq.*

Environmental and Natural Resources

Planned development design should reflect creative use of open space.[76] Developers must make an effort to protect and preserve natural site features.[77]

Environmental Conditions

The RPD is subject to extensive conditions detailing environmental maintenance/enhancements.[78] The request retains environmental conditions and incorporates water quality monitoring.[79]

Applicant placed 123.09 acres under conservation easement, over half of which are wetlands.[80] Existing approvals permit five acres of wetland impacts. Those impacts are no longer necessary under the proposed amendment.[81]

Open Space

The project exceeds LDC open space requirements.[82] Open space is provided throughout the RPD.[83] Certain tracts along the periphery provide open space while transferring density internal to the project.[84]

Surface Water Management

Popash Creek and Bayshore Creek flank the property. Several residents voiced flooding concerns given the site's unique location. Applicant's civil engineer testified sheet flow will generally improve after development due to construction of a relief ditch north of the property.[85] The ditch is designed to accept and direct flow from the north to the eastern/western edges of the site to connect to Popash/Bayshore Creeks, respectively.[86] The RPD is subject to extensive conditioning relating to flooding to ensure development responsibly manages stormwater.[87]

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[76] LDC 34-411(h).
[77] LDC 34-411(g).
[78] *See* Z-02-070.
[79] *See* Condition 37.
[80] *See* Applicant's Ex. A; Testimony of Stacy Hewitt (Transcript pg. 45). 63.5 acres are wetlands.
[81] *See* Applicant's Ex. A; Testimony of Stacy Hewitt (Transcript pg. 9, 17, 46-47) and Sam Marshall (Transcript pg. 17).
[82] Lee Plan Goal 77, Objective 77.2; *See* Applicant's Ex. 3: MCP (pg. 2). Open Space Summary Table reflects 187.2 acres of open space required. Applicant is providing 200 acres.
[83] *See* Applicant's Ex. 3: MCP (pg. 2).
[84] Testimony of Stacy Hewitt (Transcript pg. 8).
[85] Testimony of Sam Marshall (Transcript pg. 108-121). Applicant constructed the 70 foot-wide drainage ditch and placed it under a drainage easement. *Id.* at pg. 110; *See* Lee Plan Goal 60.
[86] *Id.*
[87] *See* Conditions of Approval; Testimony of Mr. Hartsell and Mr. Marshall (Transcript pg. 119).

The request does not affect previously approved environmental conditions or indigenous/open space.[88]

Urban Services

Urban services are the facilities, capital improvements, and infrastructure necessary to support development.[89] The Lee Plan requires an evaluation of available urban services during the rezoning process.[90]

A host of urban services and infrastructure serve the property including roads, potable water, sanitary sewer, police, fire, and emergency medical services.[91]

Privately funded water/sewer lines were extended to the site and dedicated to the public.[92] The line extensions increased fire protection for the area and improved water/sewer opportunities.[93] Conditions of approval expand urban service availability to surrounding properties.[94]

Deviations

"Deviations" are departures from LDC regulations.[95] The RPD has 18 previously approved deviations.[96] Applicant proposed three new deviations but withdrew one.[97] Staff supports the requested deviations.[98]

The Hearing Examiner's standard of review requires a finding that the deviation:

1. Enhances achievement of objectives of the planned development; and
2. Preserves and promotes the general intent of the LDC to protect the public health, safety, and welfare.[99]

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[88] *See* Staff Report (pg. 9-10, Attachment Q).
[89] Lee Plan Glossary; Public services include; public water/sewer, paved streets/roads, public transit, parks/recreation facilities, urban levels of police, fire, and emergency services, urban surface water management, schools, employment, industrial, and commercial centers, institutional, public, or administrative facilities, community facilities such as senior citizens centers, libraries and community centers.
[90] Lee Plan Policy 2.2.1.
[91] Applicant's Ex. 1 (slide 7); *See* Staff Report (pg. 12, 15).
[92] *See* Staff Report (pg. 15).
[93] *Id.*
[94] *See* Staff Report (pg. 15-16); Condition 36. Developer is providing an easement for a turnaround for emergency, solid waste, resident vehicles for Hunter's Glen; Tract A must provide enhanced open space; and Developer must provide a utility easement to the Seminole Campground to allow for water/sewer connection.
[95] LDC 34-2.
[96] Z-02-070.
[97] Applicant withdrew Deviation 19. *See* Applicant's Ex. A.
[98] *See* Staff Report (pg. 11-12, Attachment C).
[99] LDC 34-145(d)(4).

Applying LDC deviation standards of review to testimony and evidence in the record, the Hearing Examiner concludes the requested deviations meet approval criteria.[100]

Conditions

The county must administer the zoning process so proposed land uses acceptably minimize adverse impacts to adjacent property. Conditions must plausibly relate to anticipated impacts from the proposed development and must be pertinent to mitigation of those impacts on the public health, safety, and welfare.[101]

The RPD will be subject to 38 conditions of approval. The conditions relate to impacts anticipated from the project.[102] The Hearing Examiner recommends:

1. Revisions to conditions to improve clarity; and
2. Deletion of conditions that restate LDC standards and criteria applicable to the project pursuant to Condition 1.

Public

Several concerned residents spoke at hearing to oppose the request, with one speaker in support. Concerns focused on traffic and noise generated from the project, flooding, environmental impact, public access to the lagoon amenity, and compatibility of the RPD in the Bayshore community.[103]

Conditions of approval and County regulations address many of the public's concerns. Applicant offered to reduce requested density to assuage compatibility concerns.

Conclusion

The Hearing Examiner concurs with staff's analysis and recommendation of approval.

IV. Findings and Conclusions

The Hearing Examiner makes the following findings and conclusions based on the testimony and evidence in the record:

A. *As conditioned herein*, the proposed amendment to the Brightwater RPD:

1. Complies with the Lee Plan. *See,* Lee Plan Goals 2, 4, 5, 18, 39, 60, 77, 124, 135, Objectives 1.5, 2.1, 2.2, 5.1, 18.1,18.3, and Policies

[100] LDC 34-377(a)(4).
[101] LDC 34-932(b).
[102] LDC 34-83(b)(4)a.3.
[103] *See* Public Testimony (Transcript pg. 74-105).

1.1.11, 1.3.2, 1.5.1, 2.2.1, 5.1.2, 5.1.5, 5.1.10, 115.1.2; Lee Plan Maps 1A-B, 2A.

2. Complies with the LDC and other County regulations or qualifies for deviations. *See*, LDC Chapters 10 and 34;

3. Is compatible with existing and planned uses in the area. *See,* Lee Plan Policies 1.1.11, 1.3.2, 2.1.1, 2.1.2, 2.2.1, 5.1.5, 135.1.9; LDC 34-411(c), (i), and (j).

4. Provides sufficient access to support the proposed development intensity, with expected impacts on transportation facilities address by existing County regulations or conditions of approval;

5. Will not adversely affect environmentally critical areas and natural resources. *See,* Lee Plan Goals 77, Objectives 4.1, 77.1, Policy 1.5.1, Standard 4.1.4, LDC 34-411(h).

6. Will be served by urban services. *See,* Lee Plan Glossary, Map 4A-B, Goal 2; Objectives 2.1, 2.2, 4.1, 53.1, 56.1; Policies 2.2.1, and Standards 4.1.1 and 4.1.2; LDC 34-411(d).

B. The Master Concept Plan reflects sufficient access to support the intensity of development. In addition, County regulations and conditions of approval will address expected impacts to transportation facilities. *See,* Lee Plan Goal 39, Objective 39.1; LDC 34-411(d).

C. The proposed mix of uses is appropriate at the proposed location. *See,* Lee Plan Objective 18.1, Policies 1.1.11, 1.3.2, 2.1.1, 5.1.5, and 135.1.9.

D. The recommended conditions are sufficient to protect the public interest and reasonably relate to the impacts expected from the development. *See,* Lee Plan Policies 5.1.5, 135.9.6; *See also,* LDC Chapters 10 and 34.

E. As conditioned herein, the deviations:

1. Enhance the objectives of the planned development; and

2. Promote the intent of the LDC to protect the public health, safety, and welfare. *See,* 34-377(b)(4).

Date of Recommendation: July 21, 2022.

Amanda L. Rivera
Deputy Hearing Examiner

Lee County Hearing Examiner
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398

Exhibits to Hearing Examiner's Recommendation

Exhibit A Legal Description and Vicinity Map
Exhibit B Recommended Conditions and Deviations
Exhibit C Exhibits Presented at Hearing
Exhibit D Hearing Participants
Exhibit E Information

Case: DCI2021-00012

Exhibit A

LEGAL DESCRIPTION AND VICINITY MAP

DCI2021-00012 Lee County ePlan

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF A
TRACT OR PARCEL OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

PARCEL "A"

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE S 89°45'18" E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15 FOR 1,341.49 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE S 00°00'49" E ALONG THE EAST LINE OF SAID FRACTION FOR 2,657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S 00°01'49" E ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 FOR 1,328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE N 89°41'09" W ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AS LOCATED IN NOVEMBER, 2001; THENCE SOUTHERLY ALONG SAID CENTERLINE AND THE WESTERLY LINE OF SAID OAKMONT THE FOLLOWING FORTY SIX (46) COURSES:

1.) S 05°45'58" E FOR 20.76 FEET; THENCE
2.) S 04°30'13" E FOR 37.89 FEET; THENCE
3.) S 20°35'27" W FOR 31.32 FEET; THENCE
4.) S 06°53'02" E FOR 27.63 FEET; THENCE
5.) S 26°35'47" E FOR 25.42 FEET; THENCE
6.) S 53°39'33" W FOR 27.91 FEET; THENCE
7.) S 26°59'14" W FOR 54.53 FEET; THENCE
8.) S 22°23'48" W FOR 72.99 FEET; THENCE
9.) S 28°36'16" W FOR 53.03 FEET; THENCE
10.) S 27°40'03" W FOR 45.38 FEET; THENCE
11.) S 46°19'33" W FOR 41.74 FEET; THENCE
12.) S 67°01'43" W FOR 17.24 FEET; THENCE
13.) S 31°53'19" W FOR 55.98 FEET; THENCE
14.) S 24°05'41" W FOR 40.28 FEET; THENCE
14.) S 07°28'30" W FOR 13.30 FEET; THENCE
16.) S 36°59'09" E FOR 15.90 FEET; THENCE
17.) S 00°08'07" E FOR 16.02 FEET; THENCE
18.) S 23°17'55" W FOR 34.56 FEET; THENCE
19.) S 04°55'23" E FOR 33.01 FEET; THENCE
20.) S 11°15'32" E FOR 51.93 FEET; THENCE
21.) S 23°08'35" E FOR 31.33 FEET; THENCE
22.) S 24°01'18" E FOR 66.68 FEET; THENCE
23.) S 11°55'04" E FOR 81.54 FEET; THENCE
24.) S 09°40'09" W FOR 18.62 FEET; THENCE
25.) S 29°02'54" W FOR 23.67 FEET; THENCE
26.) S 16°09'18" W FOR 25.05 FEET; THENCE
27.) S 21°33'48" E FOR 14.28 FEET; THENCE
28.) S 07°24'52" E FOR 31.49 FEET; THENCE
29.) S 10°42'31" W FOR 20.17 FEET; THENCE
30.) S 01°47'45" W FOR 15.68 FEET; THENCE
31.) S 74°58'26" W FOR 10.96 FEET; THENCE
32.) N 86°32'16" W FOR 14.77 FEET; THENCE

REVIEWED
DCI2021-00012
Hunter Searson, GIS Planner
Lee County Government
3/7/2022

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33.) S 61°33'21" W FOR 11.76 FEET; THENCE
34.) S 32°08'23" W FOR 20.06 FEET; THENCE
35.) S 42°13'22" W FOR 16.72 FEET; THENCE
36.) S 26°15'22" W FOR 18.59 FEET; THENCE
37.) S 01°30'50" W FOR 33.93 FEET; THENCE
38.) S 23°30'56" E FOR 44.86 FEET; THENCE
39.) S 02°57'16" W FOR 21.83 FEET; THENCE
40.) S 15°54'19" W FOR 73.12 FEET; THENCE
41.) S 23°04'05" W FOR 28.36 FEET; THENCE
42.) S 31°47'03" W FOR 21.95 FEET; THENCE
43.) S 25°05'56" W FOR 37.80 FEET; THENCE
44.) S 42°12'47" W FOR 25.72 FEET; THENCE
45.) S 05°41'06" W FOR 30.07 FEET; THENCE
46.) S 15°57'07" E FOR 31.19 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N 89°38'05" W ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SAID SECTION 21; THENCE S 00°20'36" E ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21 FOR 1,339.16 FEET;TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N 89°51'11" W ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE S 00°14'02" E ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S 00°14'02" E FOR 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N 46°32'34" W ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5,553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N 49°05'05" E ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N 40°54'55" W ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S 49°05'05" W ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N 40°54'55" W ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3,513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 1,050.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1,247.81 FEET; THENCE N 21°04'46" E ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N 00°02'02" W ALONG SAID EASTERLY LINE FOR 1,036.69 FEET TO THE SOUTHWEST CORNER OF NORTH BROOK PHASE ONE AS RECORDED IN INSTRUMENT NUMBER 2019000172912 OF SAID PUBLIC RECORDS OF LEE COUNTY; THENCE N 89°57'58" E ALONG THE SOUTHERLY LINE OF SAID NORTH BROOK PHASE ONE FOR 256.49 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 508.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 87°04'21" W; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54°43'49" FOR 485.25 FEET; THENCE N 57°39'29" E FOR 51.64 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 62°41'28" FOR 16.41 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 55.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 82°49'25" FOR 79.51 FEET; THENCE N 49°56'02" E FOR 84.57 FEET TO THE NORTHWEST CORNER OF TRACT "FD" OF SAID NORTH BROOK PHASE ONE; THENCE N 48°11'18" E ALONG THE NORTHERLY LINE OF SAID TRACT FOR 124.02 FEET; THENCE N 39°28'37" E ALONG SAID NORTHERLY LINE FOR 43.57 FEET; THENCE N 62°02'28" E ALONG SAID NORTHERLY LINE FOR 129.26 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE S 21°08'47" E ALONG THE EASTERLY LINE OF SAID TRACT FOR 39.03 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 341.75 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 40°34'12" FOR 241.99 FEET; THENCE S 61°42'59" E ALONG SAID EASTERLY LINE FOR 168.00 FEET; THENCE S 44°15'08" E ALONG SAID EASTERLY LINE FOR 84.75 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 44°15'08" W; THENCE SOUTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 66°56'55" FOR 46.74 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 438.72 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 25°58'20" FOR 198.87 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 70°37'43" FOR 49.31 FEET; THENCE S 65°51'25" E ALONG SAID EASTERLY LINE FOR 54.25 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 46°26'15" FOR 32.42 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 185.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 69°25'01" FOR 224.14 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 131°13'50" FOR 80.16 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID NORTH BROOK PHASE ONE; THENCE N 05°53'30" E ALONG SAID EASTERLY LINE FOR 396.22 FEET; THENCE N 01°06'00" W ALONG SAID EASTERLY LINE FOR 27.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 341.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS S 48°20'23" E; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 50°34'56" FOR 301.04 FEET; THENCE N 08°55'19" W ALONG SAID EASTERLY LINE FOR 211.36 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 104.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 60°48'54" FOR 110.39 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 496.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 53°26'16" FOR 462.60 FEET; THENCE N 01°32'41" W ALONG SAID EASTERLY LINE FOR 28.18 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 841.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS S 11°11'47" E; THENCE EASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 09°09'35" FOR 134.45 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 341.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 80°05'22" FOR 476.66 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE

LEFT HAVING A RADIUS OF 441.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS S 39°10'47" E; THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 46°31'01" FOR 358.04 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 339.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 23°17'09" FOR 137.77 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 491.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 63°55'04" FOR 547.75 FEET; THENCE N 36°19'43" W ALONG SAID EASTERLY LINE FOR 12.55 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 179.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 36°56'33" FOR 115.41 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID NORTH BROOK PHASE ONE; THENCE N 89°45'41" W ALONG SAID NORTHERLY LINE FOR 253.59 FEET; THENCE S 08°17'36" W ALONG SAID NORTHERLY LINE FOR 171.82 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 45.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 02°56'40" E; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 24°50'29" FOR 19.51 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 521.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 11°24'44" FOR 103.77 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 103°59'24" FOR 108.90 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 681.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 08°34'39" FOR 101.95 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 57°06'54" FOR 79.75 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 841.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 03°42'37" FOR 54.46 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 69°54'05" FOR 36.60 FEET; THENCE N 89°44'46" W ALONG SAID NORTHERLY LINE FOR 135.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 130.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 44°24'23" FOR 100.76 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 134°40'46" FOR 399.60 FEET; THENCE S 00°01'09" E ALONG SAID NORTHERLY LINE FOR 9.55 FEET; THENCE S 66°10'07" W ALONG SAID NORTHERLY LINE FOR 27.33 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 19°49'45" W; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°03'02" FOR 4.95 FEET; THENCE S 66°07'13" W ALONG SAID NORTHERLY LINE FOR 202.64 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 32°27'13" FOR 39.65 FEET; THENCE S 33°40'00" W ALONG SAID NORTHERLY LINE FOR 272.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 681.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 45°38'15" E; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 37°36'19" FOR 446.97 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 319.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 19°37'11" FOR 109.24 FEET; THENCE N 62°20'53" W ALONG SAID NORTHERLY LINE FOR 17.70 FEET; THENCE S 26°20'27" W ALONG SAID NORTHERLY LINE FOR 105.49 FEET; THENCE N 63°39'33" W ALONG SAID NORTHERLY LINE FOR 22.50 FEET; THENCE N 20°33'00" W ALONG SAID NORTHERLY LINE FOR 91.26 FEET; THENCE N 67°28'43" W ALONG SAID NORTHERLY LINE FOR 77.95 FEET; THENCE S 69°02'14" W ALONG SAID NORTHERLY LINE FOR 62.94 FEET; THENCE N 69°53'14" W ALONG SAID NORTHERLY LINE FOR 111.45 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 455.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 27°48'10" FOR 220.79 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 10.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 80°01'44" FOR 13.97 FEET; THENCE N 17°39'40" W ALONG SAID NORTHERLY LINE FOR 6.93 FEET; THENCE S 72°20'20" W ALONG SAID NORTHERLY LINE FOR 70.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 10.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 72°20'20" E; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 87°18'09" FOR 15.24 FEET; THENCE S 69°39'41" W ALONG SAID NORTHERLY LINE FOR 24.76 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 31°16'15" FOR 10.92 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 73.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 77°53'04" FOR 99.23 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 36°02'05" FOR 12.58 FEET; THENCE S 59°04'58" W ALONG SAID NORTHERLY LINE FOR 52.69 FEET TO AN INTERSECTION WITH SAID EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,150.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 56°20'29" E; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 56°17'58" FOR 1,130.00 FEET; THENCE N 89°57'29" W ALONG SAID EASTERLY LINE FOR 1,399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK AS LOCATED ON NOVEMBER 2, 2001; THENCE ALONG SAID CENTERLINE THE FOLLOWING SEVEN (7) COURSES:

1.) N 04°31'15" E FOR 90.77 FEET; THENCE
2.) N 23°43'00" E FOR 306.54 FEET; THENCE
3.) N 41°43'58" E FOR 222.54 FEET; THENCE
4.) N 59°40'11" E FOR 199.30 FEET; THENCE
5.) N 75°52'07" E FOR 136.18 FEET; THENCE
6.) N 38°58'12" E FOR 33.51 FEET; THENCE
7.) N 02°11'01" E FOR 39.99 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE N 89°59'04" E ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE N 00°08'03" W ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N 89°55'17" E ALONG THE NORTH LINE OF SAID FRACTION FOR 672.59 FEET TO THE

NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE S 89°30'46" E ALONG THE NORTH LINE OF SAID FRACTION FOR 2,646.16 FEET TO **THE POINT OF BEGINNING**.

LESS THE FOLLOWING (LESS AND EXCEPT PARCEL)

COMMENCING AT NORTHWEST CORNER OF SAID SECTION 15; THENCE S 00°00'09"E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15 FOR 1328.33 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE S 89°44'46" E ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S 00°00'09" E FOR 467.00 FEET; THENCE N 89°44'46" W FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N 00°00'09" W ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE **POINT OF BEGINNING**.

TOGETHER WITH PARCEL "B"

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N 89°52'02" W ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N 00°08'04" W ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N 00°08'04" W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N 89°50'44" W ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S 00°15'04" E ALONG THE WEST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N 89°51'23" W ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK AS LOCATED ON NOVEMBER 2, 2001; THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:
1.) THENCE N 01°16'07" E FOR 58.82 FEET;
2.) THENCE N 11°05'51" W FOR 270.22 FEET;
3.) THENCE N 10°49'37" E FOR 347.01 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S 89°50'44" E ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N 00°22'06" W ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S 89°49'27" E ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N 00°15'04" W ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S 89°53'18" E ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N 00°02'31" E ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S 89°57'29" E ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S 00°02'02" E ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S 21°04'46" W ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** AND AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S 77°51'33" W ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N 00°05'39" E ALONG SAID WEST LINE FOR 1381.74 FEET TO THE SOUTHWEST CORNER OF PARCEL 122 AS DESCRIBED IN INSTRUMENT NUMBER 2011000178885 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE S 89°53'32" E ALONG THE SOUTH LINE OF SAID LANDS FOR 200.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE N 00°05'39" E ALONG THE EAST LINE OF SAID LANDS FOR 200.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND AN INTERSECTION WITH THE NORTH

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LINE OF SAID NORTHEAST 1/4 OF SECTION 21; THENCE N 89°53'32" W ALONG THE NORTH LINE OF SAID LANDS AND SAID FRACTION FOR 200.00 FEET TO THE **POINT OF BEGINNING**.

TOGETHER WITH PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,150.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS S 81°44'00" W; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100' WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N 55°22'37" W ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N 77°51'33" E FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 638.17 ACRES MORE OR LESS.

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

BEARINGS BASED ON THE STATE PLANE COORDINATE SYSTEM FLORIDA ZONE WEST NAD 83/2011 (CORS). WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST BEARS S 89°30'46" E.

DESCRIPTION PREPARED: 12-20-2021

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009
DATE SIGNED 12-22-2021

Digitally signed by Richard M. Ritz, R.L.S. #4009 State of Florida using an SHA-1 authentication code. Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies.
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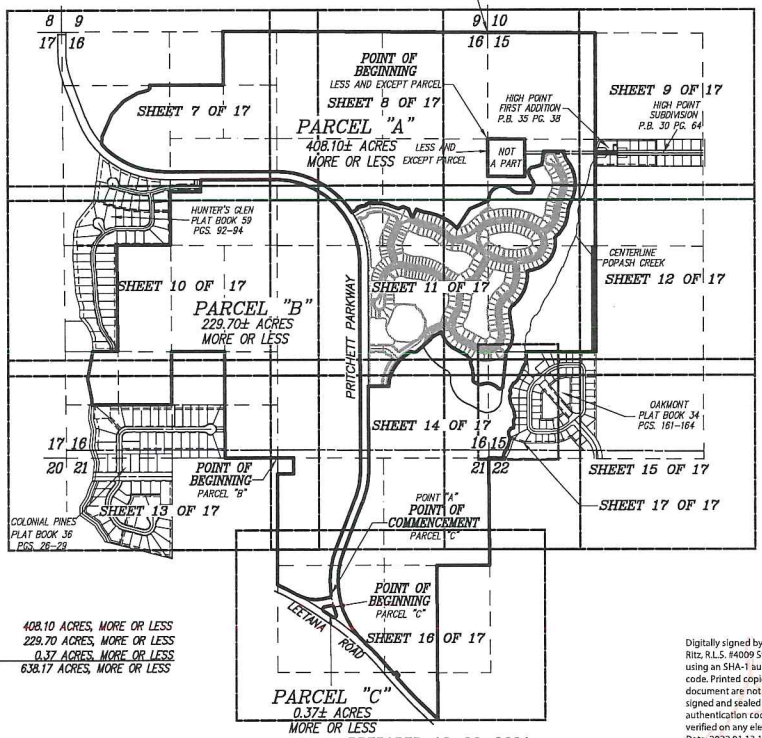
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SKETCH OF DESCRIPTIONS

OF
PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



N

1" = 1,400'

LEGEND:

PG.	INDICATES PAGE
PGS.	INDICATES PAGES
P.B.	INDICATES PLAT BOOK
R/W	INDICATES RIGHT-OF-WAY
I.N.	INDICATES INSTRUMENT NUMBER
O.R.	INDICATES OFFICIAL RECORDS BOOK
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
C1	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE

NOTES:

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

2.) BEARINGS BASED ON THE STATE PLANE COORDINATE SYSTEM FLORIDA ZONE WEST NAD 83/2011 (CORS). WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST BEARS S 89°30'46" E.

ACREAGE SUMMARY:

PARCEL "A" CONTAINS:	408.10 ACRES, MORE OR LESS
PARCEL "B" CONTAINS:	229.70 ACRES, MORE OR LESS
PARCEL "C" CONTAINS:	0.37 ACRES, MORE OR LESS
PARCEL TOTAL:	638.17 ACRES, MORE OR LESS

SEE SHEETS 1 THROUGH 5 OF 17
FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS
IS NOT A BOUNDARY SURVEY

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Date: 2022.01.13 13:37:57 -05'00'

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- DATE SIGNED: 12-22-2021
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 12-20-2021
REVISED 12-22-2021
SHEET 6 OF 17

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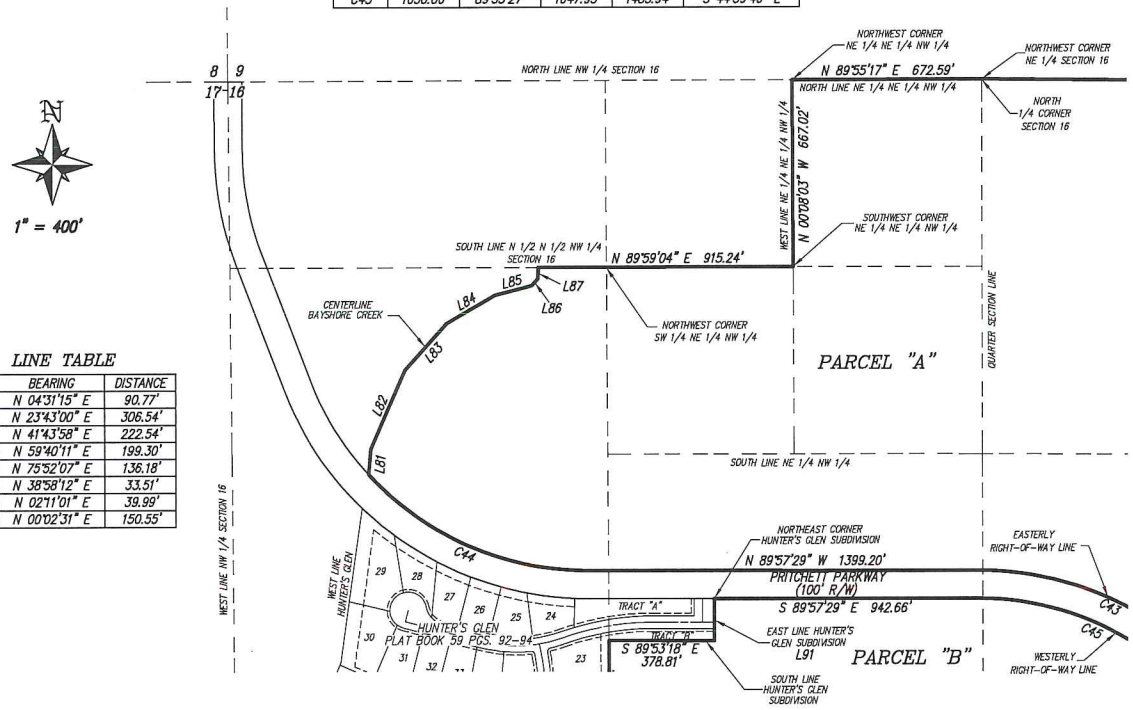
SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C43	1150.00'	56°17'58"	1130.00'	1085.09'	N 61°48'30" W
C44	1050.00'	47°47'50"	875.93'	850.75'	N 66°03'35" W
C45	1050.00'	89°55'27"	1647.95'	1483.94'	S 44°59'46" E



LINE TABLE

LINE	BEARING	DISTANCE
L81	N 04°31'15" E	90.77'
L82	N 23°43'00" E	306.54'
L83	N 41°43'58" E	222.54'
L84	N 59°40'11" E	199.30'
L85	N 75°52'07" E	136.18'
L86	N 38°58'12" E	33.51'
L87	N 02°11'01" E	39.99'
L91	N 00°02'31" E	150.55'

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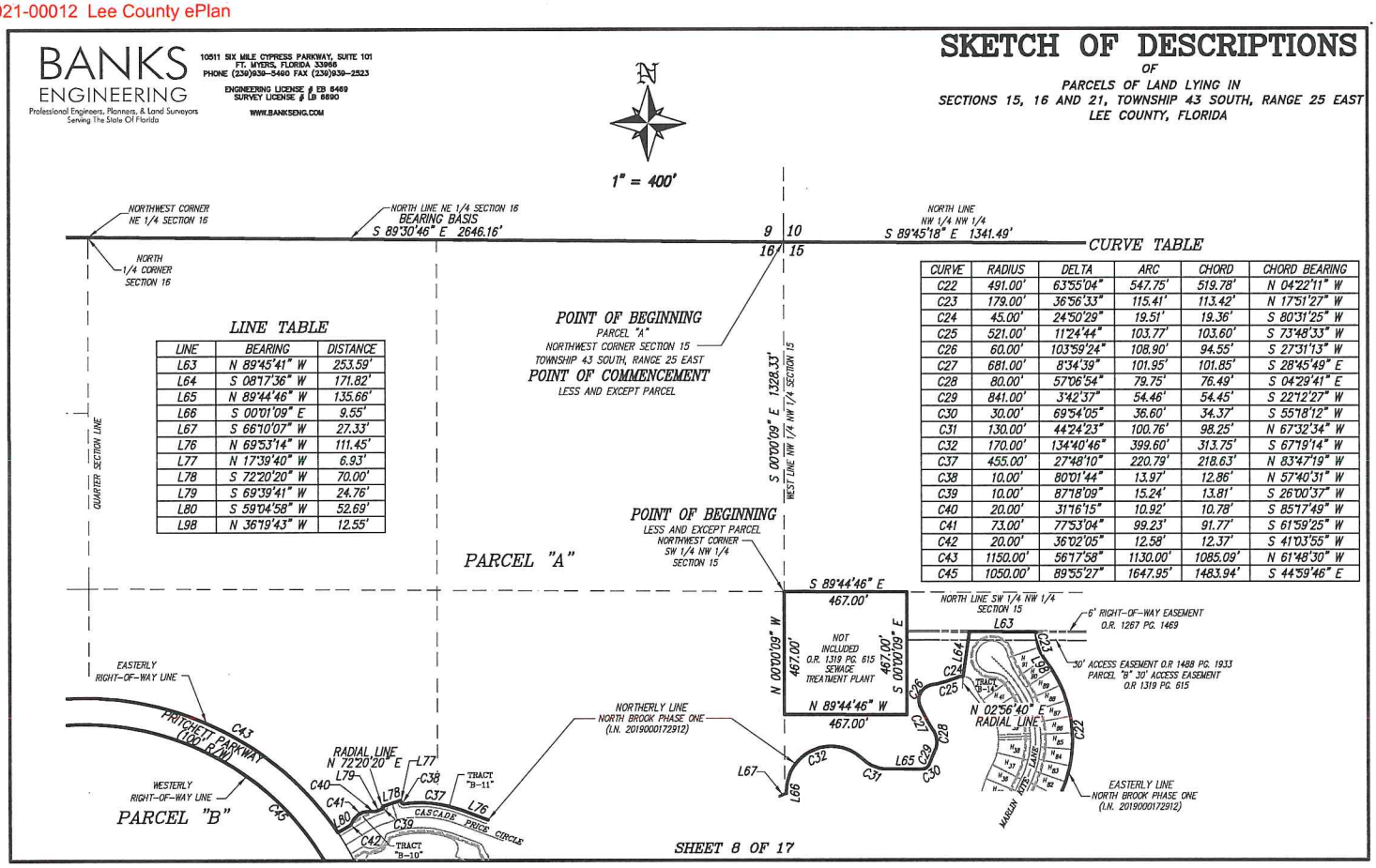
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SKETCH OF DESCRIPTIONS

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PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L63	N 89°45'41" W	253.59'
L64	S 08°17'36" W	171.82'
L65	N 89°44'46" W	135.66'
L66	S 00°01'09" E	9.55'
L67	S 66°10'07" W	27.33'
L76	N 69°53'14" W	111.45'
L77	N 17°39'40" W	6.93'
L78	S 72°20'20" W	70.00'
L79	S 69°39'41" W	24.76'
L80	S 59°04'58" W	52.69'
L98	N 36°19'43" W	12.55'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C22	491.00'	63°55'04"	547.75'	519.78'	N 04°22'11" W
C23	179.00'	36°56'33"	115.41'	113.42'	N 17°51'27" W
C24	45.00'	24°50'29"	19.51'	19.36'	S 80°31'25" W
C25	521.00'	11°24'44"	103.77'	103.60'	S 73°48'33" W
C26	60.00'	103°59'24"	108.90'	94.55'	S 27°31'13" W
C27	681.00'	8°34'39"	101.95'	101.85'	S 28°45'49" E
C28	80.00'	57°06'54"	79.75'	76.49'	S 04°29'41" E
C29	841.00'	3°42'37"	54.46'	54.45'	S 22°12'27" W
C30	30.00'	69°54'05"	36.60'	34.37'	S 55°18'12" W
C31	130.00'	44°24'23"	100.76'	98.25'	N 67°32'34" W
C32	170.00'	134°40'46"	399.60'	313.75'	S 67°19'14" W
C37	455.00'	27°48'10"	220.79'	218.63'	N 83°47'19" W
C38	10.00'	80°01'44"	13.97'	12.86'	N 57°40'31" W
C39	10.00'	87°18'09"	15.24'	13.81'	S 26°00'37" W
C40	20.00'	31°16'15"	10.92'	10.78'	S 85°17'49" W
C41	73.00'	77°53'04"	99.23'	91.77'	S 61°59'25" W
C42	20.00'	36°02'05"	12.58'	12.37'	S 41°03'55" W
C43	1150.00'	56°17'58"	1130.00'	1085.09'	N 61°48'30" W
C45	1050.00'	89°55'27"	1647.95'	1483.94'	S 44°59'46" E

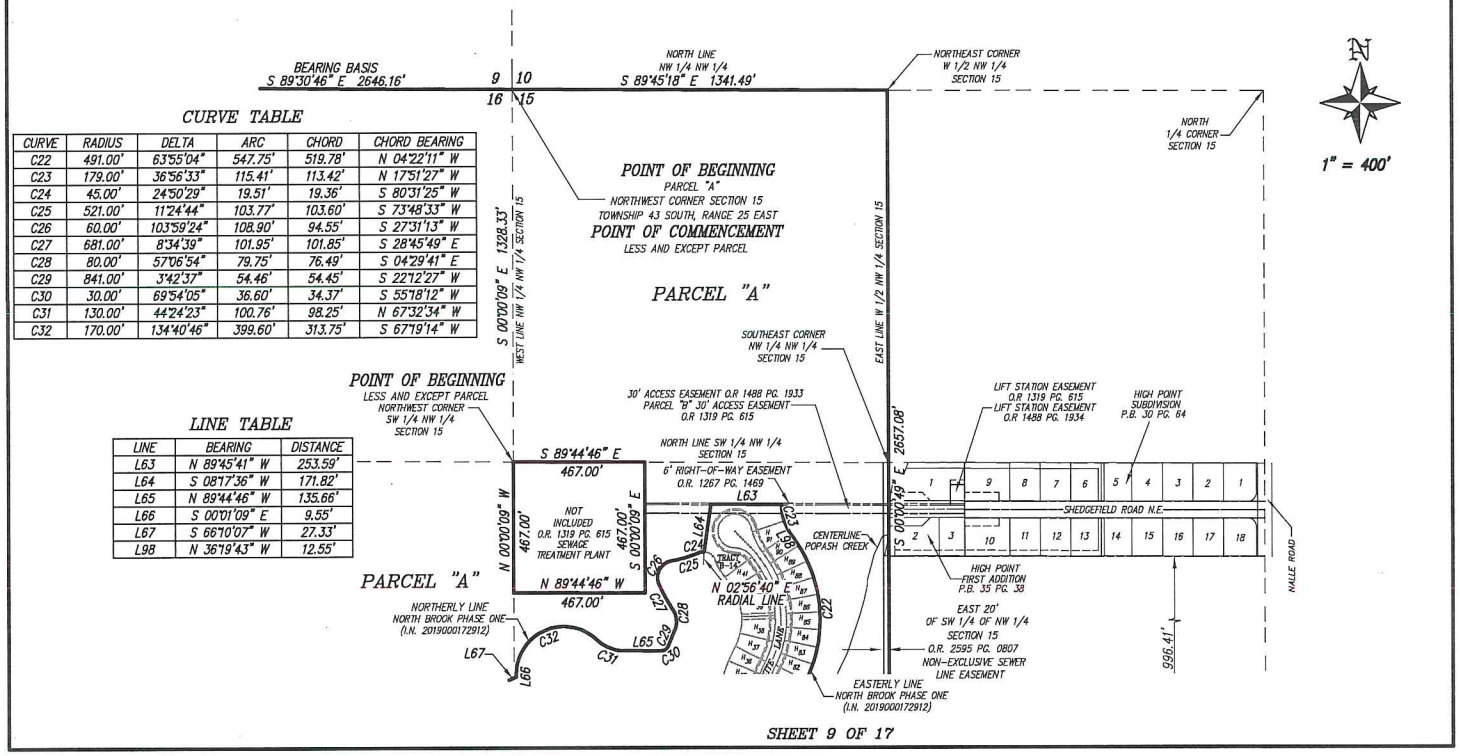
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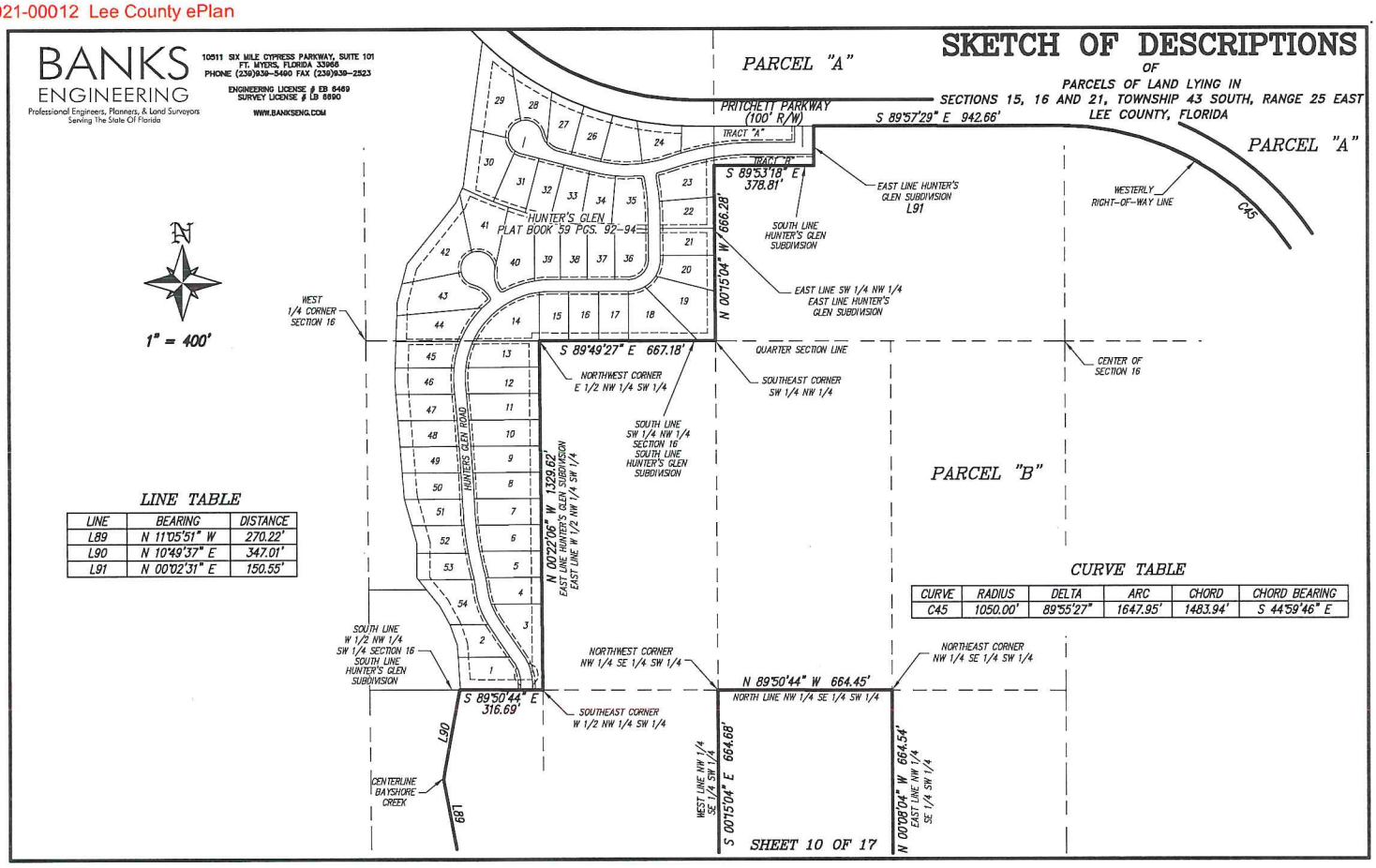
CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C22	491.00'	63°55'04"	547.75'	519.78'	N 04°22'11" W
C23	179.00'	36°56'33"	115.41'	113.42'	N 17°51'27" W
C24	45.00'	24°50'29"	19.51'	19.36'	S 80°31'25" W
C25	521.00'	11°24'44"	103.77'	103.60'	S 73°48'33" W
C26	60.00'	103°59'24"	108.90'	94.55'	S 27°31'13" W
C27	681.00'	8°34'39"	101.95'	101.85'	S 28°45'49" E
C28	80.00'	57°06'54"	79.75'	76.49'	S 04°29'41" E
C29	841.00'	3°42'37"	54.46'	54.45'	S 22°12'27" W
C30	30.00'	69°54'05"	36.60'	34.37'	S 55°18'12" W
C31	130.00'	44°24'23"	100.76'	98.25'	N 67°32'34" W
C32	170.00'	134°40'46"	399.60'	313.75'	S 67°19'14" W

LINE TABLE

LINE	BEARING	DISTANCE
L63	N 89°45'41" W	253.59'
L64	S 08°17'36" W	171.82'
L65	N 89°44'46" W	135.66'
L66	S 00°01'09" E	9.55'
L67	S 66°10'07" W	27.33'
L98	N 36°19'43" W	12.55'

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OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

1" = 400'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C5	508.00'	54°43'49"	485.25'	467.02'	N 30°17'34" E
C6	15.00'	62°41'28"	16.41'	15.61'	N 89°00'13" E
C7	55.00'	82°49'25"	79.51'	72.76'	N 78°56'14" E
C8	341.75'	40°34'12"	241.99'	236.96'	S 41°25'53" E
C9	40.00'	66°56'55"	46.74'	44.13'	S 12°16'25" W
C10	438.72'	25°58'20"	198.87'	197.18'	S 08°12'52" E
C15	341.00'	50°34'56"	301.04'	291.36'	N 16°22'09" E
C16	104.00'	60°48'54"	110.39'	105.28'	N 21°29'08" E
C17	496.00'	53°26'16"	462.60'	446.02'	N 25°10'27" E
C18	841.00'	9°09'35"	134.45'	134.30'	N 74°13'26" E
C19	341.00'	80°05'22"	476.66'	438.79'	N 29°35'57" E
C20	441.00'	46°31'01"	358.04'	348.28'	N 27°33'42" E
C21	339.00'	23°17'09"	137.77'	136.83'	N 15°56'46" E
C29	841.00'	3°42'37"	54.46'	54.45'	S 22°12'27" W
C30	30.00'	69°54'05"	36.60'	34.37'	S 55°18'12" W
C31	130.00'	44°24'23"	100.76'	98.25'	N 67°32'34" W
C32	170.00'	134°40'46"	399.60'	313.75'	S 67°19'14" W
C33	70.00'	4°03'02"	4.95'	4.95'	S 68°08'44" W
C34	70.00'	32°27'13"	39.65'	39.12'	S 49°53'36" W
C35	681.00'	37°36'19"	446.97'	438.99'	N 63°09'55" W
C36	319.00'	19°37'11"	109.24'	108.70'	N 72°09'29" W
C37	455.00'	27°48'10"	220.79'	218.63'	N 83°47'19" W
C38	10.00'	80°01'44"	13.97'	12.86'	N 57°40'31" W
C39	10.00'	87°18'09"	15.24'	13.81'	S 26°00'37" W
C40	20.00'	31°16'15"	10.92'	10.78'	S 85°17'49" W
C41	73.00'	77°53'04"	99.23'	91.77'	S 61°59'25" W
C42	20.00'	36°02'05"	12.58'	12.37'	S 41°03'55" W
C43	1150.00'	56°17'58"	1130.00'	1085.09'	N 61°48'30" W
C45	1050.00'	89°55'27"	1647.95'	1483.94'	S 44°59'46" E

LINE TABLE

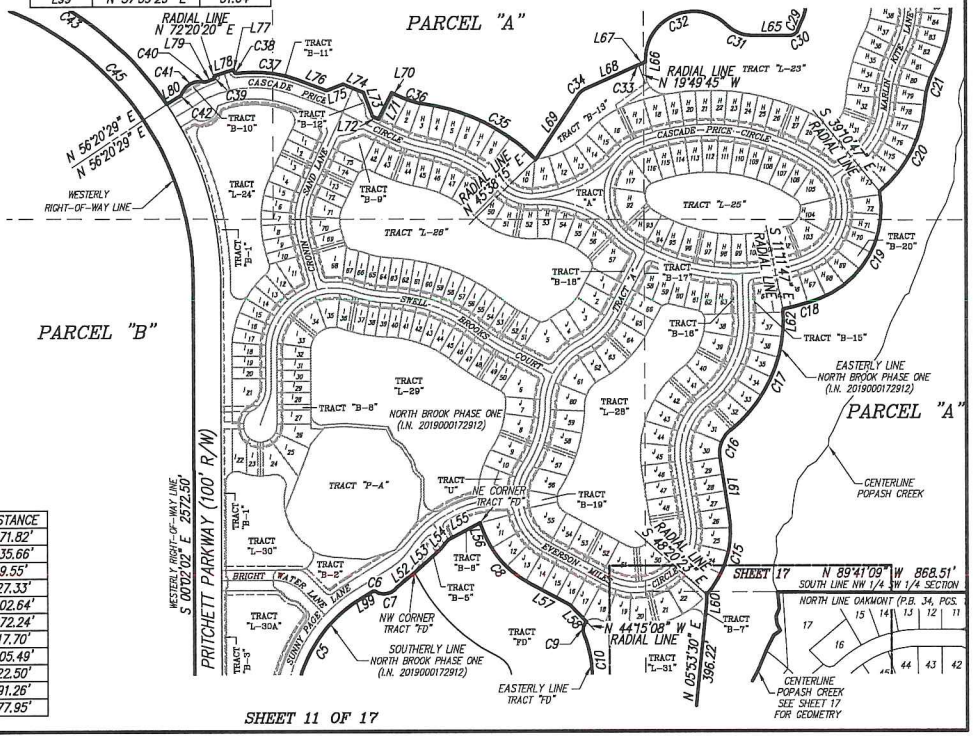
LINE	BEARING	DISTANCE
L52	N 49°56'02" E	84.57'
L53	N 48°11'18" E	124.02'
L54	N 39°28'37" E	43.57'
L55	N 62°02'28" E	129.26'
L56	S 21°08'47" E	39.03'
L57	S 61°42'59" E	168.00'
L58	S 44°15'08" E	84.75'
L60	N 01°06'00" W	27.92'
L61	N 08°55'19" W	211.36'
L62	N 01°32'41" W	28.18'
L63	N 89°45'41" W	253.59'

LINE TABLE

LINE	BEARING	DISTANCE
L64	S 08°17'36" W	171.82'
L65	N 89°44'46" W	135.66'
L66	S 00°01'09" E	9.55'
L67	S 66°10'07" W	27.33'
L68	S 66°07'13" W	202.64'
L69	S 33°40'00" W	272.24'
L70	N 62°20'53" W	17.70'
L71	S 26°20'27" W	105.49'
L72	N 63°39'33" W	22.50'
L73	N 20°33'00" W	91.26'
L74	N 67°28'43" W	77.95'

LINE TABLE

LINE	BEARING	DISTANCE
L75	S 69°02'14" W	62.94'
L76	N 69°53'14" W	111.45'
L77	N 17°39'40" W	6.93'
L78	S 72°20'20" W	70.00'
L79	S 69°39'41" W	24.76'
L80	S 59°04'58" W	52.69'
L99	N 57°39'29" E	51.64'



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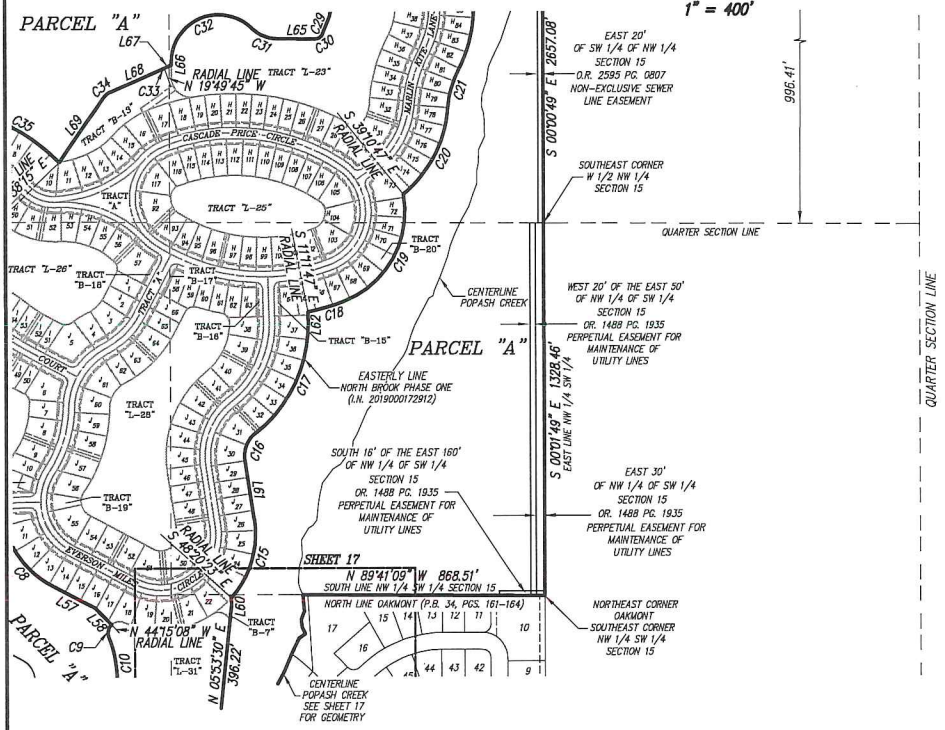
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C8	341.75'	40°34'12"	241.99'	236.96'	S 41°25'53" E
C9	40.00'	66°56'55"	46.74'	44.13'	S 12°16'25" W
C10	438.72'	25°58'20"	198.87'	197.18'	S 08°12'52" E
C15	341.00'	50°34'56"	301.04'	291.36'	N 16°22'09" E
C16	104.00'	60°48'54"	110.39'	105.28'	N 21°29'08" E
C17	496.00'	53°26'16"	462.60'	446.02'	N 25°10'27" E
C18	841.00'	9°09'35"	134.45'	134.30'	N 74°13'26" E
C19	341.00'	80°05'22"	476.66'	438.79'	N 29°35'57" E
C20	441.00'	46°31'01"	358.04'	348.28'	N 27°33'42" E
C21	339.00'	23°17'09"	137.77'	136.83'	N 15°56'46" E
C29	841.00'	3°42'37"	54.46'	54.45'	S 22°12'27" W
C30	30.00'	69°54'05"	36.60'	34.37'	S 55°18'12" W
C31	130.00'	44°24'23"	100.76'	98.25'	N 67°32'34" W
C32	170.00'	134°40'46"	399.60'	313.75'	S 67°19'14" W
C33	70.00'	4°03'02"	4.95'	4.95'	S 68°08'44" W
C34	70.00'	32°27'13"	39.65'	39.12'	S 49°53'36" W
C35	681.00'	37°36'19"	446.97'	438.99'	N 63°09'55" W

LINE TABLE

LINE	BEARING	DISTANCE
L57	S 61°42'59" E	168.00'
L58	S 44°15'08" E	84.75'
L60	N 01°06'00" W	27.92'
L61	N 08°55'19" W	211.36'
L62	N 01°32'41" W	28.18'
L65	N 89°44'46" W	135.66'
L66	S 00°01'09" E	9.55'
L67	S 66°10'07" W	27.33'
L68	S 66°07'13" W	202.64'
L69	S 33°40'00" W	272.24'

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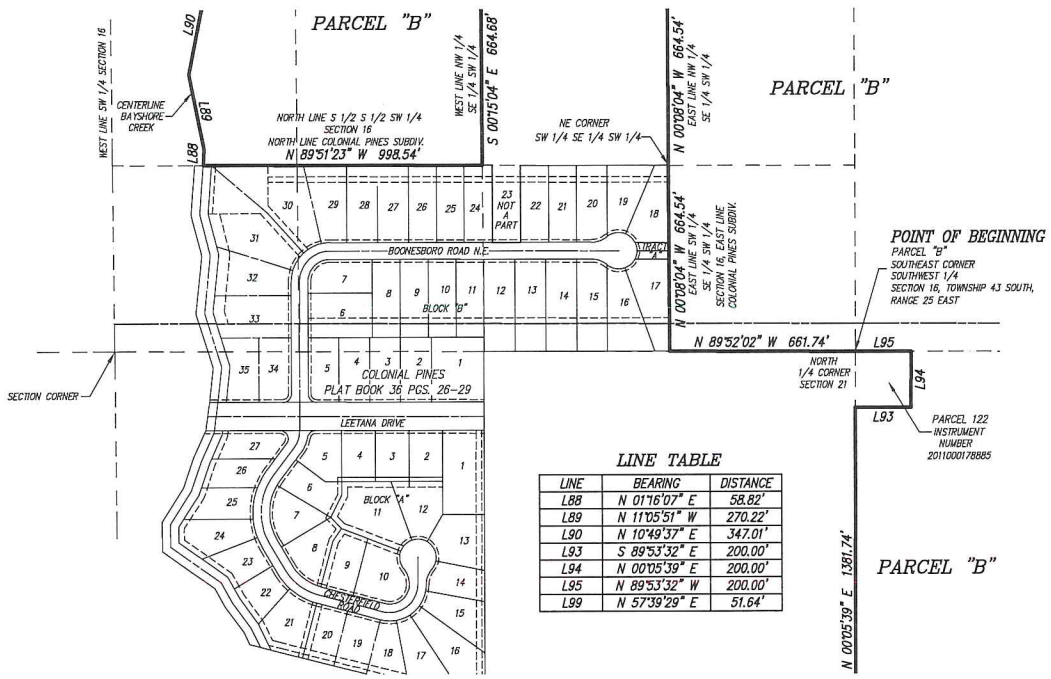
ENGINEERING LICENSE # EB 5469
SURVEY LICENSE # LB 6690

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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L88	N 01°16'07" E	58.82'
L89	N 11°05'51" W	270.22'
L90	N 10°49'37" E	347.01'
L93	S 89°53'32" E	200.00'
L94	N 00°05'39" E	200.00'
L95	N 89°53'32" W	200.00'
L99	N 57°39'29" E	51.64'

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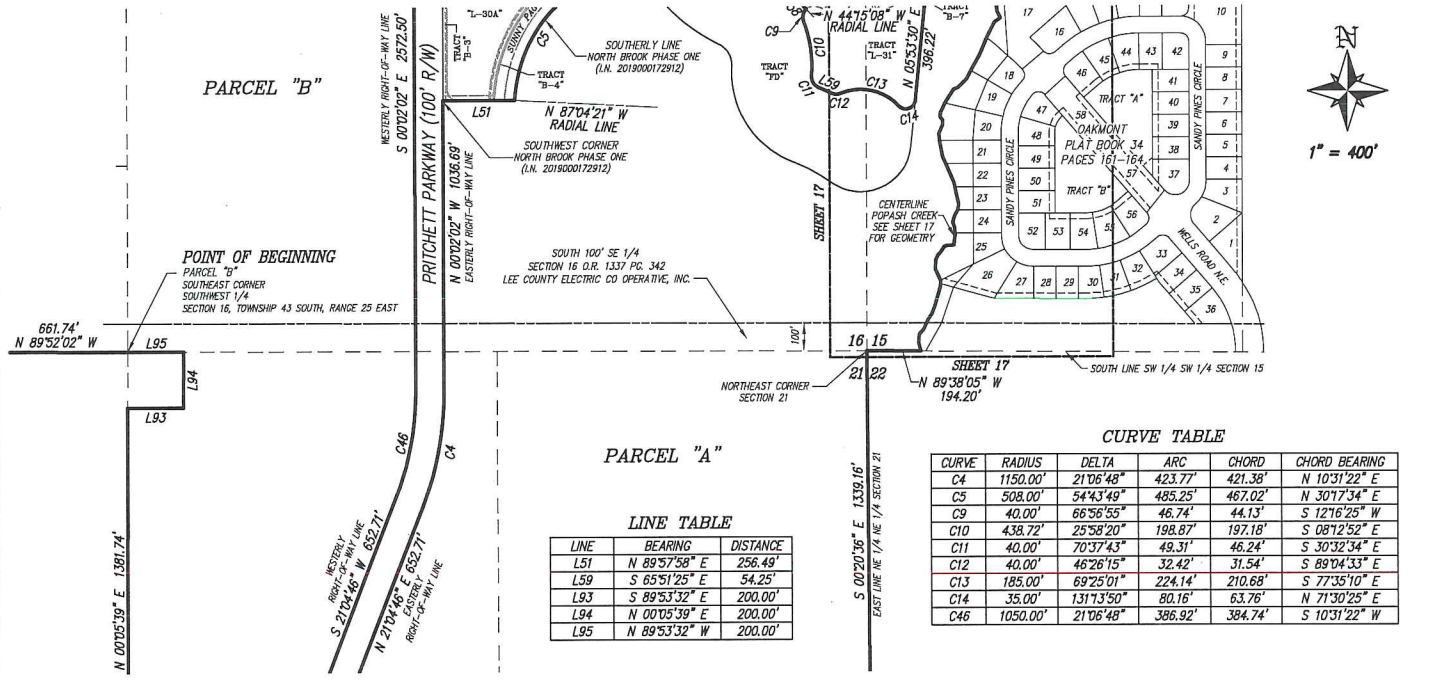
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L51	N 89°57'58" E	256.49'
L59	S 65°51'25" E	54.25'
L93	S 89°53'32" E	200.00'
L94	N 00°05'39" E	200.00'
L95	N 89°53'32" W	200.00'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C4	1150.00'	21°06'48"	423.77'	421.38'	N 10°31'22" E
C5	508.00'	54°43'49"	485.25'	467.02'	N 30°17'34" E
C9	40.00'	66°56'55"	46.74'	44.13'	S 12°16'25" W
C10	438.72'	25°58'20"	198.87'	197.18'	S 08°12'52" E
C11	40.00'	70°37'43"	49.31'	46.24'	S 30°32'34" E
C12	40.00'	46°26'15"	32.42'	31.54'	S 89°04'33" E
C13	185.00'	69°25'01"	224.14'	210.68'	S 77°35'10" E
C14	35.00'	131°13'50"	80.16'	63.76'	N 71°30'25" E
C46	1050.00'	21°06'48"	386.92'	384.74'	S 10°31'22" W

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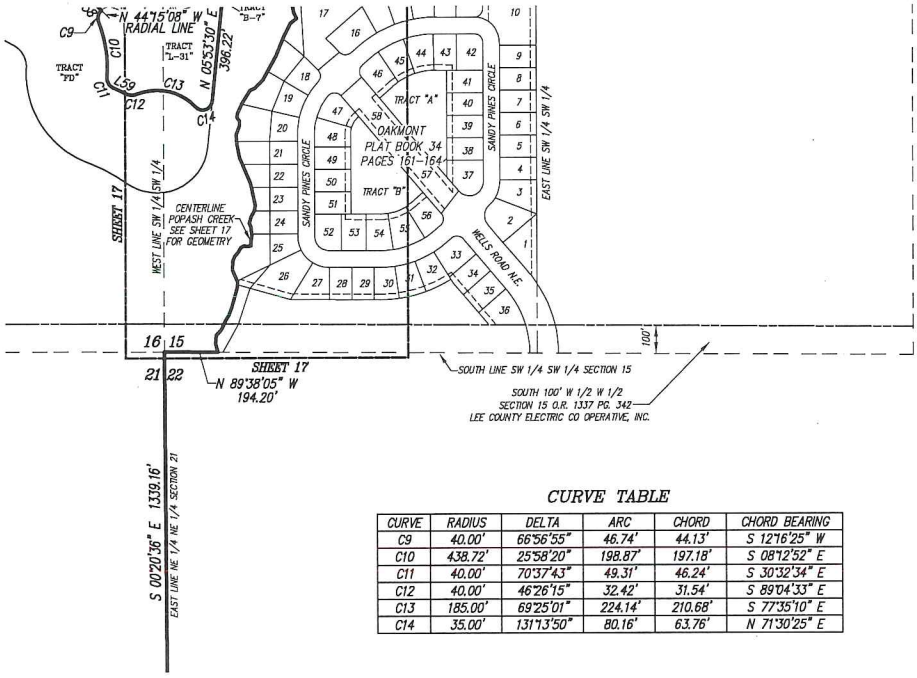
ENGINEERING LICENSE # EB 6469
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



N

1" = 400'

LINE TABLE

LINE	BEARING	DISTANCE
L59	S 65°51'25" E	54.25'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C9	40.00'	66°56'55"	46.74'	44.13'	S 12°16'25" W
C10	438.72'	25°58'20"	198.87'	197.18'	S 08°12'52" E
C11	40.00'	70°37'43"	49.31'	46.24'	S 30°32'34" E
C12	40.00'	46°26'15"	32.42'	31.54'	S 89°04'33" E
C13	185.00'	69°25'01"	224.14'	210.68'	S 77°35'10" E
C14	35.00'	131°13'50"	80.16'	63.76'	N 71°30'25" E

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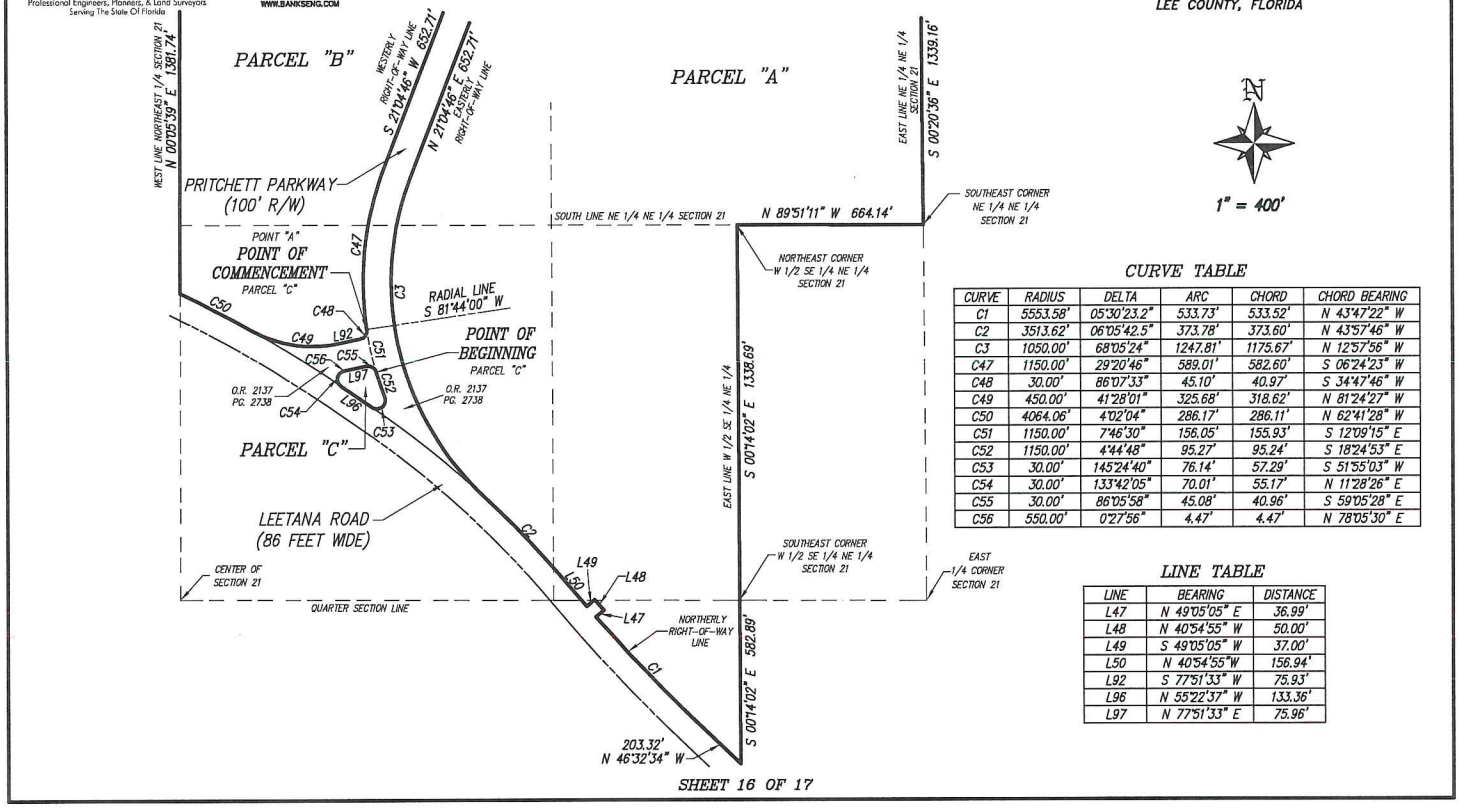
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SURVEY LICENSE # LB 6690

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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5553.58'	05°30'23.2"	533.73'	533.52'	N 43°47'22" W
C2	3513.62'	06°05'42.5"	373.78'	373.60'	N 43°57'46" W
C3	1050.00'	68°05'24"	1247.81'	1175.67'	N 12°57'56" W
C47	1150.00'	29°20'46"	589.01'	582.60'	S 06°24'23" W
C48	30.00'	86°07'33"	45.10'	40.97'	S 34°47'46" W
C49	450.00'	41°28'01"	325.68'	318.62'	N 81°24'27" W
C50	4064.06'	4°02'04"	286.17'	286.11'	N 62°41'28" W
C51	1150.00'	7°46'30"	156.05'	155.93'	S 12°09'15" E
C52	1150.00'	4°44'48"	95.27'	95.24'	S 18°24'53" E
C53	30.00'	145°24'40"	76.14'	57.29'	S 51°55'03" W
C54	30.00'	133°42'05"	70.01'	55.17'	N 11°28'26" E
C55	30.00'	86°05'58"	45.08'	40.96'	S 59°05'28" E
C56	550.00'	0°27'56"	4.47'	4.47'	N 78°05'30" E

LINE TABLE

LINE	BEARING	DISTANCE
L47	N 49°05'05" E	36.99'
L48	N 40°54'55" W	50.00'
L49	S 49°05'05" W	37.00'
L50	N 40°54'55"W	156.94'
L92	S 77°51'33" W	75.93'
L96	N 55°22'37" W	133.36'
L97	N 77°51'33" E	75.96'

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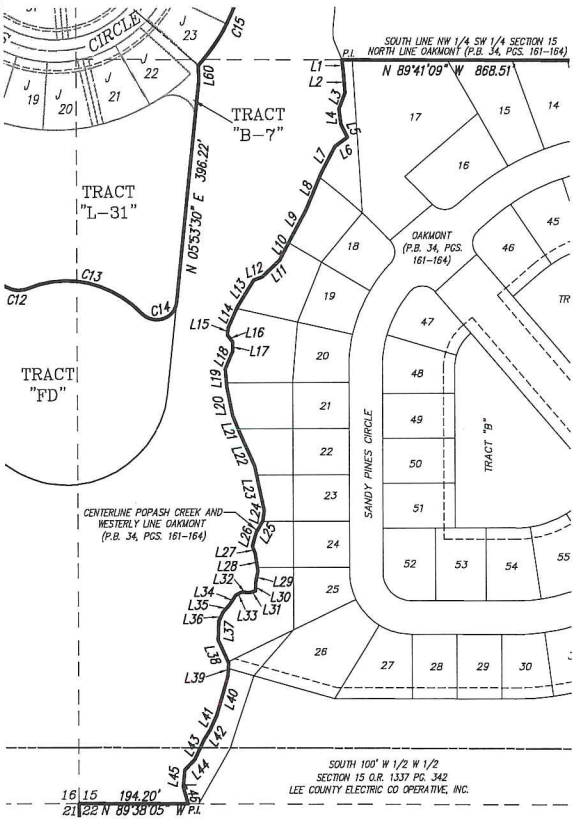
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SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 15, 16 & 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA





1" = 200'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 05°45'58" E	20.76'
L2	S 04°30'13" E	37.89'
L3	S 20°35'27" W	31.32'
L4	S 06°53'02" E	27.63'
L5	S 26°35'47" E	25.42'
L6	S 53°39'33" W	27.91'
L7	S 26°59'14" W	54.53'
L8	S 22°23'48" W	72.99'
L9	S 28°36'16" W	53.03'
L10	S 27°40'03" W	45.38'
L11	S 46°19'33" W	41.74'
L12	S 67°01'43" W	17.24'
L13	S 31°53'19" W	55.98'
L14	S 24°05'41" W	40.28'
L15	S 07°28'30" W	13.30'
L16	S 36°59'09" E	15.90'
L17	S 00°08'07" E	16.02'
L18	S 23°17'55" W	34.56'
L19	S 04°55'23" E	33.01'
L20	S 11°15'32" E	51.93'
L21	S 23°08'35" E	31.33'
L22	S 24°01'18" E	66.68'
L23	S 11°55'04" E	81.54'

LINE TABLE

LINE	BEARING	DISTANCE
L24	S 09°40'09" W	18.62'
L25	S 29°02'54" W	23.67'
L26	S 16°09'18" W	25.05'
L27	S 21°33'48" E	14.28'
L28	S 07°24'52" E	31.49'
L29	S 10°42'31" W	20.17'
L30	S 01°47'45" W	15.68'
L31	S 74°58'26" W	10.96'
L32	N 86°32'16" W	14.77'
L33	S 61°33'21" W	11.76'
L34	S 32°08'23" W	20.06'
L35	S 42°13'22" W	16.72'
L36	S 26°15'22" W	18.59'
L37	S 01°30'50" W	33.93'
L38	S 23°30'56" E	44.86'
L39	S 02°57'16" W	21.83'
L40	S 15°54'19" W	73.12'
L41	S 23°04'05" W	28.36'
L42	S 31°47'03" W	21.95'
L43	S 25°05'56" W	37.80'
L44	S 42°12'47" W	25.72'
L45	S 05°41'06" W	30.07'
L46	S 15°57'07" E	31.19'
L60	N 01°06'00" W	27.92'

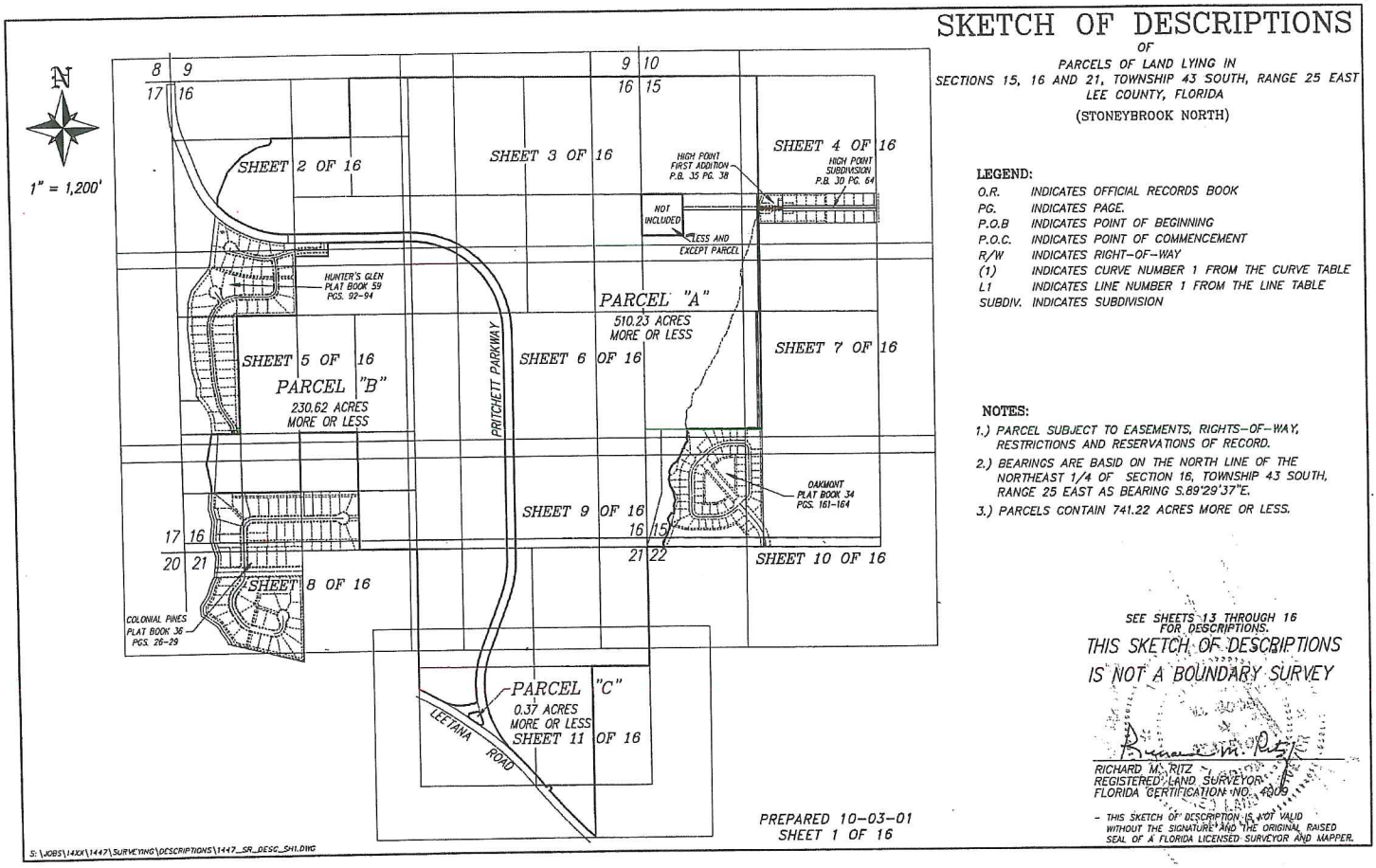
CURVE TABLE

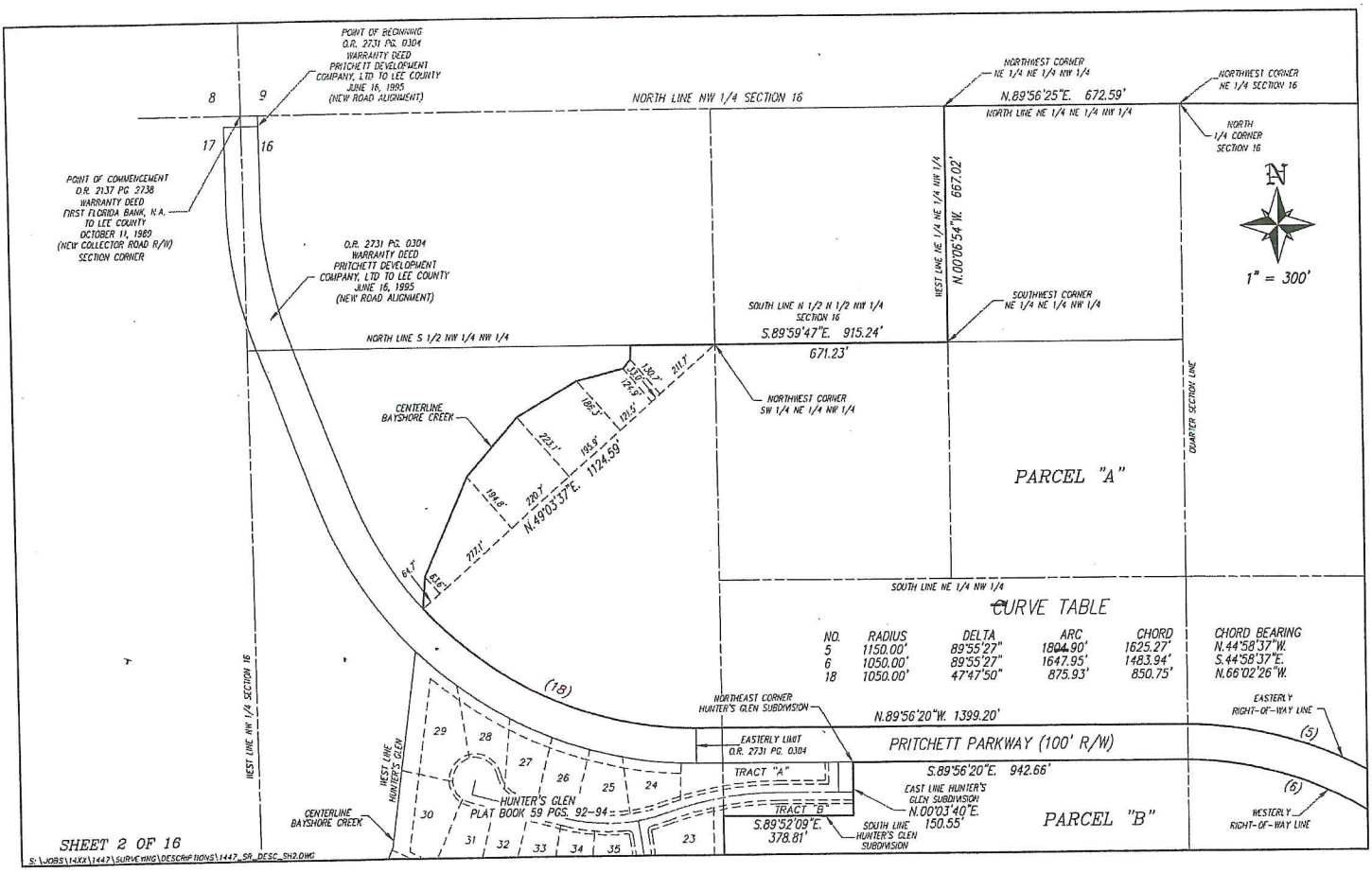
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C12	40.00'	46°26'15"	32.42'	31.54'	S 89°04'33" E
C13	185.00'	69°25'01"	224.14'	210.68'	S 77°35'10" E
C14	35.00'	131°13'50"	80.16'	63.76'	N 71°30'25" E
C15	341.00'	50°34'56"	301.04'	291.36'	N 16°22'09" E

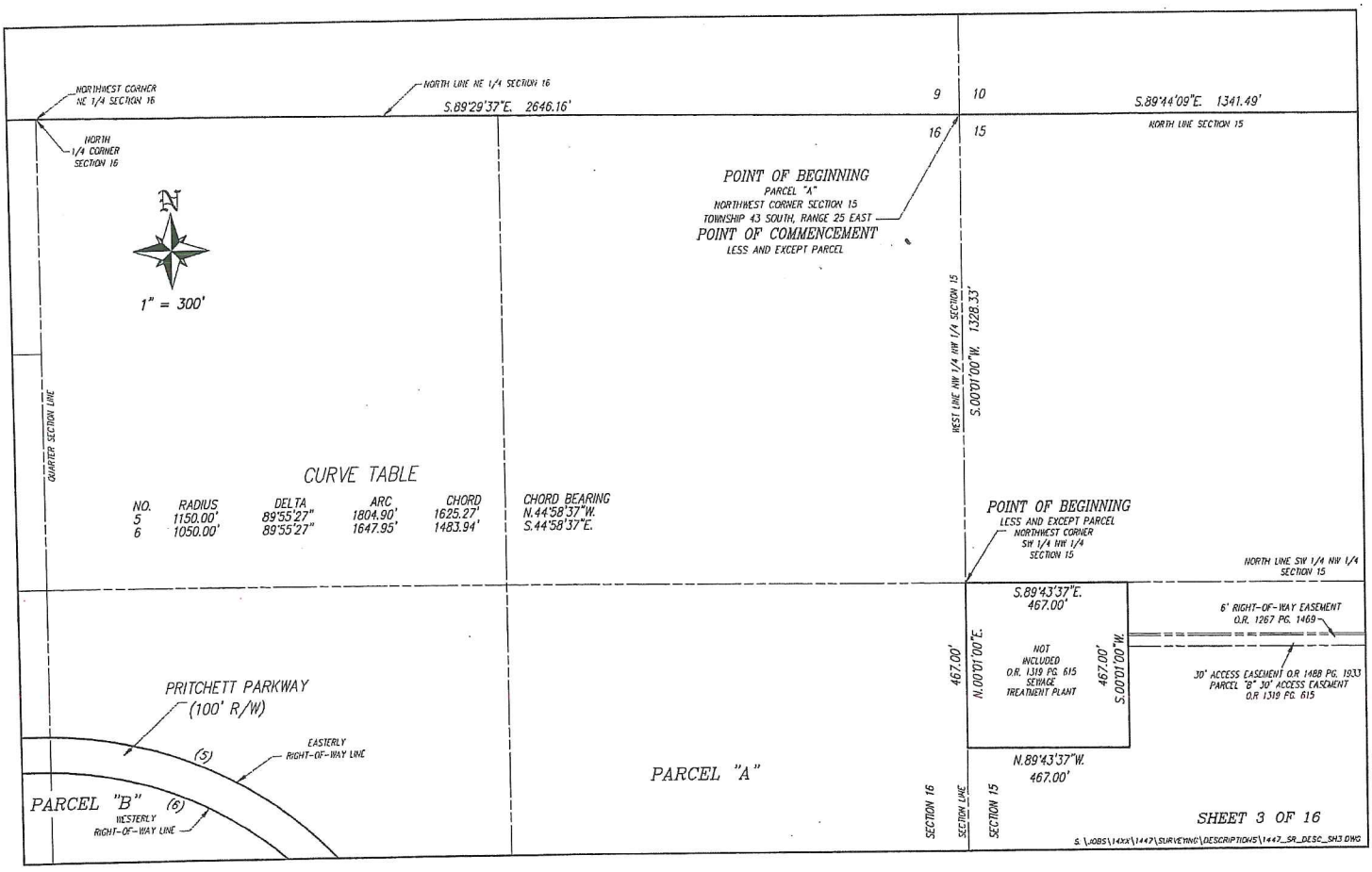
EXHIBIT A

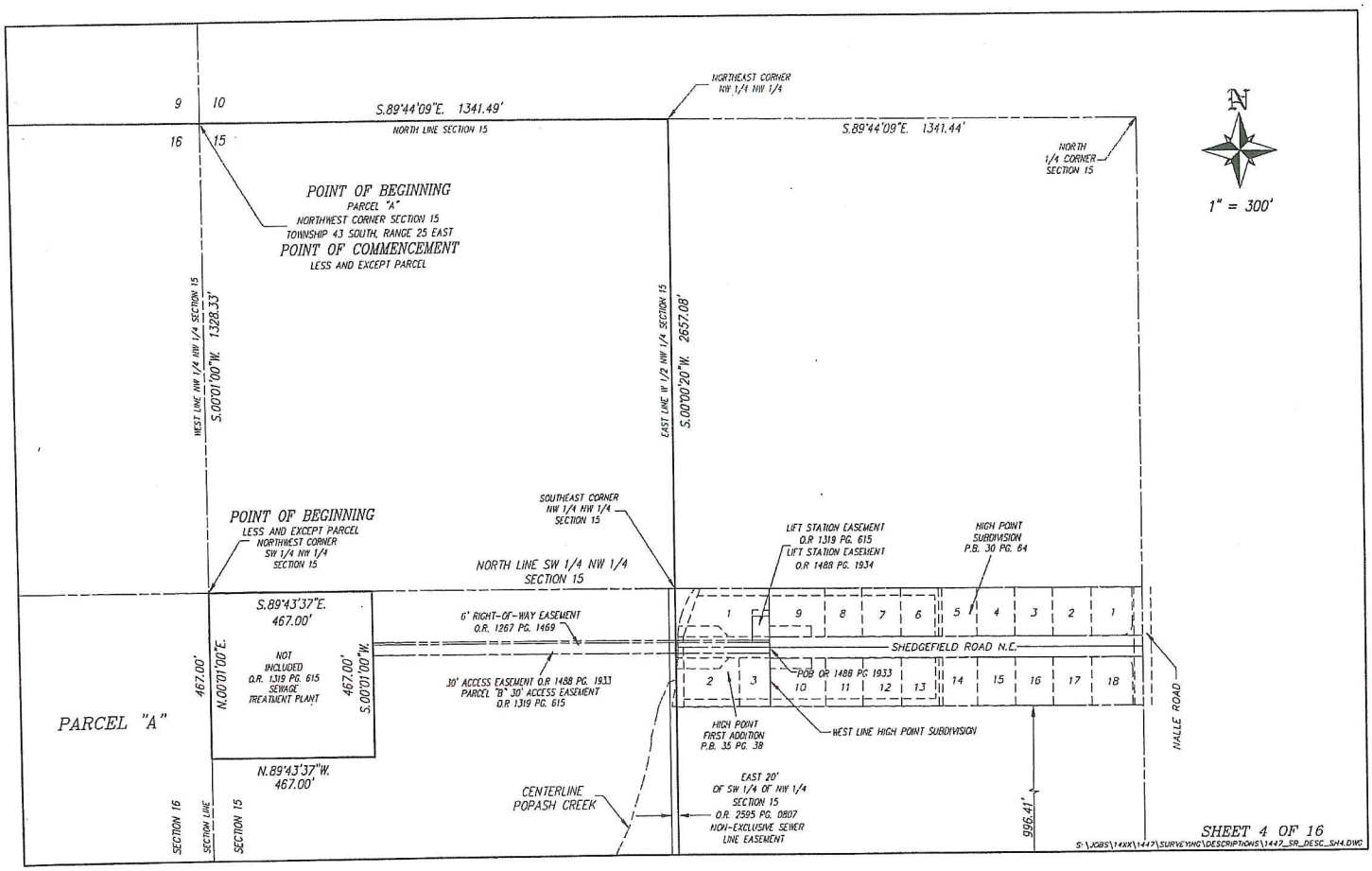
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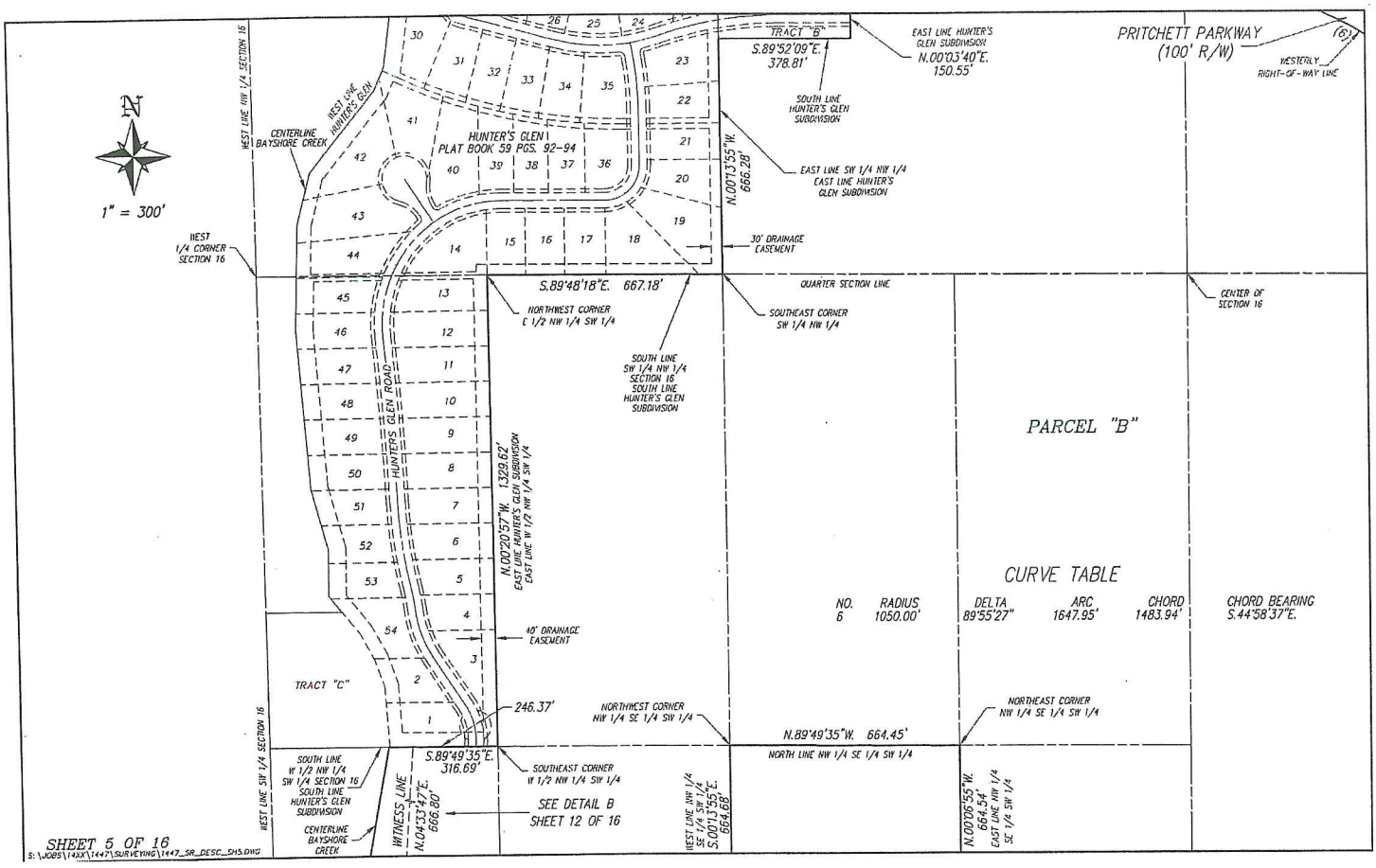
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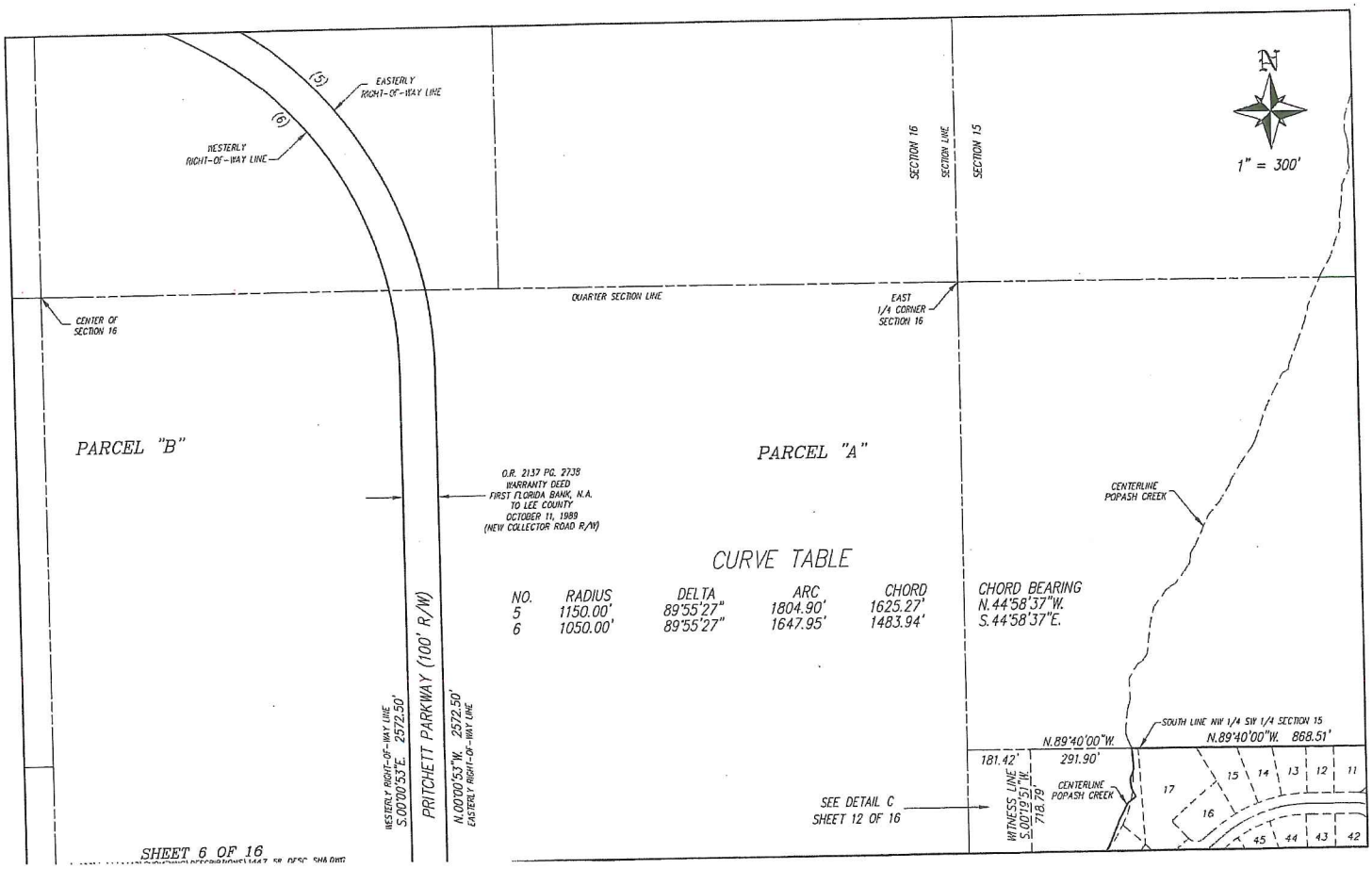


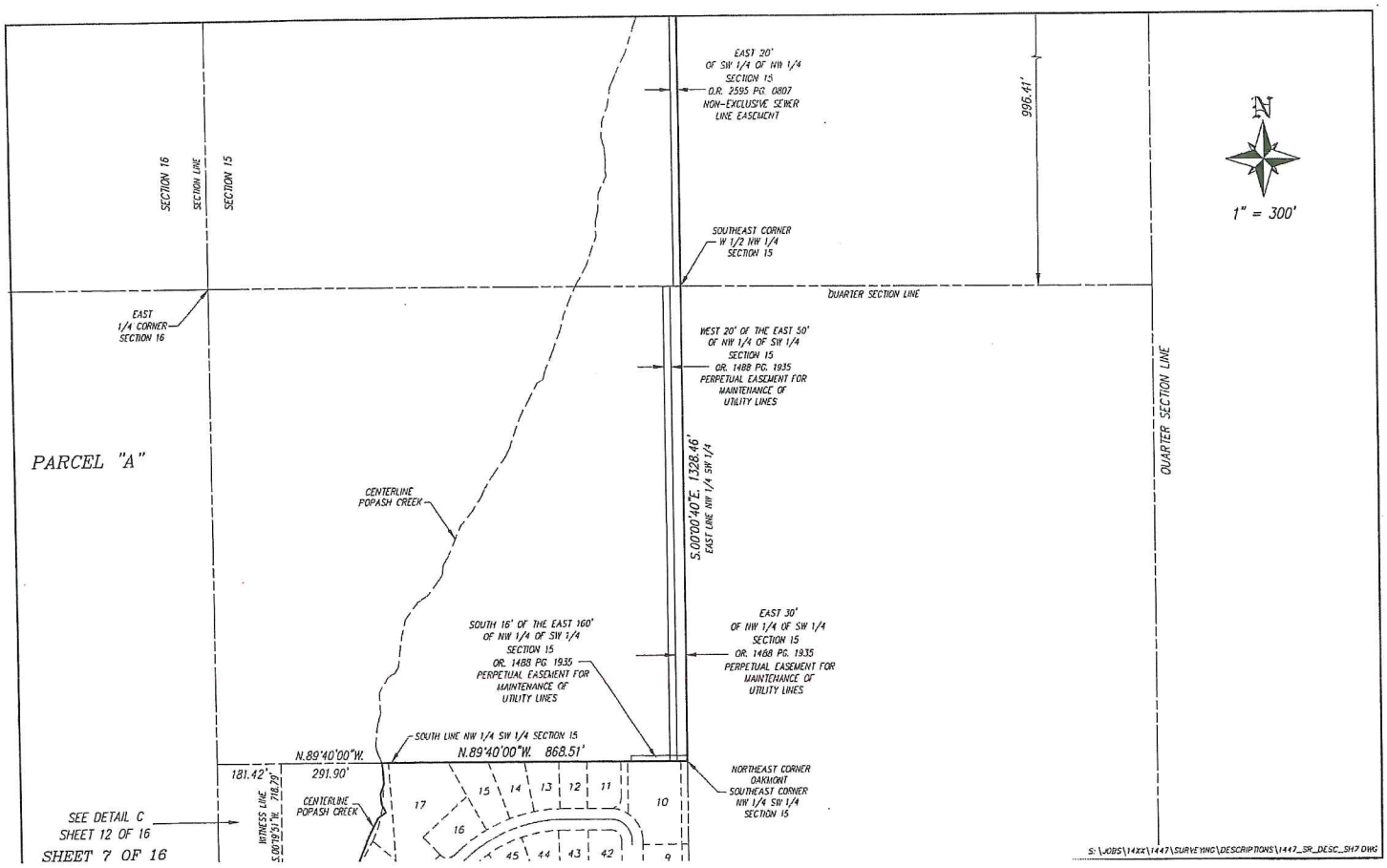

POINT OF BEGINNING
O.R. 2731 PG. 0304
WARRANTY DEED
PRITCHETT DEVELOPMENT
COMPANY, LTD TO LEE COUNTY
JUNE 16, 1995
(NEW ROAD ALIGNMENT)
NORTH LINE NW 1/4 SECTION 16
NORTHWEST CORNER
NE 1/4 NE 1/4 NW 1/4
N.89°56'25"E. 672.59'
NORTHWEST CORNER
NE 1/4 SECTION 16
NORTH LINE NE 1/4 NE 1/4 NW 1/4
NORTH
1/4 CORNER
SECTION 16
8
9
17
16
POINT OF COMMENCEMENT
O.R. 2137 PG 2738
WARRANTY DEED
FIRST FLORIDA BANK, N.A.
TO LEE COUNTY
OCTOBER 11, 1989
(NEW COLLECTOR ROAD R/W)
SECTION CORNER
O.R. 2731 PGS. 0304
WARRANTY DEED
PRITCHETT DEVELOPMENT
COMPANY, LTD TO LEE COUNTY
JUNE 16, 1995
(NEW ROAD ALIGNMENT)
WEST LINE NE 1/4 NE 1/4 NW 1/4
N.00°06'54"W. 667.02'
SOUTHWEST CORNER
NE 1/4 NE 1/4 NW 1/4
SOUTH LINE N 1/2 N 1/2 NW 1/4
SECTION 16
S.89°59'47"E. 915.24'
NORTH LINE S 1/2 NW 1/4 NW 1/4
671.23'
NORTHWEST CORNER
SW 1/4 NE 1/4 NW 1/4
CENTERLINE
BAYSHORE CREEK
N.49°03'37"E. 1124.59'
PARCEL "A"
QUARTER SECTION LINE
SOUTH LINE NE 1/4 NW 1/4
CURVE TABLE
NO. RADIUS DELTA ARC CHORD CHORD BEARING
5 1150.00' 89°55'27" 1804.90' 1625.27' N.44°58'37"W.
6 1050.00' 89°55'27" 1647.95' 1483.94' S.44°58'37"E.
18 1050.00' 47°47'50" 875.93' 850.75' N.66°02'26"W.
(18)
NORTHEAST CORNER
HUNTER'S GLEN SUBDIVISION
N.89°56'20"W. 1399.20'
EASTERLY
RIGHT-OF-WAY LINE
(5)
EASTERLY LIMIT
O.R. 2731 PG. 0304
PRITCHETT PARKWAY (100' R/W)
S.89°56'20"E. 942.66'
TRACT "A"
WEST LINE
HUNTER'S GLEN
HUNTER'S GLEN
PLAT BOOK 59 PGS. 92-94
TRACT "B"
EAST LINE HUNTER'S
GLEN SUBDIVISION
N.00°03'40"E.
150.55'
(6)
WESTERLY
RIGHT-OF-WAY LINE
CENTERLINE
BAYSHORE CREEK
S.89°52'09"E.
378.81'
SOUTH LINE
HUNTER'S GLEN
SUBDIVISION
PARCEL "B"
WEST LINE NW 1/4 SECTION 16
1" = 300'
N
SHEET 2 OF 16
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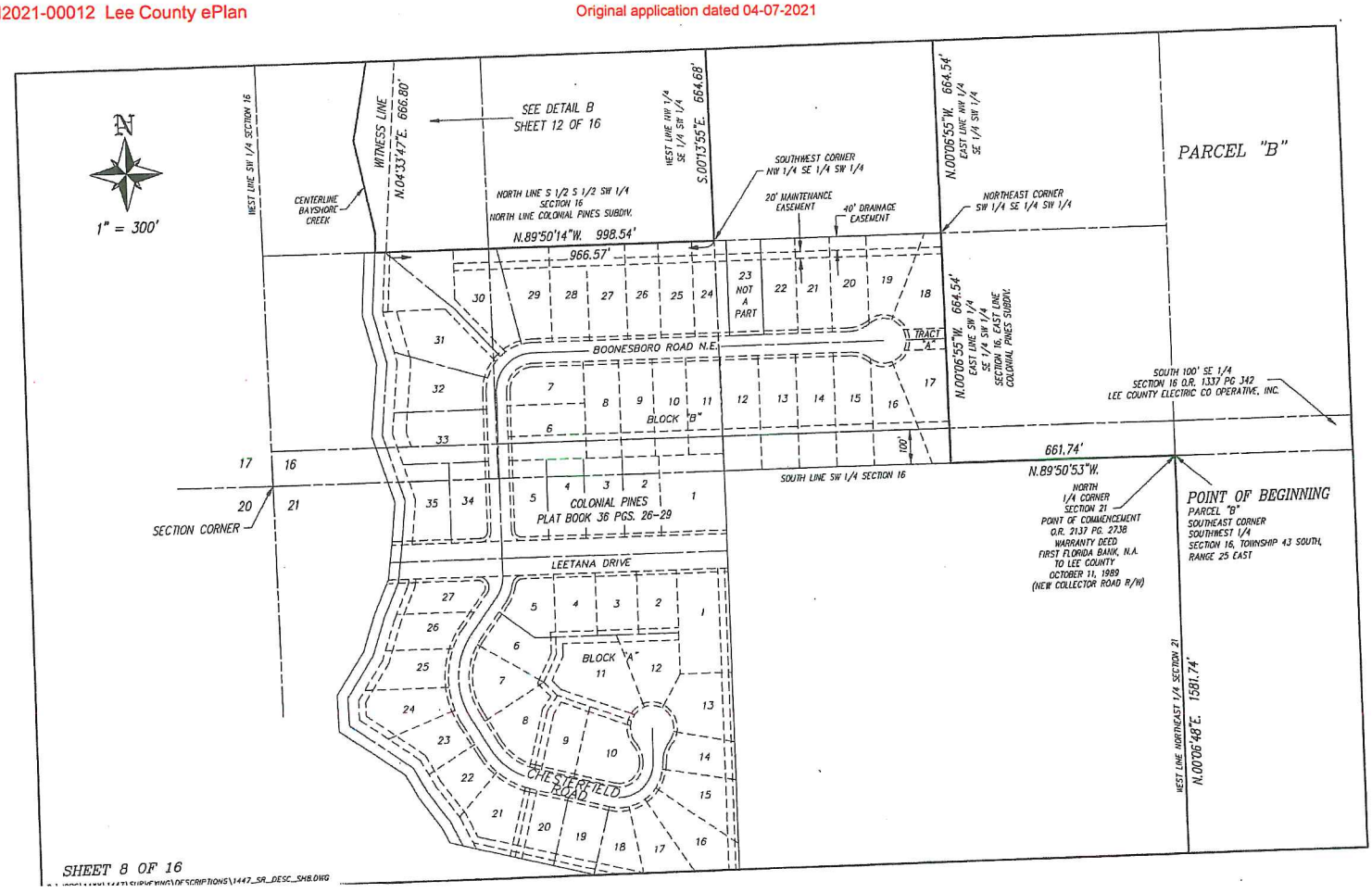

NORTHWEST CORNER NE 1/4 SECTION 16
NORTH 1/4 CORNER SECTION 16
NORTH LINE NE 1/4 SECTION 16
S.89°29'37"E. 2646.16'
9
10
S.89°44'09"E. 1341.49'
NORTH LINE SECTION 15
16
15
POINT OF BEGINNING
PARCEL "A"
NORTHWEST CORNER SECTION 15
TOWNSHIP 43 SOUTH, RANGE 25 EAST
POINT OF COMMENCEMENT
LESS AND EXCEPT PARCEL
N
1" = 300'
QUARTER SECTION LINE
WEST LINE NW 1/4 NW 1/4 SECTION 15
S.00°01'00"W. 1328.33'
CURVE TABLE
NO. RADIUS DELTA ARC CHORD CHORD BEARING
5 1150.00' 89°55'27" 1804.90' 1625.27' N.44°58'37"W.
6 1050.00' 89°55'27" 1647.95' 1483.94' S.44°58'37"E.
POINT OF BEGINNING
LESS AND EXCEPT PARCEL
NORTHWEST CORNER
SW 1/4 NW 1/4
SECTION 15
NORTH LINE SW 1/4 NW 1/4
SECTION 15
S.89°43'37"E.
467.00'
6' RIGHT-OF-WAY EASEMENT
O.R. 1267 PG. 1469
NOT
INCLUDED
O.R. 1319 PG. 615
SEWAGE
TREATMENT PLANT
467.00'
N.00°01'00"E.
467.00'
S.00°01'00"W.
30' ACCESS EASEMENT O.R. 1488 PG. 1933
PARCEL "B" 30' ACCESS EASEMENT
O.R. 1319 PG. 615
PRITCHETT PARKWAY
(100' R/W)
(5)
EASTERLY
RIGHT-OF-WAY LINE
PARCEL "B"
(6)
WESTERLY
RIGHT-OF-WAY LINE
PARCEL "A"
N.89°43'37"W.
467.00'
SECTION 16
SECTION LINE
SECTION 15
SHEET 3 OF 16
S:\JOBS\14XX\1447\SURVEYING\DESCRIPTIONS\1447_SR_DESC_SH3.DWG


9
10
16
15
S.89°44'09"E. 1341.49'
NORTH LINE SECTION 15
NORTHEAST CORNER NW 1/4 NW 1/4
S.89°44'09"E. 1341.44'
NORTH 1/4 CORNER SECTION 15
N
1" = 300'
POINT OF BEGINNING
PARCEL "A"
NORTHWEST CORNER SECTION 15
TOWNSHIP 43 SOUTH, RANGE 25 EAST
POINT OF COMMENCEMENT
LESS AND EXCEPT PARCEL
WEST LINE NW 1/4 NW 1/4 SECTION 15
S.00°01'00"W. 1328.33'
EAST LINE W 1/2 NW 1/4 SECTION 15
S.00°00'20"W. 2657.08'
POINT OF BEGINNING
LESS AND EXCEPT PARCEL
NORTHWEST CORNER
SW 1/4 NW 1/4
SECTION 15
SOUTHEAST CORNER NW 1/4 NW 1/4 SECTION 15
NORTH LINE SW 1/4 NW 1/4 SECTION 15
LIFT STATION EASEMENT O.R 1319 PG. 615
LIFT STATION EASEMENT O.R 1488 PG. 1934
HIGH POINT SUBDIVISION P.B. 30 PG. 64
S.89°43'37"E. 467.00'
6' RIGHT-OF-WAY EASEMENT O.R. 1267 PG. 1469
SHEDGEFIELD ROAD N.C.
NOT INCLUDED O.R. 1319 PG. 615 SEWAGE TREATMENT PLANT
467.00'
N.00°01'00"E.
467.00'
S.00°01'00"W.
10' ACCESS EASEMENT O.R 1488 PG. 1933
PARCEL "B" 30' ACCESS EASEMENT O.R 1319 PG. 615
POB OR 1488 PG 1933
PARCEL "A"
HIGH POINT FIRST ADDITION P.B. 35 PG. 38
WEST LINE HIGH POINT SUBDIVISION
HALLE ROAD
N.89°43'37"W. 467.00'
CENTERLINE POPASH CREEK
EAST 20' OF SW 1/4 OF NW 1/4 SECTION 15 O.R. 2595 PG. 0807 NON-EXCLUSIVE SEWER LINE EASEMENT
996.41'
SECTION 16
SECTION LINE
SECTION 15
SHEET 4 OF 16
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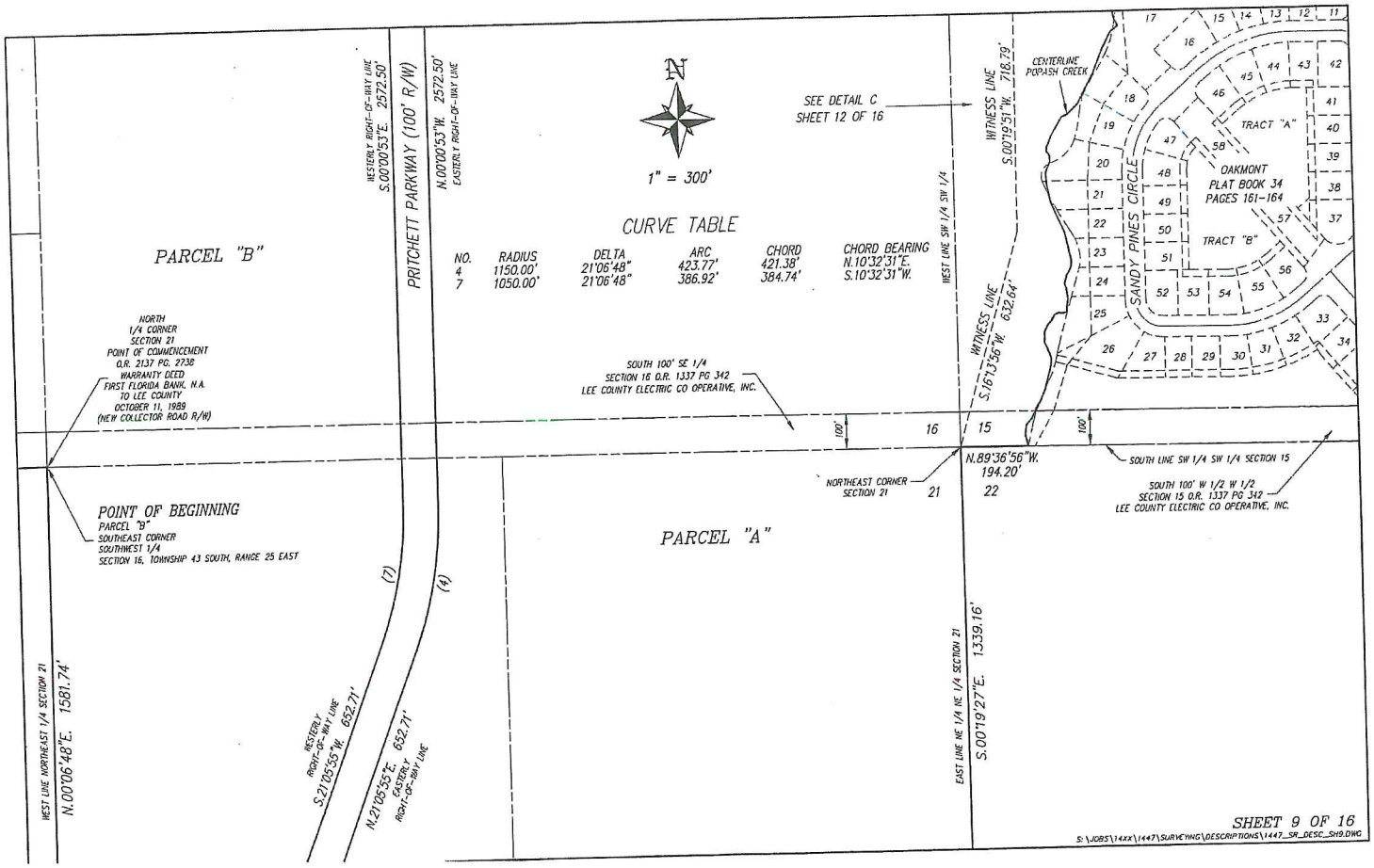

N
1" = 300'
WEST LINE NW 1/4 SECTION 16
WEST LINE HUNTER'S GLEN
CENTERLINE BAYSHORE CREEK
HUNTER'S GLEN I
PLAT BOOK 59 PGS. 92-94
WEST 1/4 CORNER SECTION 16
TRACT "B"
S.89°52'09"E. 378.81'
EAST LINE HUNTER'S GLEN SUBDIVISION N.00°03'40"E. 150.55'
SOUTH LINE HUNTER'S GLEN SUBDIVISION
EAST LINE SW 1/4 NW 1/4 EAST LINE HUNTER'S GLEN SUBDIVISION
N.00°13'55"W. 666.28'
30' DRAINAGE EASEMENT
PRITCHETT PARKWAY (100' R/W)
(6)
WESTERLY RIGHT-OF-WAY LINE
S.89°48'18"E. 667.18'
NORTHWEST CORNER E 1/2 NW 1/4 SW 1/4
SOUTH LINE SW 1/4 NW 1/4 SECTION 16 SOUTH LINE HUNTER'S GLEN SUBDIVISION
QUARTER SECTION LINE
SOUTHEAST CORNER SW 1/4 NW 1/4
CENTER OF SECTION 16
HUNTERS GLEN ROAD
N.00°20'57"W. 1329.62' EAST LINE HUNTER'S GLEN SUBDIVISION EAST LINE W 1/2 NW 1/4 SW 1/4
PARCEL "B"
40' DRAINAGE EASEMENT
TRACT "C"
246.37'
NORTHWEST CORNER NW 1/4 SE 1/4 SW 1/4
N.89°49'35"W. 664.45'
NORTH LINE NW 1/4 SE 1/4 SW 1/4
NORTHEAST CORNER NW 1/4 SE 1/4 SW 1/4
CURVE TABLE
NO. RADIUS DELTA ARC CHORD CHORD BEARING
6 1050.00' 89°55'27" 1647.95' 1483.94' S.44°58'37"E.
WEST LINE SW 1/4 SECTION 16
SOUTH LINE W 1/2 NW 1/4 SW 1/4 SECTION 16
SOUTH LINE HUNTER'S GLEN SUBDIVISION
CENTERLINE BAYSHORE CREEK
S.89°49'35"E. 316.69'
SOUTHEAST CORNER W 1/2 NW 1/4 SW 1/4
WITNESS LINE N.04°33'47"E. 666.80'
SEE DETAIL B SHEET 12 OF 16
WEST LINE NW 1/4 SE 1/4 SW 1/4 S.00°13'55"E. 664.68'
N.00°06'55"W. 664.54' EAST LINE NW 1/4 SE 1/4 SW 1/4
SHEET 5 OF 16
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(5)
EASTERLY RIGHT-OF-WAY LINE
(6)
WESTERLY RIGHT-OF-WAY LINE
SECTION 16
SECTION LINE
SECTION 15
N
1" = 300'
QUARTER SECTION LINE
CENTER OF SECTION 16
EAST 1/4 CORNER SECTION 16
PARCEL "B"
PARCEL "A"
O.R. 2137 PG. 2738
WARRANTY DEED
FIRST FLORIDA BANK, N.A.
TO LEE COUNTY
OCTOBER 11, 1989
(NEW COLLECTOR ROAD R/W)
CENTERLINE POPASH CREEK
CURVE TABLE
NO. RADIUS DELTA ARC CHORD CHORD BEARING
5 1150.00' 89°55'27" 1804.90' 1625.27' N.44°58'37"W.
6 1050.00' 89°55'27" 1647.95' 1483.94' S.44°58'37"E.
WESTERLY RIGHT-OF-WAY LINE
S.00°00'53"E. 2572.50'
PRITCHETT PARKWAY (100' R/W)
N.00°00'53"W. 2572.50'
EASTERLY RIGHT-OF-WAY LINE
SOUTH LINE NW 1/4 SW 1/4 SECTION 15
N.89°40'00"W. 868.51'
N.89°40'00"W.
181.42'
291.90'
WITNESS LINE
S.00°19'51"W.
718.79'
CENTERLINE POPASH CREEK
SEE DETAIL C
SHEET 12 OF 16
17
16
15
14
13
12
11
45
44
43
42

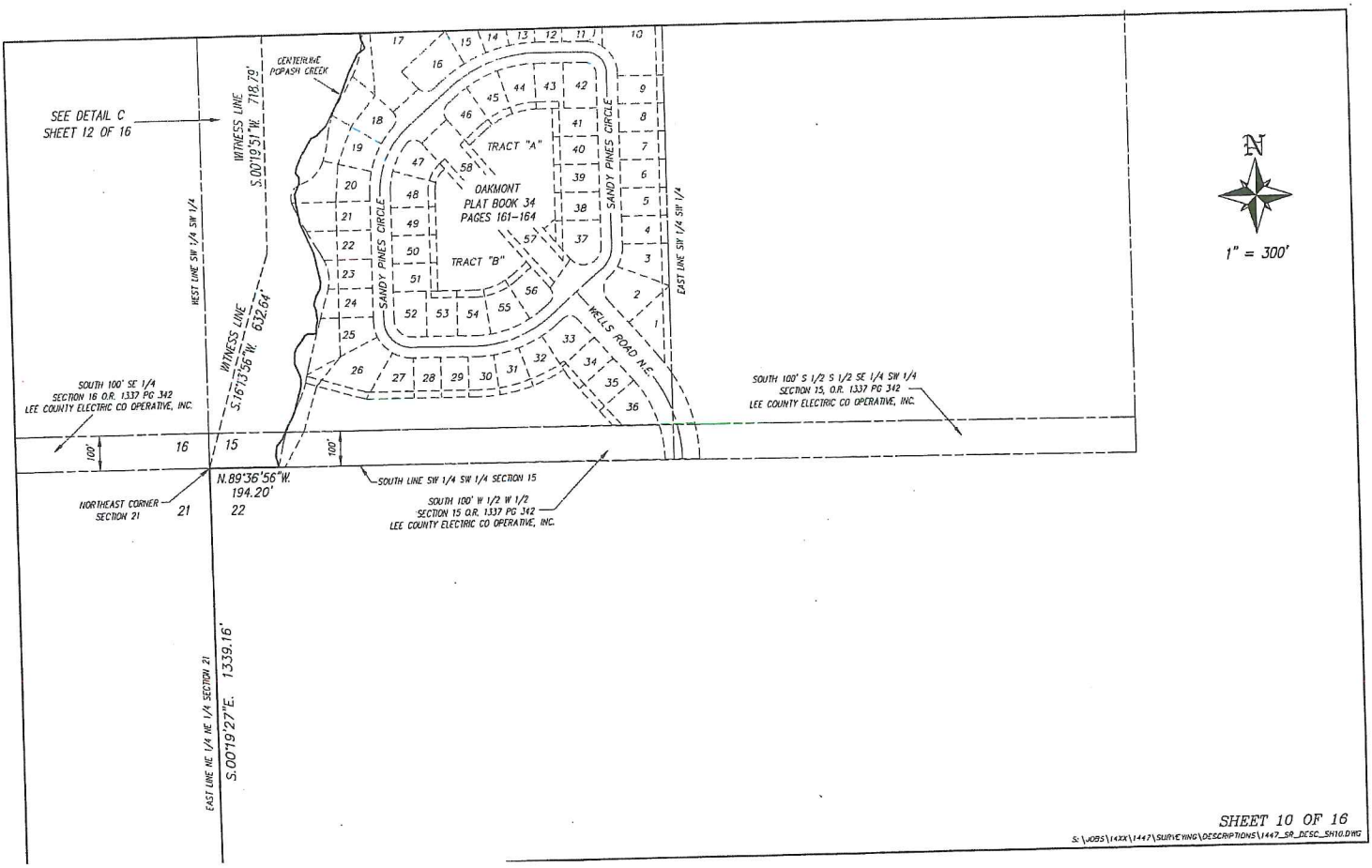

EAST 20' OF SW 1/4 OF NW 1/4 SECTION 15 O.R. 2595 PG. 0807 NON-EXCLUSIVE SEWER LINE EASEMENT
996.41'
N
1" = 300'
SECTION 16
SECTION LINE
SECTION 15
SOUTHEAST CORNER W 1/2 NW 1/4 SECTION 15
QUARTER SECTION LINE
EAST 1/4 CORNER SECTION 16
WEST 20' OF THE EAST 50' OF NW 1/4 OF SW 1/4 SECTION 15 OR. 1488 PG. 1935 PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES
PARCEL "A"
CENTERLINE POPASH CREEK
S.00°00'40"E. 1328.46' EAST LINE NW 1/4 SW 1/4
QUARTER SECTION LINE
SOUTH 16' OF THE EAST 160' OF NW 1/4 OF SW 1/4 SECTION 15 OR. 1488 PG. 1935 PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES
EAST 30' OF NW 1/4 OF SW 1/4 SECTION 15 OR. 1488 PG. 1935 PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES
SOUTH LINE NW 1/4 SW 1/4 SECTION 15
N.89°40'00"W.
N.89°40'00"W. 868.51'
181.42'
291.90'
NORTHEAST CORNER OAKMONT SOUTHEAST CORNER NW 1/4 SW 1/4 SECTION 15
WITNESS LINE S.00°19'51"W. 716.79'
CENTERLINE POPASH CREEK
17
16
15
14
13
12
11
10
45
44
43
42
9
SEE DETAIL C SHEET 12 OF 16
SHEET 7 OF 16
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N
1" = 300'
WEST LINE SW 1/4 SECTION 16
WITNESS LINE
N.04°33'47"E. 666.80'
SEE DETAIL B
SHEET 12 OF 16
WEST LINE NW 1/4 SE 1/4 SW 1/4
S.00°13'55"E. 664.68'
N.00°06'55"W. 664.54'
EAST LINE NW 1/4 SE 1/4 SW 1/4
PARCEL "B"
CENTERLINE BAYSHORE CREEK
NORTH LINE S 1/2 S 1/2 SW 1/4 SECTION 16 NORTH LINE COLONIAL PINES SUBDIV.
N.89°50'14"W. 998.54'
SOUTHWEST CORNER NW 1/4 SE 1/4 SW 1/4
20' MAINTENANCE EASEMENT
40' DRAINAGE EASEMENT
NORTHEAST CORNER SW 1/4 SE 1/4 SW 1/4
966.57'
23 NOT A PART
TRACT "A"
BOONESBORO ROAD N.E.
BLOCK "B"
N.00°06'55"W. 664.54'
EAST LINE SW 1/4 SE 1/4 SW 1/4 SECTION 16, EAST LINE COLONIAL PINES SUBDIV.
SOUTH 100' SE 1/4 SECTION 16 O.R. 1337 PG 342 LEE COUNTY ELECTRIC CO OPERATIVE, INC.
100'
661.74'
N.89°50'53"W.
SOUTH LINE SW 1/4 SECTION 16
SECTION CORNER
COLONIAL PINES PLAT BOOK 36 PGS. 26-29
LEETANA DRIVE
BLOCK "A"
CHESTERFIELD ROAD
NORTH 1/4 CORNER SECTION 21 POINT OF COMMENCEMENT O.R. 2137 PG. 2738 WARRANTY DEED FIRST FLORIDA BANK, N.A. TO LEE COUNTY OCTOBER 11, 1989 (NEW COLLECTOR ROAD R/W)
POINT OF BEGINNING
PARCEL "B"
SOUTHEAST CORNER SOUTHWEST 1/4 SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST
WEST LINE NORTHEAST 1/4 SECTION 21
N.00°06'48"E. 1581.74'

SHEET 8 OF 16

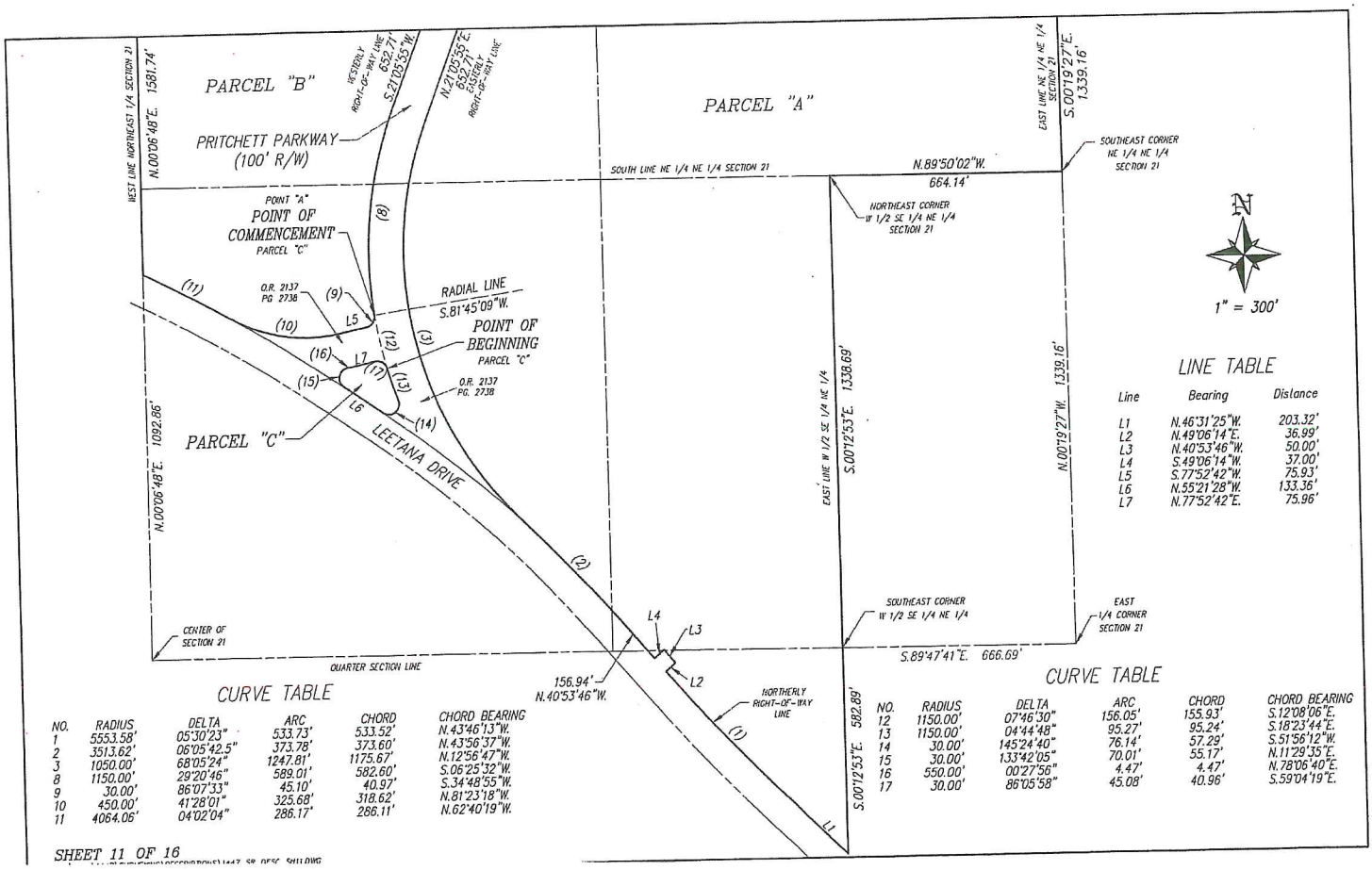


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SHEET 10 OF 16

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LINE TABLE

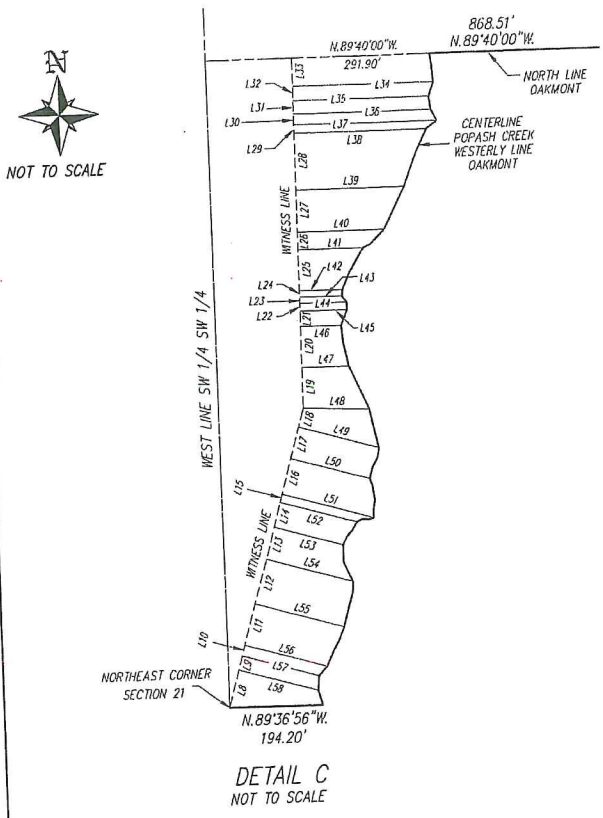
Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

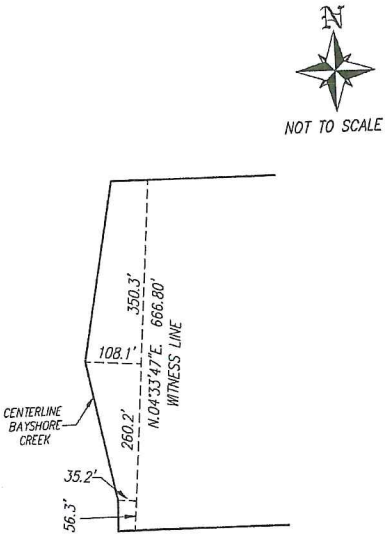


DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

DETAIL SHEET



DETAIL B
NOT TO SCALE

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 333912 • (941) 939-5490 • Fax (941) 939-2923

NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING**.

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

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

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

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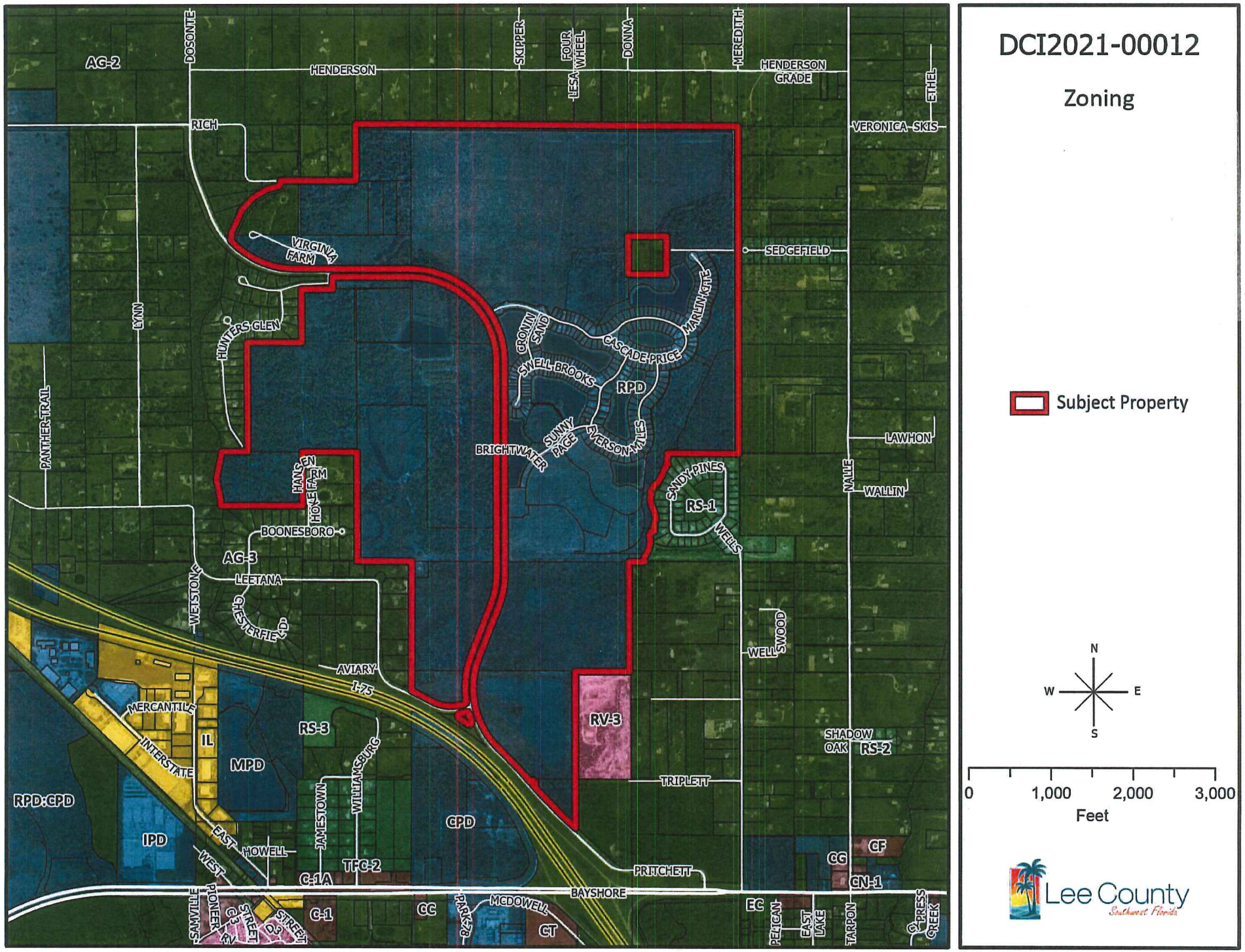

DCI2021-00012
Zoning
Subject Property
N
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1,000
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3,000
Feet
Lee County
Southwest Florida
AG-2
DOSONTE
HENDERSON
SKIPPER
FOUR WHEEL
DONNA
MEREDITH
HENDERSON GRADE
ETHEL
RICH
VERONICA SKIS
VIRGINIA FARM
SEDGEFIELD
LYNN
HUNTERS GLEN
CRONIN SANDS
MARTINHAVEN
CASCADE PRICE
SWELL BROOKS
RPD
PANTHER TRAIL
SUNNY PAGE
EMERSON VALES
BRIGHTWATER
LAWHON
HANSEN FARM
HOYE FARM
SANDY PINES
RS-1
WALLIN
NALLE
BOONESBORO
WELLS
AG-3
LEETANA
WESTON
CHESTERFIELD
WELLSWOOD
AVIARY
I-75
MERCANTILE
RS-3
RV-3
IL
INTERSTATE
MPD
SHADOW OAK
RS-2
WILLIAMSBURG
TRIPLETT
RPD:CPD
JAMESTOWN
CPD
IPD
EAST HOWELL
WEST
TFC-2
CG
CF
PRITCHETT
C-1A
CN-1
BAYSHORE
PIONEER AV
STREET C3
STREET C3
C-1
CC
PARK
MCDOWELL
CT
EC
PELICAN
EAST LAKE
TARPON
CYPRESS CREEK

Exhibit B

RECOMMENDED CONDITIONS AND DEVIATIONS
(As revised by the Hearing Examiner)

CONDITIONS

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

HEX Note: Density highlighted in yellow to be adjusted based upon Board approval.

1. **Master Concept Plan (MCP) and Development Intensity**

a) MCP. Development must be consistent with the two-page MCP entitled "Master Concept Plan Brightwater RPD F/K/A, Stoneybrook North," prepared by Banks Engineering, Inc., last revised April 27, 2022 (Exhibit B1), except where modified by the conditions below.

b) Lee Plan and LDC. Development must comply with the LDC and Lee Plan at the time of local development order approval, except where deviations are approved herein. Subsequent amendments to this zoning resolution and MCP may be subject to further development approvals.

c) Development Parameters. The RPD is permitted a maximum of 1,500 or 1,475 dwelling units, limited to the maximum calculated development density/intensity with respect to new trip generation utilizing the following development scenario based on the Institute of Transportation Engineers (ITE) report in effect at time of development order:

i) 910 or 885 detached single-family dwelling units, or a combination of detached single-family, townhouse, or two-family attached, with the trip generation equivalent to 910 single-family dwelling units;
ii) 590 detached or two-family attached senior adult dwelling units; and
iii) Brightwater Country Club (See Condition 34).

2. **Uses and Site Development Regulations**

a) Schedule of Uses

NOTE: Dwelling units are limited to a maximum 1,500 or 1,475 units (including North Brook Phase One's existing 258 units).

- R-1 – Single-Family Residence;

- R-1A – Single-Family Residence or Two-Family Attached; and
- TH – Townhouse, Single-Family Residence, or Two-Family Attached.

Tracts A, B, F1, J1, & M

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Dwelling Unit
    Single-family Residence
    Two-family attached
    NOTE: Tracts A & B (along with B-1, C & D) are limited to adult senior housing (590 units - See Condition 33)
Entrance Gate and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tract B-1

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Club, Private
    Consumption on premises (LDC §34-1261 *et seq.*) Indoor and Outdoor (See Deviation 21)
    Food and beverage service, limited
    Health Club and Spa
    Parking lot, accessory
    Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
    Specialty Retail Shop, Group I
Dwelling Unit
    Single-family Residence
    Two-family attached
    NOTE: Tract B-1 (along with Tracts A, B, C & D) is limited to adult senior housing (590 units - See Condition 33)

Entrance Gate and Gatehouse
Essential Services Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tracts C, D, E, F, F1, G, H, & I

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Dwelling Unit
    Single-family Residence
        NOTE 1: Tracts C & D (along with A, B, & B1) are limited to adult senior housing (590 units - See Condition 33)
Entrance Gate and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tract J

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Dwelling Unit Conventional
    Single-family Residence
    Two-family attached
    Townhouse
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services Essential Services Facilities, Group I
Excavation, water retention

Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, in compliance with LDC Chapter 30 or as approved by deviation
Temporary uses, in compliance with §34-3041

Tract K

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Brightwater Country Club (See condition 34)
- Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor (See Deviation 21)
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use at the Brightwater Country Club

Specialty Retail Shop, Group I
Communication Tower, limited to one on the north side of Tract K at a maximum 35 feet height
Entrance Gate and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tracts E1, N, and O

Drainage Excavation, water retention
Fences/Walls
Park, Group I, limited to nature preserve/passive or active recreation (No active recreation on Tract N)

Signs (limited to existing billboard located on the southwest side of Tract O, Lake L1)
Recreation Facilities, Personal, Private on-site, limited to nature preserve or passive recreation

Parcels L-1 through L-34 (Lake Parcels)

Excavation, water retention

b) Site Development Regulations

See Exhibit B2

3. Deleted

4. Track K. The Tract K recreational area must include at a minimum: one multi-purpose field, a playground, and picnic area; or recreational water feature. Developer must provide facilities for safe passage of pedestrians/cyclists from one side of Pritchett Parkway to the other at the time of local development order, as determined by the Director of Development Services.

5. High Point Sewage Plant. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for lots located on Tract G or H, Developer must include a 30-foot-wide Type F buffer around the perimeter of the plant's property lines, excluding the access easement.

6. Tree Preservation. Common area open space must be designed to incorporate as many native heritage trees and Sabal palms as possible. Preserved trees/ relocated palms must be delineated on development order plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(j).

7. Protected Species. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of the RPD. The gopher tortoise management plan must include either a permanent fence or a continuous native shrub hedge where the gopher tortoise preserve abuts the road/park to protect tortoises from vehicular traffic and active recreation area.

   A pedestrian/bicycle trail with a maximum four-foot width is permissible within the gopher tortoise preserve located east of Tract M and south of the LCEC easement. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to

disperse from the preserve. Details of the trail and fence must be included in development order plans.

8. Open Space. Developer must provide an open space table detailing the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation with development order application. The RPD must preserve at least 100.1± acres of conservation area. If more than 500 acres is developed with residential tracts (including roads and lakes) requiring open space, the development order must delineate additional required indigenous preservation for Lee County Development Services staff approval.

9. Cypress Mulch Prohibited. Cypress mulch is prohibited in preserve areas.

10. ADA Compliance. Preserve area boardwalk width may not exceed the minimum lot width requirements set forth by the Americans with Disabilities Act.

11. Boardwalks. Boardwalks within preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. Final layout of the boardwalks must be field verified by Lee County Development Services prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. Gazebos. Construction of gazebos or viewing platforms within conservation areas is limited to no more than two structures. Each gazebo/platform may have a footprint not larger than 200 square feet.

13. Vegetation Removal. Prior to site work for recreational use that requires vegetation removal within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval of Development Services and other applicable County staff.

14. Littoral Plantings. Development order plans must include littoral planting areas in substantial compliance with the LDC. The planting area along the northern ditch expansion must also provide native wetland plants installed three feet on center.

15. Communication Tower. The Communication Tower denoted on the MCP must be of a monopole design limited to 35 foot height. The tower and associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake 1. Lake 1 is existing and does not require additional plantings. Changes to Lake 1 in Tract O requires the following within the limits of the shoreline proposed to be revised:

    a) Littoral plantings within Tract O must be calculated at one littoral plant per linear foot of lake shoreline;

b) One 10-foot-tall tree or two three-gallon shrubs may be substituted for 10 herbaceous plants;

c) Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements;

d) A minimum of two native wetland tree species and four native herbaceous plant species must be installed in Lake 1 (contained within Tract O).

17. Vegetation within Easements. The placement of required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan per LDC §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Development Services staff and other affected Division (Utilities, Zoning, etc.). If the easement is granted to an entity other than Lee County, written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Development Services staff as part of the development order. Approval from all affected parties must be obtained prior to local development order approval.

18. Bulkheads. Lake Bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries and are subject to the following conditions:

a) Development order plans must show the location of bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear feet of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

b) The development order must include a typical cross-section detail of a bulkhead and rip-rap areas on the paving, grading, and landscape plan.

19. Deleted

20. Intersection Improvements. Developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. Developer must coordinate with Lee County Department of Transportation and Florida Department of Transportation to find an acceptable improvements to the intersection that meet Florida Administrative Code (FAC) 14-97 standards.

21. Pedestrian/Bicycle Paths. Developer must construct an eight-foot-wide bicycle path or two five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Staff and Developer will determine whether portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the

southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits when there is sufficient information to make such a determination.

22. Deleted

23. Deleted

24. Agricultural Uses:

Agriculture is not approved as a permanent use in the Schedule of Uses for this property. Agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

a) Existing bona fide agricultural uses may continue until approval of a local development order for the area of the project containing those uses.

b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e. mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided title of the Office of the County Attorney.

25. Deleted

26. Popash/Bayshore Creeks Development.

a) Prior to issuance of a development order (or early work, clearing, filling permits), Developer must submit the following information for approval by the Division of Lee County Natural Resources:

1) The HEC-RAS model was based upon the absence of development within 50 feet from the top of creek bank. No development is proposed within 50 feet from top of creek bank with the exception of an at-grade walking path. If development is later proposed within 50 feet of the top of creek bank, Developer must provide an updated HEX-RAS model pursuant to the same modeling parameters established during the rezoning process for Popash and Bayshore Creeks demonstrating that the development will not induce any rise

to existing flood elevations, or any increases in velocities or transfer in overbank flows for the 10-, 25-, and 100-year storms.

2) The location and extent of the existing and proposed cross sections from the HEC-RAS model on the development order plans, as well as the defined existing top of bank/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3) All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further Certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."

4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5) Developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within the property limits. The easement may be part of any conservation easement dedicated to Lee County and the SFWMD, but must be consistent with the maintenance activities anticipated and outlined herein. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, Developer agrees to a monthly to include initial and ongoing maintenance for these creeks that must include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement areas is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property onto the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Division of Natural Resources during the platting process. The same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Homeowners Association (HOA) documents.

6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before issuance of the first development order.
7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

Popash Creek:

b) Prior to issuance of the development order (or any early work, clearing, filling permits) containing the bridge crossing, Developer must provide complete construction plans for the bridge for review and approval by the Division of Lee County Natural Resources in accordance with the following:
   1) The bridge crossing of Popash Creek must be a pole-supported structure.
   2) No more than two rows of pilings/supports are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of the flood flows and each must have a maximum dimension of twenty-four inches.
   3) The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).
   4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash Creek, unless permitted elsewhere in these conditions by the Lee County Division of Natural Resources.

Bayshore Creek:

c) All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first development order:
   1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Pritchett Parkway and within the 50-foot offset from the existing top of bank.
   2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

27. Treatment Plant Disclosure. Developer must disclose the existence, location, and operation of the sewage treatment plant to purchasers of property immediately

adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site). Agreements for the sale of property immediately adjacent to the 250-foot dimension must include the following disclosure statement. This disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

> "Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Brightwater RPD F/K/A Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."

28. Surety. The maintenance of Popash and Bayshore Creeks within the property limits as required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to the issuance of a Certificate of Compliance for the first development order for the drainage infrastructure for the project.

29. Drainage Easement. To cooperate in achieving reduction of the regional flooding problem, Developer must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. The easement is to allow the existing ditch to accept the quantity of stormwater approved pursuant to a SFWMD permit addressing the regional flooding problem.

30. Perimeter Buffers. Except as otherwise noted on the MCP, perimeter buffers around the outside of the property require 10 trees per 100 linear feet and a double staggered hedge. The hedge must be installed at 36 inches high and maintained at 60 inches high for areas annotated with Buffer Note 1 or installed at 48 inches high and a minimum of 20 feet from the property line for areas annotated with Buffer Note 2, except as modified by Deviation 18.

31. Lighting.

    a) Outdoor ballfield lights for baseball fields located on Tract K are prohibited.

    b) Outdoor recreational lighting for amenities located on Tract K or B-1 (with the exception of ballfields where lighting is prohibited) and Tract B-1 must be on timers. Lighting impacts must be measured at the boundary of Tracts K and B-1, and not at the boundary of adjacent lakes or preserve areas.

32. Future Approvals. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 2-A and Table 1(b).

33. 590 Senior Housing Units. Declaration of covenants and restrictions must be provided as an amendment to the Phase 2 development order to reflect 590 dwelling units limited to adult senior housing within Tracts A, B, B1, C & D. Amendment to this condition or relevant documentation must be considered through additional zoning process.

34. Brightwater Country Club. Brightwater Country Club consists of the building(s) and associated recreational facilities constructed in conjunction with the Brightwater Crystal Lagoon, open to members and their guests for a membership fee, and also includes daily non-resident reservation based system. Resident memberships in the Brightwater Country Club must be included in every purchase of a Brightwater home.

    a) Access to Brightwater Crystal Lagoon must be fully gated;

    b) Non-resident access to the Brightwater Country Club amenities and recreational facilities requires a reservation on a reservation portal website. Daily reservations to non-residents will be limited based upon parking availability in the parking lot adjacent to the Brightwater Country Club which will be monitored and controlled by Staff of the Brightwater Country Club;

    c) Signage is required on Pritchett Parkway to notify the public that no parking is permitted on Pritchett Parkway;

    d) The Brightwater Country Club parking lot (limited to Tract K) must provide a minimum of 180 parking spaces and a maximum of 400 parking spaces (including golf carts) of which a minimum of 33% shall be resident only spaces (including golf carts). Parking limited to Brightwater RPD residents only will be clearly marked and signed; and

    e) Golf cart parking areas are available for exclusive use of Brightwater homeowners.

35. Fill Crossing Pritchett Parkway. Developer must comply with LDC §10-329 at development order approval. Access points for fill transported across Pritchett Parkway must be limited to a single location on both sides of Pritchett Parkway. Erosion control measures for Pritchett Parkway and the crossing area must be detailed in the development order for staff approval.

36. Voluntary Enhancements.

    a) Tract E1 (±9.73 acres). Residential uses are removed from and density is transferred internal to site.

    b) Tract N (±10.37 acres). Residential uses are removed from and density is transferred internal to site.

    c) Tract O (±14.43). Residential uses are removed from and density is transferred internal to site.

    d) Tract D. Prior to construction certification of the westernmost lots abutting the Hunter's Glen property line, Developer must provide:

i) An easement to allow for Hunter's Glen's construction (at their option) of a turnaround for emergency, solid waste, and resident vehicles for the Hunter's Glen subdivision. Developer has the right (but not the obligation) to construct this improvement.

ii) An easement and stubbed water mains to allow for Hunter's Glen's construction (at their option) of fire hydrants as enhancement to Hunter's Glen subdivision fire protection. Developer has the right (but not the obligation) to construct this improvement.

e) Tract A's development order must demonstrate increased open space separation to lots (varying 35'± to 82'± setback between lot lines and perimeter) along western perimeter boundary as shown on the MCP.

f) Tract M. Prior to construction certification of easternmost lots in Tract M, Developer must provide a utility easement for Seminole Campground to allow (at their option):

i) Connection to central sewer to take the Seminole Campground WWTP off-line; and

ii) Opportunity for water main looping for increased fire protection. Developer has the right (but not the obligation) to construct this improvement.

37. Water Quality Monitoring Program. Each development order must reference the "Brightwater Site-Wide Construction Water Quality Monitoring Program" on file with case number DOS2018-00034-A01, which may be amended as needed to address current circumstances without requiring a zoning amendment.

38. Popash Creek Sidewalk. Developer must amend and demonstrate on development order plans that the constructed sidewalk within the natural waterway buffer and indigenous open space abutting Popash Creek complies with LDC §§10-415(d)(2)(d) and 10-416(d)(11)(b).

39. Development Permits. Issuance of a County development permit does not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part of the County if the developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies or (b) undertakes actions that result in a violation of state or federal law.

DEVIATIONS

1. Deviation (1) – Withdrawn

2. Deviation (2) – Withdrawn

3. Littoral Shelf. Deviation (3) seeks relief from §10-418(2)d, which requires the installation of native wetland herbaceous plants at a calculation of 25 percent of the total linear feet of shoreline multiplied by the 20-foot-wide planted littoral shelf

and divided by four to obtain two-foot-on-center spacing, and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract O lake (Lake L1).

***HEX Recommendation**:* Approve, *subject to* Condition 16

4. Deviation (4) – Withdrawn

5. Deviation (5) – Withdrawn

6. Deviation (6) – Withdrawn

7. Deviation (7) seeks relief from §10-329(d)(4), which requires excavations to be sloped at a ratio not greater than six (6) horizontal to one (1) vertical from the top of bank to a water depth of two feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads or rip rap.

HEX Recommendation: Approve, *subject to* Condition 18

8. Deviation (8) – Withdrawn

9. Deviation (9) – Withdrawn

10. Deviation (10) – Withdrawn

11. Deviation (11) – Withdrawn

12. Model Homes. Deviation (12) seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP.

HEX Recommendation: Approve

13. Model Home Parking. Deviation (13) seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces.

HEX Recommendation: Approve, *subject to* the following conditions:

a. The entrance apron into each parking lot would be paved.
b. The handicapped parking space(s) in each lot would be paved
c. The Applicant will keep the portion or the street in front of each model free from gravel or shell that may be tracked out of the model home parking area(s) by departing vehicles.

14. Subdivision Signs. Deviation (14) seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A [Developer's Name] Community," in addition to the name of the development.

HEX Recommendation: Approved, *subject to* the following condition:

The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, stamped "Received Apr 07 2003 Community Development."

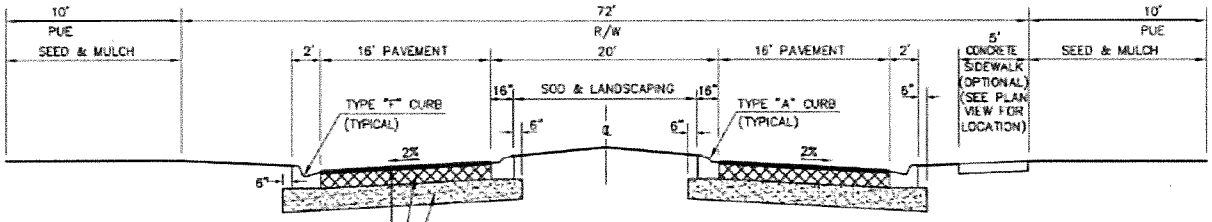
15. Entrance Sign. Deviation (15) seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30- 94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the [Community Name] project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall.

HEX Recommendation: Approved, *subject to* the following condition:

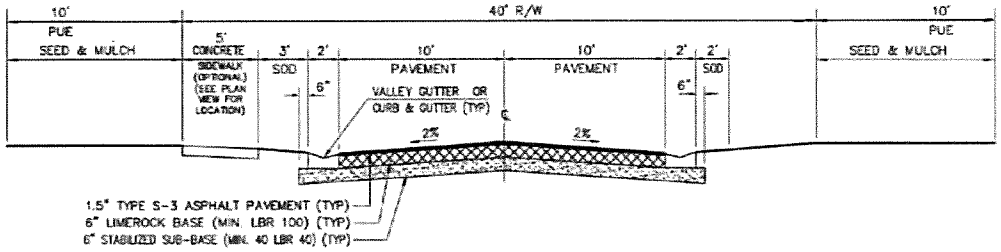
The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 stamped "Received Apr 07 2003 Community Development."

16. Deviation (16) – Withdrawn

17. Planting Strip/Pedestrian Facility. Deviation (17) seeks relief from §10-296(e)(2)h.5.ii. and iii., which require Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road, to allow internal roadways to be designed and constructed in accordance with the following cross sections approved by DOS2015-00083, as amended:



TYPICAL DIVIDED ROADWAY SECTION
ENTRY ROAD
NOT TO SCALE



TYPICAL ROADWAY SECTION
40' R/W LOCAL ROAD-20' PAVEMENT
NOT TO SCALE

***HEX Recommendation*:** Approve, *subject to* the following condition:

Developer must provide a pedestrian way along one side of all streets internal to the development and must extend each pedestrian way from intersection to intersection.

18. Waterway Buffer. Deviation (18) seeks relief from §10-416(d)(9), which requires a 50-foot-wide vegetated natural waterway buffer containing six native canopy trees and 50 native shrubs per 100 linear feet, which may be met through credits from the existing native vegetation within the waterway buffer area at a 1:1 credit ratio, to allow existing vegetation to remain to meet the buffer requirements and to allow areas to remain in their natural state if no vegetation exists with no planting plan required.

HEX Recommendation: Approve, *subject to* the following condition:

The areas at the northwestern corner of the property within the required natural waterway buffer depicted on the Master Concept Plan with annotations referencing Buffer Note 1 and Buffer Note 2 may not be planted.

19. Deviation (19) - Withdrawn

20. Street Terminus. Deviation (20) seeks relief from §10-296(k)(1), which requires dead-end streets to provide a circular turnaround, to allow a dead-end street in Tract E as shown on the MCP.

HEX Recommendation: Approve, subject to the following condition:

At the time of development order submittal, Developer must provide a letter of no objection to the dead-end roadway in Tract E from the fire department having jurisdiction.

21. Consumption on Premises. Deviation (21) seeks relief from §34-1264 to allow outdoor consumption on premises to be located 466'± feet from a dwelling unit under separate ownership.

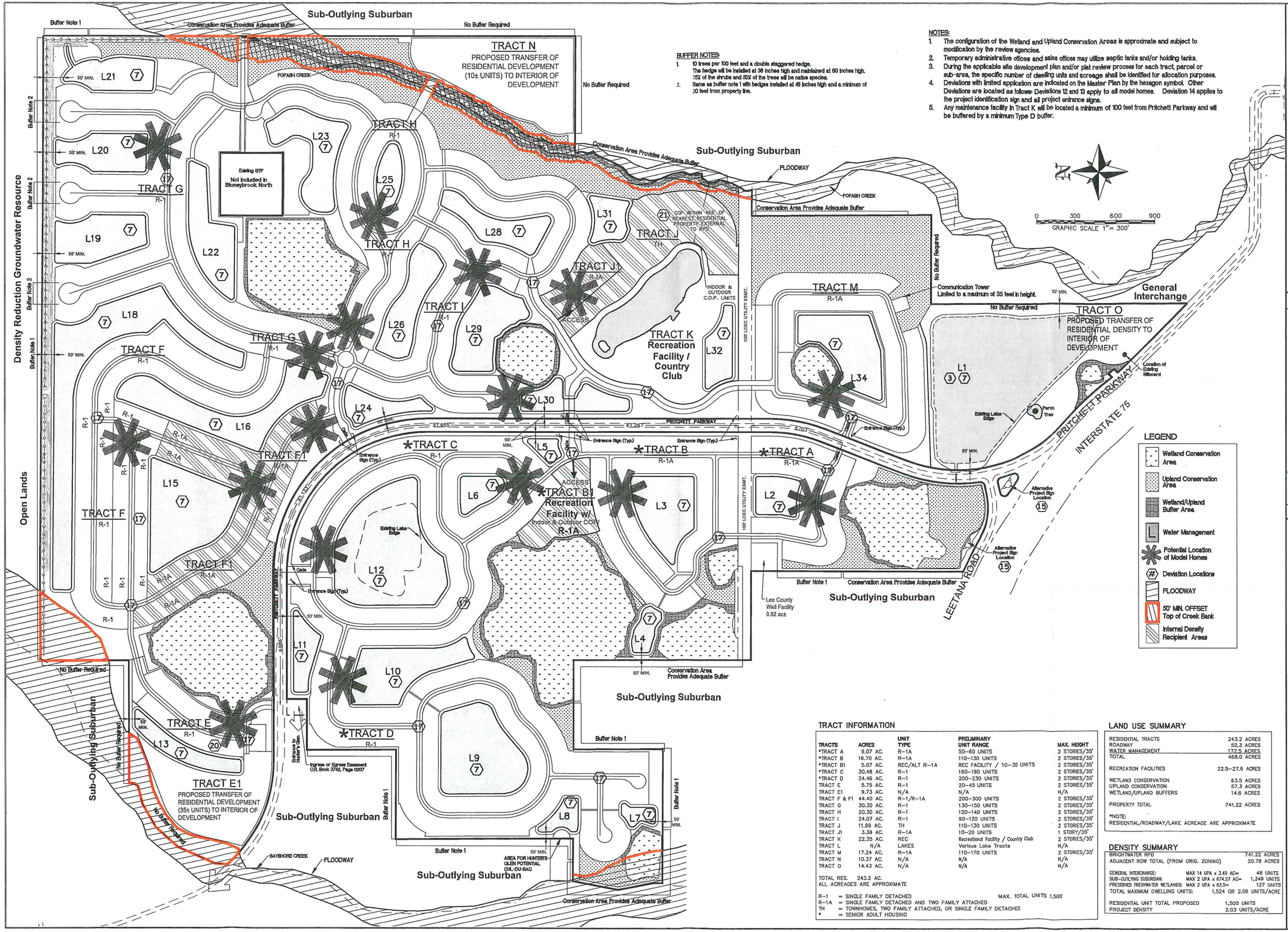
HEX Recommendation: Approve, *subject to* the following conditions:

a. This deviation is only applicable to consumption on premises in conjunction with the Brightwater Country Club use in the COP area delineated on the MCP.
b. Live music or amplified sound is prohibited on the exterior portions of Consumption on Premises area after 10PM.

Exhibits to Conditions:

B1 Brightwater RPD F/K/A, Stoneybrook North Master Concept Plan, last revised April 27, 2022

B2 Property Development Regulations



BUFFER NOTES:

1. 10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.
2. Same as buffer note 1 with hedges installed at 48 inches high and a minimum of 20 feet from property line.

NOTES:

1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Deviations with limited application are indicated on the Master Plan by the hexagon symbol. Other Deviations are located as follows: Deviations 12 and 13 apply to all model homes. Deviation 14 applies to the project identification sign and all project entrance signs.
5. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.

TRACT INFORMATION

TRACTS	ACRES	UNIT TYPE	PRELIMINARY UNIT RANGE	MAX. HEIGHT
*TRACT A	9.07 AC.	R-1A	50-60 UNITS	2 STORIES/35'
*TRACT B	16.70 AC.	R-1A	110-130 UNITS	2 STORIES/35'
*TRACT B1	5.07 AC.	REC/ALT R-1A	REC FACILITY / 10-30 UNITS	2 STORIES/35'
*TRACT C	30.48 AC.	R-1	160-190 UNITS	2 STORIES/35'
*TRACT D	24.46 AC.	R-1	200-230 UNITS	2 STORIES/35'
TRACT E	5.75 AC.	R-1	20-45 UNITS	2 STORIES/35'
TRACT E1	9.73 AC.	N/A	N/A	N/A
TRACT F & F1	44.40 AC.	R-1/R-1A	200-300 UNITS	2 STORIES/35'
TRACT G	30.30 AC.	R-1	130-150 UNITS	2 STORIES/35'
TRACT H	20.30 AC.	R-1	120-140 UNITS	2 STORIES/35'
TRACT I	24.07 AC.	R-1	90-120 UNITS	2 STORIES/35'
TRACT J	11.99 AC.	TH	110-130 UNITS	2 STORIES/35'
TRACT J1	3.38 AC.	R-1A	10-20 UNITS	1 STORY/35'
TRACT K	22.35 AC.	REC	Recreational Facility / Country Club	2 STORIES/35'
TRACT L	N/A	LAKES	Various Lake Tracts	N/A
TRACT M	17.24 AC.	R-1A	110-170 UNITS	2 STORIES/35'
TRACT N	10.37 AC.	N/A	N/A	N/A
TRACT O	14.43 AC.	N/A	N/A	N/A

TOTAL RES. 243.2 AC.
ALL ACREAGES ARE APPROXIMATE

R-1 = SINGLE FAMILY DETACHED
R-1A = SINGLE FAMILY DETACHED AND TWO FAMILY ATTACHED
TH = TOWNHOMES, TWO FAMILY ATTACHED, OR SINGLE FAMILY DETACHED
* = SENIOR ADULT HOUSING

MAX. TOTAL UNITS 1,500

LAND USE SUMMARY

RESIDENTIAL TRACTS	243.2 ACRES
ROADWAY	52.3 ACRES
WATER MANAGEMENT	172.5 ACRES
TOTAL	468.0 ACRES
RECREATION FACILITIES	22.5-27.6 ACRES
WETLAND CONSERVATION	63.5 ACRES
UPLAND CONSERVATION	57.3 ACRES
WETLAND/UPLAND BUFFERS	14.6 ACRES
PROPERTY TOTAL	741.22 ACRES

*NOTE:
RESIDENTIAL/ROADWAY/LAKE ACREAGE ARE APPROXIMATE

DENSITY SUMMARY

BRIGHTWATER RPD		741.22 ACRES
ADJACENT ROW TOTAL (FROM ORIG. ZONING)		20.78 ACRES
GENERAL INTERCHANGE:	MAX 14 UPA x 3.45 AC=	48 UNITS
SUB-OUTLYING SUBURBAN:	MAX 2 UPA x 674.27 AC=	1,349 UNITS
PRESERVED FRESHWATER WETLANDS:	MAX 2 UPA x 63.5=	127 UNITS
TOTAL MAXIMUM DWELLING UNITS:		1,524 OR 2.06 UNITS/ACRE
RESIDENTIAL UNIT TOTAL PROPOSED		1,500 UNITS
PROJECT DENSITY		2.03 UNITS/ACRE

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10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

NO.	DATE	REVISION DESCRIPTION	BY
6	4/27/2022	WITHDREW DEVIATION 19 AND ADDED DRAINAGE EASEMENTS	EMH
5	4/22/2022	REVISED TRACT J & J1	EMH
4	6/14/2021	DCI2021-00012 1ST SUFFICIENCY RESPONSE	EMH
3	3/19/2020	MODIFIED SITE LAYOUT	EMH
2	7/27/2016	MODIFIED SITE LAYOUT	EMH
1	9/27/2014	REVISED SITE LAYOUT	EMH

MASTER CONCEPT PLAN
BRIGHTWATER RPD F/K/A STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/16/2021	1447	_MCP	EMH	EMH	SWM	1"=300'	1 OF 2

EXHIBIT B-1

Sub-Outlying Suburban

Buffer Note 1

Conservation Area Provides Adequate Buffer

DRAINAGE AND MAINTENANCE EASEMENT INSTRUMENT #2020000010343

No Buffer Required

FW

TRACT N

No Buffer Required

TRACT H R-1

L21 L20 L23 L25

TRACT G R-1

L19 L22

TRACT H R-1

L28 L31

TRACT J TH

TRACT J1 R-1A

TRACT K Recreation Facility / Country Club

L18

TRACT I R-1

L26 L29 L32

TRACT G R-1

TRACT F R-1

L16 L24 L30

PRITCHETT PARKWAY

TRACT C R-1

L5

TRACT B R-1A

TRACT A R-1A

TRACT F1 R-1A

TRACT F R-1

L15

TRACT B1 Recreation Facility / R-1A

L6 L3 L2

100' LCEC EASEMENT

L12

L4

L11

L10

TRACT E R-1

L13

TRACT D R-1

L9

L8 L7

TRACT E1

Open Lands

DRAINAGE AND MAINTENANCE EASEMENT INSTRUMENT #2020000010343

Density Reduction Groundwater Resource

Buffer Note 2

Buffer Note 1

FLOODWAY

Sub-Outlying Suburban

Conservation Area Provides Adequate Buffer

Lee County Well Facility 0.92 ac±

Buffer Note 1 Conservation Area Provides Adequate Buffer

LEETANA ROAD

Communication Tower Limited to a maximum of 35 feet in height.

TRACT M R-1A

L34

L1

TRACT O

General Interchange

PRITCHETT PARKWAY

INTERSTATE 75

INSTRUMENT #2020000010343 DRAINAGE AND MAINTENANCE EASEMENT Conservation Area Provides Adequate Buffer

BUFFER NOTES:

1. 10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.
2. Same as buffer note 1 with hedges installed at 48 inches high and a minimum of 20 feet from property line.

0 300 600 900

GRAPHIC SCALE 1" = 300'

LEGEND

- Indigenous Open Space
- Other Open Space
- FW Floodway Limits

RESIDENTIAL AREA PER ZONING CONDITION 8

RESIDENTIAL TRACTS	243.2 AC
ROADWAY	52.3 AC
WATER MANAGEMENT	172.5 AC
TOTAL RESIDENTIAL	468.0 AC

OPEN SPACE SUMMARY TABLE PER ZONING CONDITION 8

	REQUIRED	PROVIDED
INDIGENOUS OPEN SPACE	100.1 AC	123.0 AC
OVERALL (INCLUDING INDIGENOUS)	187.2 AC	200.0 AC

RESIDENTIAL TRACTS: (CURRENTLY 468 ACRES) UP TO 500.0 ACRES (INCLUDING ROADS AND LAKES)
OPEN SPACE REQUIRED = 468.0 x 40% = 187.2 ACRES
INDIGENOUS OPEN SPACE REQUIRED PER CONDITION 8: 100.1 ACRES

OPEN SPACE PROVIDED: INDIGENOUS OPEN SPACE 123.0 ACRES
+ LAKES (25% MAX) 50.0 ACRES
+ OTHER OPEN SPACE 27.0 ACRES
200.0 ACRES

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SURVEY LICENSE # LB 6690
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NO.	DATE	
6	4/27/2022	WITHDREW DEVIATION 19 AND ADDED DRAINAGE EASEMENTS
5	4/22/2022	REVISED TRACT J & J1
4	4/22/2022	ADD AS PAGE 2 TO MCP
NO.	DATE	REVISION DESCRIPTION

CONCEPTUAL OPEN SPACE EXHIBIT

BRIGHTWATER RPD F/K/A STONEYBROOK NORTH

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/16/2021	1447	_MCP	EMH	EMH	SWM	1"=300'	2 OF 2

ATTACHMENT C~3

Property Development Regulations

	Minimum Lot			Minimum Setback (ft.)							Max Building height (Ft.)	Min. Bldg Separation (Ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
LAND USES	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (Ft.)*	Lots	Wetlands	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-Family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories ***	10	45
Two-Family Attached	3,500 per unit	35 per unit	100	0 or 10**	20	20	5	20	12	25	35 or 2 stories ***	10	45
Townhouse	2,000	22	80	0 or 10**	20	20	5	20	15	25	35	10	N/A
Clubhouse	20,000	80	100	10	20	20	5	20	20	25	35 or 2 stories	20	45
Accessory Recreation Buildings	N/A	N/A	N/A	N/A	20	20	N/A	N/A	N/A	N/A	35 or 1 story	20	N/A

* Applies to lots of all widths ad to corner lots. Each lot, including corner lots, will have only front yard.

† Lots located within 500 feet of the northern boundary of the project on ~~Tracts F-1 and F-3~~ F and G must be no less than 7,500 square feet in area.

**Townhouses and two-family attached must provide a minimum of 10 feet building separation where units are not adjoining.

*** Tract J1: 35 or 1-story

EXHIBIT B2

Revised April 27, 2022

Exhibit C

EXHIBITS PRESENTED AT HEARING

STAFF EXHIBITS

a. *48-Hour Notice:* Memorandum from Dirk Danley, Jr., to Amanda Rivera, Deputy Hearing Examiner, dated April 27, 2022 (multiple pages – 8.5"x11" and 11"x14")

1. *DCD Staff Report with attachments for DCI:* Prepared by Dirk Danley, Jr., Senior Planner, date stamped received April 14, 2022 (multiple pages – 8.5"x11" and 11"x14") [black and white, color]

2. *PowerPoint Presentation:* Prepared by DCD Staff, for Brightwater RPD, F/K/A Stoneybrook North, DCI2021-00012, Planned Development Amendment Request (multiple pages – 8.5"x11")[color]

3. *Memorandum:* From Anthony Rodriguez, AICP, to Amanda L. Rivera, Deputy Hearing Examiner, dated April 27, 2022, submitting Request for Director Opinion, DCI2021-00012, Brightwater RPD (2 pages – 8.5"x11"0

APPLICANT EXHIBITS

a. *48-Hour Notice:* Email from Steve Hartsell, Esq., with Pavese Law Firm, to Maria Perez, with copies to Stacy Hewitt, Betsey Jolley, and Steve Hartsell, dated Tuesday, April 26, 2022 9:08 AM (multiple pages – 8.5"x11" and 2 pages – 11"x17")[color]

1. *PowerPoint Presentation:* Prepared for Brightwater RPD Amendment, DCI2021-00012, Lee County Hearing Examiner Public Hearing, April 28, 2022 (multiple pages – 8.5"x11")[color]

2. *Property Development Regulations:* Updated Attachment C-3 (1 page – 8.5"x11")

3. *Revised Master Concept Plan:* Prepared by Banks Engineering for Brightwater RPD F/K/A Stoneybrook North, dated 8/16/2021, last revised 4/27/2022 (2 pages – 11"x17" and 2 pages – 24"x36")

4. *Traffic Impact Statement:* Prepared by TR Transportation Consultants, Inc., for Brightwater Rezoning, dated March 15, 2021 (multiple double sided pages – 8.5"x11")[color]

Case: DCI2021-00012

OTHER EXHIBITS

Shelley Traurig

1. *Photographs:* (5 pages – 8.5"x11"0[color]

Exhibit D

HEARING PARTICIPANTS

County Staff:

1. Dirk Danley, Jr.

Applicant Representatives:

1. Steve Hartsell, Esq.
2. Stacy Hewitt, AICP
3. Sam Marshall
4. Ted Treesh

Public Participants:

1. Steve Fox
2. Gandhi Gutta
3. Debbie Jackow
4. Dawn Koniecski
5. Stephanie Smith
6. Shelley Traurig

Exhibit E

INFORMATION

UNAUTHORIZED COMMUNICATIONS

The LDC prohibits communications with the Hearing Examiner or her staff on the substance of pending zoning actions. There are limited exceptions for written communications requested by the Hearing Examiner, or where the Hearing Examiner seeks advice from a disinterested expert.

HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS

A. The Hearing Examiner will provide a copy of this recommendation to the Board of County Commissioners.

B. The Board will hold a final hearing to consider the Recommendation and record made before the Hearing Examiner. The Department of Community Development will notify hearing participants of the final hearing date. Only Parties and participants may address the Board at the final hearing. Presentation by participants are limited to the substance of testimony presented to the Hearing Examiner, testimony concerning the correctness of Findings of Fact or Conclusions of Law contained in the Recommendation, or allegations of relevant new evidence not known or that could not have been reasonably discovered by the speaker at the time of the Hearing Examiner hearing.

COPIES OF TESTIMONY AND TRANSCRIPTS

A. Every hearing is recorded. Recordings are public records that become part of the case file maintained by the Department of Community Development. The case file and recordings are available for public examination Monday through Friday between 8:00 a.m. and 4:30 p.m.

B. A verbatim transcript may also be available for purchase from the court reporting service.