



RECEIVED  
DEC 15 2022

COMMUNITY DEVELOPMENT

December 5, 2022

Lee County Community Development  
Planning Section  
1500 Monroe Street  
Fort Myer, FL 33908

**RE: Cary Duke CPA  
Lee County Comprehensive Plan Amendment (Map) Application**

Dear Ms. Rozdolski:

Neal Communities of Southwest Florida, LLC ("Applicant") is proposing a large-scale Comprehensive Plan Amendment (Map) on the 788+/- acres located at 13230 N. River Road in unincorporated Lee County, Florida, generally one mile east of the SR 31 Pine Island and N River Road intersection in the Northeast Lee County/North Olga Planning Communities.

Specifically, the Applicant seeks a map change to at the property to the Future Water Service Areas Map (Map 4A) and Future Sewer Service Area Map (Map 4B).

This application is a companion application to the Cary+Duke+Povia RPD rezoning.

Enclosed please find a completed CPA application. We look forward to working with you.

Sincerely,

**RVI Planning + Landscape Architecture**

A handwritten signature in black ink, appearing to read 'Jeremy Frantz'.

**Jeremy Frantz, AICP**  
Project Director



# APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

ProjectName: Cary Duke RPD

ProjectDescription: A request to amend the Lee County Utilities Future Water Service Areas Map (Map 4A) the Lee County Utilities Future Sewer Service Areas Map (Map 4B) and to include a 788+/- acre property within the Future Water Service Area and Sewer Service Area. The request is associated with a proposed RPD Rezone to allow for a maximum of 1,099 single-family dwelling units.

Map(s) to Be Amended: Lee County Utilities Future Water Service Areas Map (Map-4A) and Future Water Service Areas Map (Map-4).

State Review Process: ☐ Small-Scale Review ☐ State Coordinated Review ☒ Expedited State Review

1. Name of Applicant: Neal Communities of Southwest Florida, Inc.

Address: 28100 Bonita Grande Dr., Suite 106

City, State, Zip: Bonita Springs, FL, 34135

Phone Number: 239-405-7366

E-mail: toak@nealcommunities.com

2. Name of Contact: Jeremy Frantz, AICP

Address: 28100 Bonita Grande Dr., Suite 305

City, State, Zip: Bonita Springs, FL, 34135

Phone Number: 239-357-9580

E-mail: jfrantz@ryiplanning.com

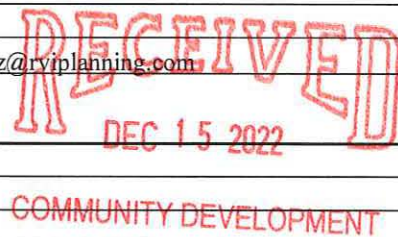
3. Owner(s) of Record: See Attached.

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_



4. Property Location:

1. SiteAddress: 13230 N River Road, Alva, FL 33920; 14406 Duke Hwy, Alva, FL 33920 & Access Undetermined

2. STRAP(s): 17-43-26-00-00001.0000; 17-43-26-01-00003.0000; 17-43-26-01-00008.0000; 17-43-26-01-00009.0000; 16-43-26-00-00001.0040; 16-43-26-00-00001.0070; 16-43-26-00-00001.0000; 17-43-26-01-00004.0000

5. Property Information:

Total Acreage of Property: 788+/- acres

Total Acreage Included in Request: 788+/- acres

Total Uplands: 718+/- acres

Total Wetlands: 70+/- acres

Current Zoning: AG-2

Current Future Land Use Category(ies): Rural & Wetlands

Area in Each Future Land Use Category: Rural = 718+/- ac

Wetlands = 70+/- ac

Existing Land Use: Agriculture / Pasture

6. Calculation of maximum allowable development under current Lee Plan:

Residential Units/Density: 1,099

Commercial Intensity: 0

Industrial Intensity: 0

**Base Density = 771 units + Rare & Unique Preservation Incentive = 328 units**

7. Calculation of maximum allowable development with proposed amendments:

Residential Units/Density: 1,099

Commercial Intensity: 0

Industrial Intensity: 0

## **Public Facilities Impacts**

NOTE: The applicant must calculate public facilities impacts based on the maximum development.

- 1. Traffic Circulation Analysis:** The analysis is intended to determine the affect of the land use change on the Financially Feasible Highway Plan Map 3A (20-year plus horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit a Traffic Impact Statement (TIS) consistent with Lee County Administrative Code (AC)13-17.
  - a. Proposals affecting less than 10 acres, where development parameters are contained within the Traffic Analysis Zone (TAZ) or zones planned population and employment, or where there is no change in allowable density/intensity, may be eligible for a TIS requirement waiver as outlined in the Lee County TIS Guidelines and AC-13-17. Identification of allowable density/intensity in order to determine socio-economic data for affected TAZ(s) must be coordinated with Lee County Planning staff. Otherwise a calculation of trip generation is required consistent with AC-13-17 and the Lee County TIS Guidelines to determine required components of analysis for:
    - i. Total peak hour trip generation less than 50 total trip ends – trip generation.
    - ii. Total peak hour trip generation from 50 to 300 total trip ends – trip generation, trip distribution and trip assignment (manual or Florida Standard Urban Transportation Modeling Structure (FSUTMS) analysis consistent with AC-13-17 and TIS Guidelines), short-term (5 year) and long-range (to current Lee Plan horizon year) segment LOS analysis of the nearest or abutting arterial and major collector segment(s) identified in the Transportation Inventory based on the trip generation and roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is recommended prior to submittal of the application to discuss use of FSUTMS, any changes to analysis requirements, or a combined CPA and Zoning TIS short term analysis.
    - iii. Total peak hour trip generation is over 300 total trip ends - trip generation, mode split, trip distribution and trip assignment (manual or FSUTMS analysis consistent with AC-13-17 and TIS Guidelines), short-term (five-year) and long-range (to current Lee Plan horizon year) segment LOS analysis of arterial and collector segments listed in the Transportation Inventory. LOS analysis will include any portion of roadway segments within an area three miles offset from the boundary of the application legal description metes and bounds survey. LOS analysis will also include any additional segments in the study area based on the roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is required prior to submittal of the application.
  - b. Map amendment - greater than 10 acres -Allowable density/intensity will be determined by Lee County Planning staff.
- 2. Provide an existing and future conditions analysis for the following (see Policy 95.1.3):**
  - a. Sanitary Sewer
  - b. Potable Water
  - c. Surface Water/Drainage Basins
  - d. Parks, Recreation, and Open Space
  - e. Public Schools

**Analysis for each of the above should include (but is not limited to) the following (see the Lee County Concurrency Management Report):**

- a. Franchise Area, Basin, or District in which the property is located
- b. Current LOS, and LOS standard of facilities serving the site
- c. Projected 2030 LOS under existing designation
- d. Projected 2030 LOS under proposed designation
- e. Existing infrastructure, if any, in the immediate area with the potential to serve the subject property
- f. Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements
- g. Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water

**In addition to the above analysis, provide the following for potable water:**

- a. Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- b. Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
- c. Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
- d. Include any other water conservation measures that will be applied to the site (see Goal 54).

**3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:**

- a. Fire protection with adequate response times
- b. Emergency medical service (EMS) provisions
- c. Law enforcement
- d. Solid Waste
- e. Mass Transit
- f. Schools

In reference to above, the applicant must supply the responding agency with the information from application items 5, 6, and 7 for their evaluation. This application must include the applicant's correspondence/request to the responding agency.

**Environmental Impacts**

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

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

**Impacts on Historic Resources**

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

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

**Internal Consistency with the Lee Plan**

1. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment or that affect the subject property. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

**State Policy Plan and Regional Policy Plan**

List State Policy Plan and Regional Policy Plan goals, strategies and actions, and policies which are relevant to this plan amendment.

**Justify the proposed amendment based upon sound planning principles**

Support all conclusions made in this justification with adequate data and analysis.

**Planning Communities/Community Plan Area Requirements**

If located within a planning community/community plan area, provide a meeting summary document of the required public informational session [Lee Plan Goal 17].



### **Sketch and Legal Description**

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

### **SUBMITTAL REQUIREMENTS**

***Clearly label all submittal documents with the exhibit name indicated below.***

***For each map submitted, the applicant will be required to submit a 24"x36" version and 8.5"x11" reduced map for inclusion in public hearing packets.***

### **MINIMUM SUBMITTAL ITEMS (3 Copies)**

<input checked="" type="checkbox"/>	Completed Application (Exhibit – M1)
<input checked="" type="checkbox"/>	Filing Fee (Exhibit – M2)
<input checked="" type="checkbox"/>	Disclosure of Interest (Exhibit – M3)
<input checked="" type="checkbox"/>	Surrounding Property Owners List, Mailing Labels, and Map For All Parcels Within 500 Feet of the Subject Property (Exhibit – M3)
<input checked="" type="checkbox"/>	Future Land Use Map - Existing and Proposed (Exhibit – M4)
<input checked="" type="checkbox"/>	Map and Description of Existing Land Uses (Not Designations) of the Subject Property and Surrounding Properties (Exhibit – M5)
<input checked="" type="checkbox"/>	Map and Description of Existing Zoning of the Subject Property and Surrounding Properties (Exhibit – M6)
<input checked="" type="checkbox"/>	Signed/Sealed Legal Description and Sketch of the Description for Each FLUC Proposed (Exhibit – M7)
<input checked="" type="checkbox"/>	Copy of the Deed(s) of the Subject Property (Exhibit – M8)
<input checked="" type="checkbox"/>	Aerial Map Showing the Subject Property and Surrounding Properties (Exhibit – M9)
<input checked="" type="checkbox"/>	Authorization Letter From the Property Owner(s) Authorizing the Applicant to Represent the Owner (Exhibit – M10)
<input checked="" type="checkbox"/>	Lee Plan Analysis (Exhibit – M11)
<input type="checkbox"/>	Environmental Impacts Analysis (Exhibit – M12) <b>N/A - No change to future land use</b>
<input checked="" type="checkbox"/>	Historic Resources Impact Analysis (Exhibit – M13)
<input checked="" type="checkbox"/>	Public Facilities Impacts Analysis (Exhibit – M14)
<input type="checkbox"/>	Traffic Circulation Analysis (Exhibit – M15) <b>N/A - No change to future land use</b>
<input checked="" type="checkbox"/>	Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools (Exhibit – M16)
<input checked="" type="checkbox"/>	Letter of Determination For the Adequacy/Provision of Existing/Proposed Support Facilities - Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit, Schools (Exhibit – M17)
<input checked="" type="checkbox"/>	State Policy Plan and Regional Policy Plan (Exhibit – M18)
<input checked="" type="checkbox"/>	Justification of Proposed Amendment (Exhibit – M19)
<input checked="" type="checkbox"/>	Planning Communities/Community Plan Area Requirements (Exhibit – M20)

### **APPLICANT – PLEASE NOTE:**

Once staff has determined the application is sufficient for review, 15 complete copies will be required to be submitted to staff. These copies will be used for Local Planning Agency hearings, Board of County Commissioners hearings, and State Reviewing Agencies. Staff will notify the applicant prior to each hearing or mail out to obtain the required copies.

If you have any questions regarding this application, please contact the Planning Section at (239)533-8585.

AFFIDAVIT

I, TIMOTHY OAK, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

[Signature]

Signature of Applicant

12/2/22

Date

TIMOTHY OAK  
Printed Name of Applicant

STATE OF FLORIDA  
COUNTY OF LEE

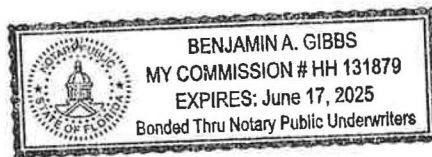
The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ onlinenotarization on December 2<sup>nd</sup>, 2022 (date) by (name of person providing oath or affirmation), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

[Signature]

Signature of Notary Public

Benjamin Gibbs

(Name typed, printed or stamped)



## ADDITIONAL AGENTS

Company Name:	Pavese Law Firm		
Contact Person:	Steve Hartsell		
Address:	1833 Hendry Street		
City, State, Zip:	Fort Myers, FL 33901		
Phone Number:	(239) 336-6244	Email:	Stevehartsell@paveselaw.com

Company Name:	Passarella & Associates, Inc.		
Contact Person:	Brett Bartek		
Address:	13620 Metropolis Avenue, Suite 200		
City, State, Zip:	Fort Myers, FL 33912		
Phone Number:	(239) 274-0067	Email:	brettb@passarella.net

Company Name:	Rhodes and Rhodes Land Surveying, Inc.		
Contact Person:	Edward Cieslak		
Address:	28100 Bonita Grande Dr., Suite 107		
City, State, Zip:	Bonita Springs, FL 34135		
Phone Number:	(239) 405-8166	Email:	edward@rhodesandrhodes.net

Company Name:	JR Evans Engineering, P.A.		
Contact Person:	Brandon Frey P.E.		
Address:	9351 Corkscrew Road, Suite 102		
City, State, Zip:	Estero, FL 33928		
Phone Number:	(239) 405-9148	Email:	brandon@jreeng.com

Company Name:	TR Transportation Engineering, Inc.		
Contact Person:	Yury Bykau, P.E.		
Address:	2726 Oak Ridge Court, Suite 503		
City, State, Zip:	Fort Myers, FL, 33901		
Phone Number:	(239) 278-3090	Email:	yury@trtrans.net

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

**DISCLOSURE OF INTEREST  
AFFIDAVIT**

BEFORE ME this day appeared G. Keith Cary, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 17-43-26-00-00001.0000; 17-43-26-01-00003.0000; 17-43-26-01-00009.0000; 16-43-26-00-00001.0040; 17-43-26-01-00004.0000; 16-43-26-00-00001.0070 and is the subject of an Application for zoning action (hereinafter the "Property").

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

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

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

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

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

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

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



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

X *G. Keith Cary*  
Property Owner  
G. Keith Cary  
Print Name

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

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on 07 Dec 2022 (date) by G. KEITH CARY (name of person providing oath or affirmation), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

STAMP/SEAL



CYNTHIA L. TRAMMELL  
Commission # HH 322224  
Expires November 20, 2026

*Cynthia L. Trammell*  
Signature of Notary Public



**DISCLOSURE OF INTEREST  
AFFIDAVIT**

BEFORE ME this day appeared Mary Ellen Povia, who, being first duly sworn and deposited says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 16-43-26-00-00001.0000 and is the subject of an Application for zoning action (hereinafter the "Property").

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

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

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

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

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

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

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

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

Mary Ellen Povia  
Property Owner

MARY ELLEN POVIA  
Print Name

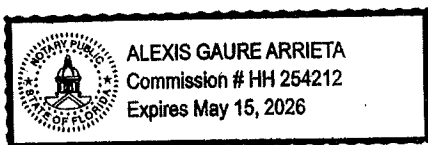
\*\*\*\*\*NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS\*\*\*\*\*  
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on 12/5/22 (date) by Mary Ellen Povia (name of person providing oath or affirmation), who is personally known to me or who has produced FL Drivers License (type of identification) as identification. P100-586-45-842-0

STAMP/SEAL

Alexis Gaure Arrieta  
Signature of Notary Public



**DISCLOSURE OF INTEREST  
AFFIDAVIT**

BEFORE ME this day appeared Raymond E. & Kathy Harnley who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 17-43-26-01-00008.0000 and is the subject of an Application for zoning action (hereinafter the "Property").

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

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

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

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

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

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

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

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

Kathy R Harney  
Property Owner

RAYMOND E. & KATHY R HARNEY  
Print Name

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

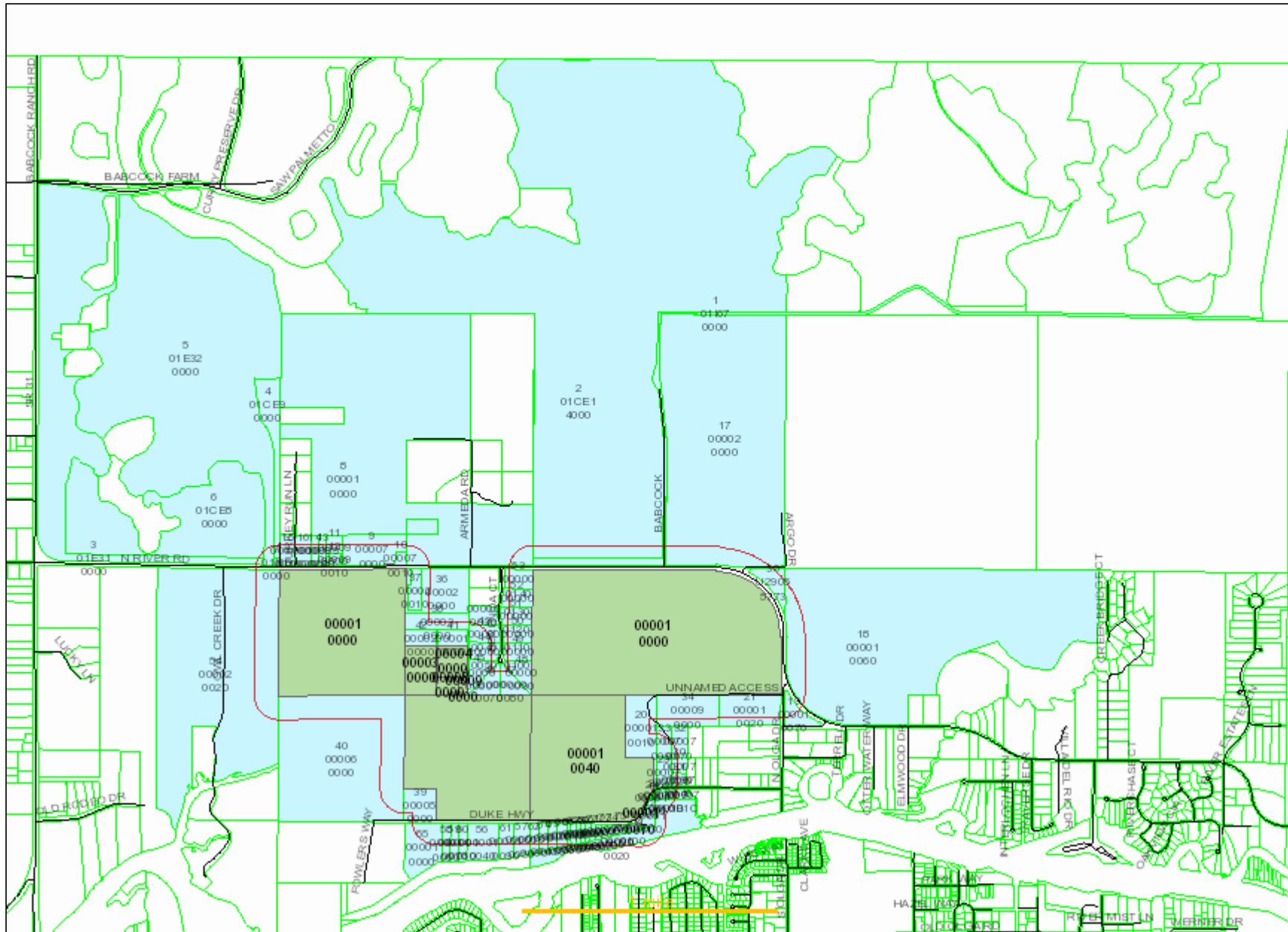
STATE OF FLORIDA ~~WASHINGTON~~  
COUNTY OF ~~LEE~~ SNOHOMISH

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on December 5<sup>th</sup>, 2022 (date) by Raymond and Kathy Harney (name of person providing oath or affirmation), who is personally known to me or who has produced Driver License (type of identification) as identification.

STAMP/SEAL



[Signature]  
Signature of Notary Public



Date of Report: December 05, 2022

Buffer Distance:  feet

Parcels Affected: 77

[Click here to download the map image, mailing labels \(Avery 5161\) and CSV formatted information.](#)



Subject Parcels:

**16-43-26-00-00001.0000, 16-43-26-00-00001.0040, 16-43-26-00-00001.0070, 17-43-26-00-00001.0000, 17-43-26-01-00003.0000, 17-43-26-01-00004.0000, 17-43-26-01-00008.0000, 17-43-26-01-00009.0000**

To change, add or remove subject parcels please change the parcel selection in [GeoView](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
BABCOCK PROPERTY HOLDINGS LLC KITSON AND PARTNERS 4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418	<b>03-43-26-L4-01I67.0000</b> ACCESS UNDETERMINED ALVA FL 33920	BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1 AS DESC IN INSTRUMENT 2022000234859 TRACT I-67	1
BABCOCK PROPERTY HOLDINGS LLC KITSON AND PARTNERS 4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418	<b>04-43-26-L4-01CE1.4000</b> ACCESS UNDETERMINED ALVA FL 33920	BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1 AS DESC IN INSTRUMENT 2022000234859 TRACT CE-14	2
BABCOCK PROPERTY HOLDINGS LLC KITSON AND PARTNERS 4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418	<b>07-43-26-L1-01E31.0000</b> ACCESS UNDETERMINED ALVA FL 33920	BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1 AS DESC IN INSTRUMENT 2022000234859 TRACT E-31	3
BABCOCK PROPERTY HOLDINGS LLC KITSON AND PARTNERS 4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418	<b>07-43-26-L2-01CE9.0000</b> ACCESS UNDETERMINED ALVA FL 33920	BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1 AS DESC IN INSTRUMENT 2022000234859 TRACT CE-9	4
BABCOCK PROPERTY HOLDINGS LLC KITSON AND PARTNERS 4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418	<b>07-43-26-L2-01E32.0000</b> ACCESS UNDETERMINED ALVA FL 33920	BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1 AS DESC IN INSTRUMENT 2022000234859 TRACT E-32	5
BABCOCK PROPERTY HOLDINGS LLC KITSON AND PARTNERS 4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418	<b>07-43-26-L3-01CE8.0000</b> ACCESS UNDETERMINED ALVA FL 33920	BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1 AS DESC IN INSTRUMENT 2022000234859 TRACT CE-8	6
BABCOCK PROPERTY HOLDINGS LLC KITSON AND PARTNERS	<b>07-43-26-L3-01I68.0000</b> ACCESS UNDETERMINED ALVA FL 33920	BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1 AS DESC IN INSTRUMENT	7

4500 PGA BLVD STE 400 PALM BEACH GARDENS FL 33418		2022000234859 TRACT I-68	
ARMEDA FAMILY LLC 19440 ARMEDA RD ALVA FL 33920	<b>08-43-26-00-00001.0000</b> 19551 ARMEDA RD ALVA FL 33920	PARL IN SEC 8 AS DESC IN OR 1134 PG 0362	8
SNELL FRANK A TR 1470 ROYAL PALM SQ BLVD FORT MYERS FL 33919	<b>08-43-26-00-00007.0000</b> 13341 N RIVER RD ALVA FL 33920	S 1/2 OF SE 1/4 OF SW 1/4 + S1/2 OF NW1/4 OF SW1/4 OF SE1/4 LESS OR 1285 1967	9
SNELL FRANK A TR 1470 ROYAL PALM SQ BLVD FORT MYERS FL 33919	<b>08-43-26-00-00007.0010</b> 13441 N RIVER RD ALVA FL 33920	PARL IN SW 1/4 OF SE 1/4 AS DESC IN OR 1285 PG 1967	10
SUMMERALL CAROLYN + 13201 N RIVER RD ALVA FL 33920	<b>08-43-26-00-00009.0000</b> 13201 N RIVER RD ALVA FL 33920	E 1/2 OF SW 1/4 OF SW 1/4 OF SW 1/4 LESS 2018000023968	11
SUMMERALL CAROLYN + 13201 N RIVER RD ALVA FL 33920	<b>08-43-26-00-00009.0010</b> 13181 N RIVER RD ALVA FL 33920	E 288.13 OF S 276.11 OF SW 1/4 OF SW 1/4 OF SW 1/4 LESS E 50 FT + ROW	12
LEE AMANDA & 13161 N RIVER RD ALVA FL 33920	<b>08-43-26-00-00009.0020</b> 13161 N RIVER RD ALVA FL 33920	W 1/2 OF SE 1/4 OF SW 1/4 OF SW 1/4 LESS THE W 140 FT	13
SUMMERALL RANDALL C 13131 N RIVER RD ALVA FL 33920	<b>08-43-26-00-00009.002A</b> 13131 N RIVER RD ALVA FL 33920	THE W 140 FT OF W 1/2 OF SE 1/4 OF SW 1/4 OF SW 1/4	14
ONEILL MICHAEL 13033 N RIVER RD ALVA FL 33920	<b>08-43-26-00-00010.0010</b> 13033 N RIVER RD ALVA FL 33920	W 1/2 OF S W 1/4 OF S W 1/4 OF S W 1/4 DESC IN OR 1432 PG 635	15
PIPKINS DAVID S & 19100 TURKEY RUN LN ALVA FL 33920	<b>08-43-26-00-00010.0020</b> 19100 TURKEY RUN LN ALVA FL 33920	E1/2 OF SW1/4 OF SW1/4 OF SW1/4 DESC IN OR 1505 PG 1868	16
LEE COUNTY CONSERVATION 2020 PO BOX 398 FORT MYERS FL 33902	<b>09-43-26-00-00002.0000</b> N RIVER RD ALVA FL 33920	E PART OF SEC LYING E OF LINE DESC IN DB 279 PG 68 + DB 308 PG 530 LESS S 60 FT OF E 60 FT + LESS OR 439 PG 715	17
TELEGRAPH CREEK CATTLE CO LLC 10660 DEAL RD NORTH FORT MYERS FL 33917	<b>15-43-26-00-00001.0060</b> ACCESS UNDETERMINED ALVA FL	N 1/2 OF SEC + N 1/2 OF N 1/2 OF S 1/2 SEC 15 + W 1/2 OF W1/2 SEC14 LYING N OF C/L OF CREEK LESS RD R/W + LESS OR1233/994 + LESS INST#2007000060354 + 2008000119140	18

		+ TRIANGULAR PARL DESC IN OR 4503/4670	
STEVE D SMITH 360 LLC 15000 N RIVER RD ALVA FL 33920	<b>15-43-26-00-00001.0070</b> 15000 N RIVER RD ALVA FL 33920	PARL LYING IN W 1/2 OF W 1/2 LYING SWLY OF N RIVER RD + LYING N OF OLGA DR + E OF N OLGA RD AS DESC IN OR 4503 PG 4670	19
CARY GLENN KEITH & PO BOX 718 FORT MYERS FL 33902	<b>16-43-26-00-00001.0010</b> 18451 N OLGA DR ALVA FL 33920	SW 1/4 LESS PARCEL 1.003 DESC IN INST 2006-281030 LYING N OF R/W OR 2026/2985	20
CARY LAND COMPANY LLC PO BOX 718 FORT MYERS FL 33902	<b>16-43-26-00-00001.0020</b> 18401 N OLGA DR ALVA FL 33920	N 1/2 OF NE 1/4 OF SE 1/4	21
MAY RANDALL M 14410 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00001.0030</b> 14410 DUKE HWY ALVA FL 33920	A PARL IN SW 1/4 OF SEC AS DESC IN OR 484 PG 407	22
WALDRON ROBERT LYLE II & 14560 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00001.0050</b> 14500 DUKE HWY ALVA FL 33920	SW 1/4 LESS PARCEL 1.003 DESC IN INST 2006-281030 LYING S OF R/W OR 2026/2985	23
WALDRON ROBERT LYLE II & 14560 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00001.0060</b> 14450 DUKE HWY ALVA FL 33920	PARL LOC IN SW 1/4 LYING S OF R/W DESC IN OR 2026/2985 LESS 1.0030 + 0070	24
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH FL 33416	<b>16-43-26-00-00006.0020</b> DUKE HWY ALVA FL 33920	S 471FT OF SW 1/4 OF SE 1/4 LYING W OF CRK SEC 16 + N 1/2 OF N 1/2 OF SEC 21 LYING N OF RIVER DESC IN OR 50 PG 414 + OR 53 PG 214 + OR 17 PG 80	25
WALDRON ROBERT LYLE II & 14560 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00007.0010</b> 14560 DUKE HWY ALVA FL 33920	PARL IN SE 1/4 OF SEC 16 S OF DUKE HWY E OF CREEK DESC OR 2132/1948 AKA TR A	26
RONCO LAWRENCE G & CARLA D 14600 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00007.001B</b> 14600 DUKE HWY ALVA FL 33920	PARL IN SE 1/4 SEC 16 S OF DUKE HWY E OF CREEK DESC OR 1982/2816 AKA TR B	27
MOON CHRISTOPHER G & 1460 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00007.001C</b> 14640 DUKE HWY ALVA FL 33920	PARL IN SE 1/4 SEC 16 S OF DUKE HWY E OF CREEK DESC IN OR 1982 PG 2819	28

ALGER THERESA HEYDEN + 14561 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00007.0020</b> 14561 DUKE HWY ALVA FL 33920	W 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4 LESS R/W OR 2026/2986	29
REDFERN W E JR & 14651 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00007.0030</b> 14651 DUKE HWY ALVA FL 33920	NE 1/4 OF NW 1/4 OF SW 1/4 OF SE 1/4 + E 10' OF SE 1/4 OF NW 1/4 OF SW 1/4 OF SE 1/4 AS DESC IN OR1348 PG 470	30
ALLEN SUSAN L & 14641 DUKE HWY ALVA FL 33920	<b>16-43-26-00-00007.0040</b> 14641 DUKE HWY ALVA FL 33920	SE 1/4 OF NW 1/4 OF SW 1/4 OF SE 1/4 FR 16-43-26-00-00007.0000 LESS R/W OR 2026/2985	31
CARY LAND COMPANY LLC PO BOX 718 FORT MYERS FL 33902	<b>16-43-26-00-00007.0070</b> ACCESS UNDETERMINED ALVA FL	E 1/2 OF SW 1/4 OF NW 1/4	32
CARY JASON COLE + PO BOX 718 FORT MYERS FL 33902	<b>16-43-26-00-00007.0090</b> 18471 N OLGA DR ALVA FL 33920	W 1/2 SW 1/4 OF NW 1/4 OF SE 1/4	33
CARY LAND COMPANY LLC PO BOX 718 FORT MYERS FL 33902	<b>16-43-26-00-00009.0000</b> 18431 N OLGA DR ALVA FL 33920	N 1/2 OF NW 1/4 OF SE 1/4	34
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	<b>16-43-26-L2-U2905.5773</b> ACCESS UNDETERMINED ALVA FL 33920	N 1/2 SEC 16 TWN 43 RG 26 INSTRUMENT 2021000316566 PARCELS 1 + 2 + FORMER FDOT ROW	35
VAN HORNE SUZANNE L + 13630 N RIVER RD ALVA FL 33920	<b>17-43-26-00-00002.0000</b> 13630 N RIVER RD ALVA FL 33920	N 3/4 OF NW 1/4 OF NE 1/4 LESS RD R/W + LESS INST#2008000262414	36
EDWARDS DAVE & ANNA M + 13620 N RIVER RD ALVA FL 33920	<b>17-43-26-00-00002.0010</b> 13620 N RIVER RD ALVA FL 33920	PARL LYING IN N 3/4 OF NW 1/4 OF NE 1/4 AS DESC IN INST#2008000262414	37
CARY GLENN KEITH & PO BOX 718 FORT MYERS FL 33902	<b>17-43-26-00-00003.0000</b> ACCESS UNDETERMINED ALVA FL	S 1/2 OF S 1/2 OF NW 1/4 OF NE 1/4	38
WOODS D DENNIS 14120 DUKE HWY ALVA FL 33920	<b>17-43-26-00-00005.0000</b> 13591 DUKE HWY ALVA FL 33920	SW 1/4 OF SW 1/4 OF SE 1/4 LESS R/W OR 2026/2985	39

NORTH RIVER COMMUNITIES LLC 9990 COCONUT RD STE 200 BONITA SPRINGS FL 34135	<b>17-43-26-00-00006.0000</b> 13231 DUKE HWY ALVA FL 33920	SW 1/4 LESS R/W OR 2026/2985	40
CARY LAND COMPANY LLC PO BOX 718 FORT MYERS FL 33902	<b>17-43-26-01-00001.0000</b> ACCESS UNDETERMINED ALVA FL	HARTS P JOHN SUBD PB 3 PG 7 LOT 1	41
CARY LAND COMPANY LLC PO BOX 718 FORT MYERS FL 33902	<b>17-43-26-01-00002.0000</b> ACCESS UNDETERMINED ALVA FL	HARTS P JOHN SUBD PB 3 PG 7 LOT 2	42
BORCHERING BARRY C & 18901 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0040</b> 18901 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 4	43
SUSHIL HARLY M & KATELYN M 18871 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0050</b> 18871 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 5	44
LANDGRAF JAMES E TR 18841 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0060</b> 18831/41 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 6	45
OCONNELL DENIS J JR & 18811 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0070</b> 18811 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 7	46
TILTON ANDREW DOUGLAS 18810 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0080</b> 18810 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 8	47
DYER JOHN F 18840 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0090</b> 18840 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 9	48
YATES DONALD C & KIMBERLY K 18870 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0100</b> 18870 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 10	49
GUGEL RITA NACKEN 18900 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0110</b> 18900 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 11	50
SANDERFORD R D & 18930 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0120</b> 18930 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 12	51



CUTSHALL PAUL L JR & 18950/60 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0130</b> 18950/60 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 13	52
PHILLIPS DENNIS J & 18990 SERENOA CT ALVA FL 33920	<b>17-43-26-02-00000.0140</b> 18990 SERENOA CT ALVA FL 33920	NORTH RIVER OAKS PB 34 PG 102 LOT 14	53
TALON VENTURES LLC 10 WIMBLEDON CT FRISCO TX 75034	<b>18-43-26-00-00002.0020</b> 12850 N RIVER RD ALVA FL 33920	E1/2 OF SEC 18 N OF TROUT CREEK LESS OR1100/642 + PORT IN GOVT LOT 2 OF SEC 19 LESS INST#2006-467705	54
HARNEY RAYMOND E TR 20311 8TH DR SE BOTHELL WA 98012	<b>20-43-26-00-00001.0000</b> 13638 DUKE HWY ALVA FL 33920	PARL IN NE 1/4 AS DESC IN OR 1227 PG 1185	55
MILLER ALBERT N JR TR 5351 CAPTAINS CT NEW PORT RICHEY FL 34652	<b>20-43-26-00-00001.0040</b> 13808 DUKE HWY ALVA FL 33920	W 1/2 OF NE 1/4 OF NE 1/4 LESS PAR 1.001 + RD R/W	56
CARY GLENN KEITH & PO BOX 718 FORT MYERS FL 33902	<b>20-43-26-00-00001.0050</b> 13910 DUKE HWY ALVA FL 33920	TH E 1/2 OF TH E 1320 FT OF GOVT LOT 1 LYING N OF C + F S CONTROL DIST LESS THE W 330 FT	57
HINCKLEY JESSICA & 13705 FARMER ROAD PALMETTO BAY FL 33158	<b>20-43-26-00-00001.0060</b> 13714 DUKE HWY ALVA FL 33920	W 517 FT OF E 1837 FT LYG N OF C + FSC DIST N OF RVR	58
FERNANDEZ FAMILY TRUST + 8584 PEGASUS DR LEHIGH ACRES FL 33971	<b>20-43-26-00-00001.0070</b> 13746 DUKE HWY ALVA FL 33920	PARL LOC IN GOVT LOT 1 AS DESC IN OR 2906 PG 1605	59
FEELEY TODD S + 14180 DUKE HWY ALVA FL 33920	<b>20-43-26-00-00001.0080</b> 13778 DUKE HWY ALVA FL 33920	PARL LOC IN GOVT LOT 1 AS DESC IN OR 2906 PG 1608	60
CARY LAND COMPANY LLC PO BOX 718 FORT MYERS FL 33902	<b>20-43-26-00-00001.0090</b> 13860 DUKE HWY ALVA FL 33920	TH E 1/2 OF TH E 1320 FT OF GOVT LOT 1 LESS THE E 330FT LYING N OF C + F S CONTROL DIST	61
FIELDS WILLIAM T & 14080 DUKE HWY ALVA FL 33920	<b>21-43-26-00-00001.0000</b> 14080 DUKE HWY ALVA FL 33920	PARL IN GOV LOT 5 DESC OR 2029 PG 46	62

WOODS D DENNIS & DEBRA L 65663 HESS RD EDWARDSBURG MI 49112	<b>21-43-26-00-00001.0030</b> 14120 DUKE HWY ALVA FL 33920	PARL IN GOV LOT 5 AS DESC OR 2029 PG 55	63
MBS DEVELOPMENT COMPANY LTD 7685 FIELDS ERTEL RD CINCINNATI OH 45241	<b>21-43-26-00-00001.0040</b> 14100 DUKE HWY ALVA FL 33920	PARL IN GOV LOT 5 DESC OR 2029 PG 44	64
MOYER DONALD J JR 14130 DUKE HWY ALVA FL 33920	<b>21-43-26-00-00001.0050</b> 14130 DUKE HWY ALVA FL 33920	PARL IN GOV LOT 5 DESC OR 2029 PG 53	65
ADAMS HUGH M III & 14150 DUKE HWY ALVA FL 33920	<b>21-43-26-00-00002.0000</b> 14150 DUKE HWY ALVA FL 33920	E 80 FT OF W 860 FT N OF CSFFC IN NW 1/4 OF NW 1/4	66
GILLONS RYAN & MELISSA 1151 E WOODLAWN AVE HASTINGS MI 49058	<b>21-43-26-12-00000.0010</b> 14160 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 1	67
DONNAHOE BARBARA T TR 14180 DUKE HWY ALVA FL 33920	<b>21-43-26-12-00000.0020</b> 14180 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 2	68
MCNEILL ROBERT N & ELAINE C TR 14200 DUKE HWY ALVA FL 33920	<b>21-43-26-12-00000.0030</b> 14200 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 3	69
BANFER ELIZABETH TR 14220 DUKE HWY ALVA FL 33920	<b>21-43-26-12-00000.0040</b> 14220 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 4	70
STANCEL WILLIAM R & STE 11 13723 JETPORT COMMERCE WAY FORT MYERS FL 33913	<b>21-43-26-12-00000.0050</b> 14240 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 5	71
LONGFELLOW ROBERT M 14260 DUKE HWY ALVA FL 33920	<b>21-43-26-12-00000.0060</b> 14260 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 6	72
DURLING KEITH O 14280 DUKE HWY ALVA FL 33920	<b>21-43-26-12-00000.0070</b> 14280 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 7	73
DURLING RICHARD F 14300 DUKE HWY ALVA FL 33920	<b>21-43-26-12-00000.0080</b> 14300 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 8	74

PRITCHETT R H III & LYNNE R PO BOX 2148 FORT MYERS FL 33902	<b>21-43-26-12-00000.0090</b> 14350 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 9	75
PRITCHETT RICHARD H III & PO BOX 2148 FORT MYERS FL 33902	<b>21-43-26-12-00000.0100</b> 14400 DUKE HWY ALVA FL 33920	RIVER RIDGE S/D PB 42 PG 76 LOT 10	76

BABCOCK PROPERTY HOLDINGS LLC  
KITSON AND PARTNERS  
4500 PGA BLVD STE 400  
PALM BEACH GARDENS FL 33418

BABCOCK PROPERTY HOLDINGS LLC  
KITSON AND PARTNERS  
4500 PGA BLVD STE 400  
PALM BEACH GARDENS FL 33418

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4500 PGA BLVD STE 400  
PALM BEACH GARDENS FL 33418

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4500 PGA BLVD STE 400  
PALM BEACH GARDENS FL 33418

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KITSON AND PARTNERS  
4500 PGA BLVD STE 400  
PALM BEACH GARDENS FL 33418

BABCOCK PROPERTY HOLDINGS LLC  
KITSON AND PARTNERS  
4500 PGA BLVD STE 400  
PALM BEACH GARDENS FL 33418

ARMEDA FAMILY LLC  
19440 ARMEDA RD  
ALVA FL 33920

SNELL FRANK A TR  
1470 ROYAL PALM SQ BLVD  
FORT MYERS FL 33919

SNELL FRANK A TR  
1470 ROYAL PALM SQ BLVD  
FORT MYERS FL 33919

SUMMERALL CAROLYN +  
13201 N RIVER RD  
ALVA FL 33920

SUMMERALL CAROLYN +  
13201 N RIVER RD  
ALVA FL 33920

LEE AMANDA &  
13161 N RIVER RD  
ALVA FL 33920

SUMMERALL RANDALL C  
13131 N RIVER RD  
ALVA FL 33920

ONEILL MICHAEL  
13033 N RIVER RD  
ALVA FL 33920

PIPKINS DAVID S &  
19100 TURKEY RUN LN  
ALVA FL 33920

LEE COUNTY  
CONSERVATION 2020  
PO BOX 398  
FORT MYERS FL 33902

TELEGRAPH CREEK CATTLE CO LLC  
10660 DEAL RD  
NORTH FORT MYERS FL 33917

STEVE D SMITH 360 LLC  
15000 N RIVER RD  
ALVA FL 33920

CARY GLENN KEITH &  
PO BOX 718  
FORT MYERS FL 33902

CARY LAND COMPANY LLC  
PO BOX 718  
FORT MYERS FL 33902

MAY RANDALL M  
14410 DUKE HWY  
ALVA FL 33920

WALDRON ROBERT LYLE II &  
14560 DUKE HWY  
ALVA FL 33920

WALDRON ROBERT LYLE II &  
14560 DUKE HWY  
ALVA FL 33920

SOUTH FLA WATER MGMT DIST  
LAND MANAGEMENT  
PO BOX 24680  
WEST PALM BEACH FL 33416

WALDRON ROBERT LYLE II &  
14560 DUKE HWY  
ALVA FL 33920

RONCO LAWRENCE G & CARLA D  
14600 DUKE HWY  
ALVA FL 33920

MOON CHRISTOPHER G &  
1460 DUKE HWY  
ALVA FL 33920

ALGER THERESA HEYDEN +  
14561 DUKE HWY  
ALVA FL 33920

REDFERN W E JR &  
14651 DUKE HWY  
ALVA FL 33920

ALLEN SUSAN L &  
14641 DUKE HWY  
ALVA FL 33920

CARY LAND COMPANY LLC  
PO BOX 718  
FORT MYERS FL 33902

CARY JASON COLE +  
PO BOX 718  
FORT MYERS FL 33902

CARY LAND COMPANY LLC  
PO BOX 718  
FORT MYERS FL 33902

LEE COUNTY  
PO BOX 398  
FORT MYERS FL 33902

VAN HORNE SUZANNE L +  
13630 N RIVER RD  
ALVA FL 33920

EDWARDS DAVE & ANNA M +  
13620 N RIVER RD  
ALVA FL 33920

CARY GLENN KEITH &  
PO BOX 718  
FORT MYERS FL 33902

WOODS D DENNIS  
14120 DUKE HWY  
ALVA FL 33920

NORTH RIVER COMMUNITIES LLC  
9990 COCONUT RD STE 200  
BONITA SPRINGS FL 34135



CARY LAND COMPANY LLC  
PO BOX 718  
FORT MYERS FL 33902

CARY LAND COMPANY LLC  
PO BOX 718  
FORT MYERS FL 33902

BORCHERING BARRY C &  
18901 SERENOA CT  
ALVA FL 33920

SUSHIL HARLY M & KATELYN M  
18871 SERENOA CT  
ALVA FL 33920

LANDGRAF JAMES E TR  
18841 SERENOA CT  
ALVA FL 33920

OCONNELL DENIS J JR &  
18811 SERENOA CT  
ALVA FL 33920

TILTON ANDREW DOUGLAS  
18810 SERENOA CT  
ALVA FL 33920

DYER JOHN F  
18840 SERENOA CT  
ALVA FL 33920

YATES DONALD C & KIMBERLY K  
18870 SERENOA CT  
ALVA FL 33920

GUGEL RITA NACKEN  
18900 SERENOA CT  
ALVA FL 33920

SANDERFORD R D &  
18930 SERENOA CT  
ALVA FL 33920

CUTSHALL PAUL L JR &  
18950/60 SERENOA CT  
ALVA FL 33920

PHILLIPS DENNIS J &  
18990 SERENOA CT  
ALVA FL 33920

TALON VENTURES LLC  
10 WIMBLEDON CT  
FRISCO TX 75034

HARNEY RAYMOND E TR  
20311 8TH DR SE  
BOTHELL WA 98012

MILLER ALBERT N JR TR  
5351 CAPTAINS CT  
NEW PORT RICHEY FL 34652

CARY GLENN KEITH &  
PO BOX 718  
FORT MYERS FL 33902

HINCKLEY JESSICA &  
13705 FARMER ROAD  
PALMETTO BAY FL 33158

FERNANDEZ FAMILY TRUST +  
8584 PEGASUS DR  
LEHIGH ACRES FL 33971

FEELEY TODD S +  
14180 DUKE HWY  
ALVA FL 33920

CARY LAND COMPANY LLC  
PO BOX 718  
FORT MYERS FL 33902

FIELDS WILLIAM T &  
14080 DUKE HWY  
ALVA FL 33920

WOODS D DENNIS & DEBRA L  
65663 HESS RD  
EDWARDSBURG MI 49112

MBS DEVELOPMENT COMPANY LTD  
7685 FIELDS ERTTEL RD  
CINCINNATI OH 45241

MOYER DONALD J JR  
14130 DUKE HWY  
ALVA FL 33920

ADAMS HUGH M III &  
14150 DUKE HWY  
ALVA FL 33920

GILLONS RYAN & MELISSA  
1151 E WOODLAWN AVE  
HASTINGS MI 49058

DONNAHOE BARBARA T TR  
14180 DUKE HWY  
ALVA FL 33920

MCNEILL ROBERT N & ELAINE C TR  
14200 DUKE HWY  
ALVA FL 33920

BANFER ELIZABETH TR  
14220 DUKE HWY  
ALVA FL 33920

STANCEL WILLIAM R &  
STE 11  
13723 JETPORT COMMERCE WAY  
FORT MYERS FL 33913

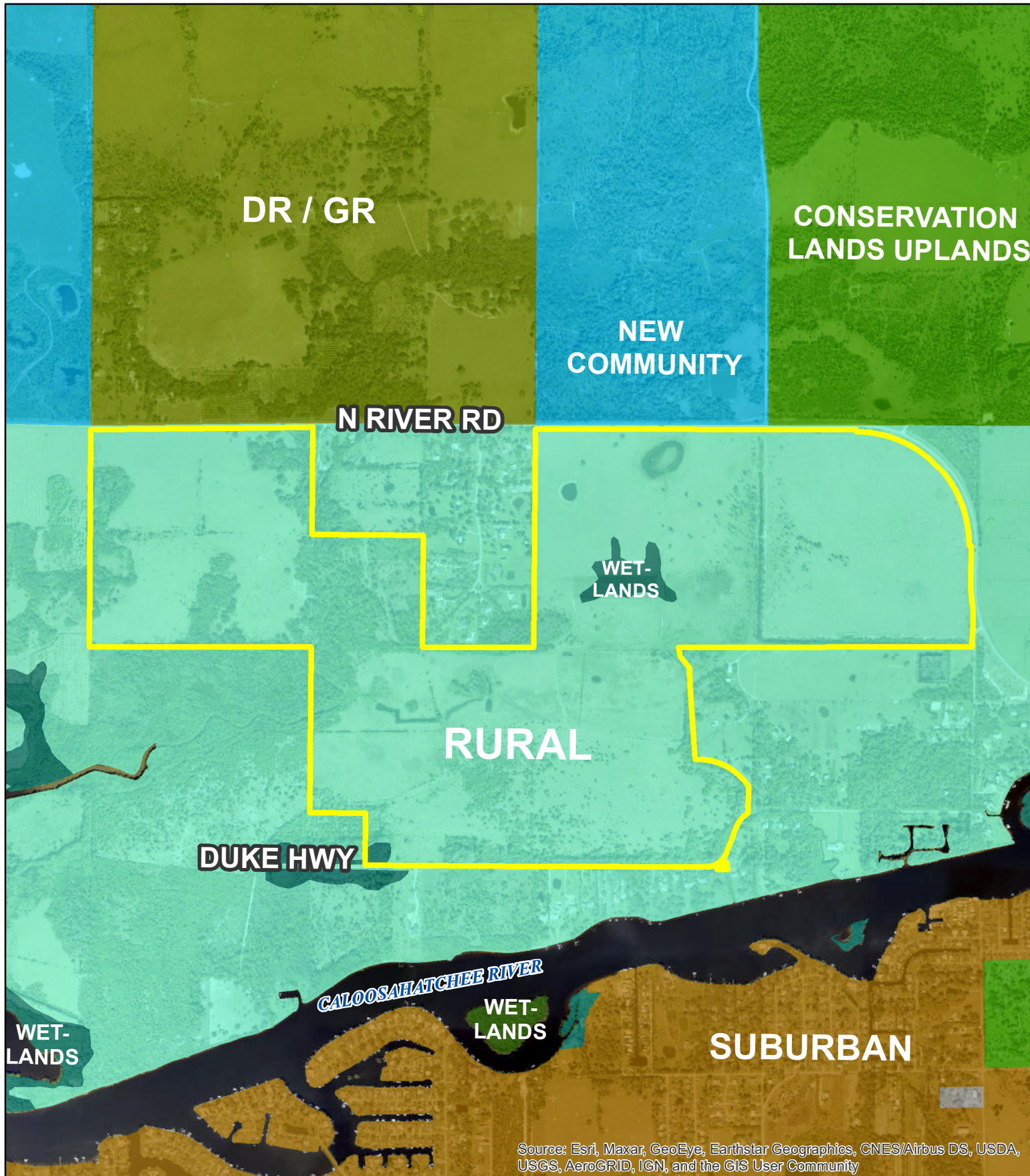
LONGFELLOW ROBERT M  
14260 DUKE HWY  
ALVA FL 33920

DURLING KEITH O  
14280 DUKE HWY  
ALVA FL 33920

DURLING RICHARD F  
14300 DUKE HWY  
ALVA FL 33920

PRITCHETT R H III & LYNNE R  
PO BOX 2148  
FORT MYERS FL 33902

PRITCHETT RICHARD H III &  
PO BOX 2148  
FORT MYERS FL 33902



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## CARY + DUKE + POVIA CPA/PD • CURRENT FUTURE LAND USE MAP

Lee County, FL

Date: 12/1/2022

# 22001300

Neal Communities SW FL Inc.



Subject Boundary

Conservation Lands Upland

Conservation Lands Wetland

Density Reduction/Groundwater Resource

New Community

Public Facilities

Rural

Suburban

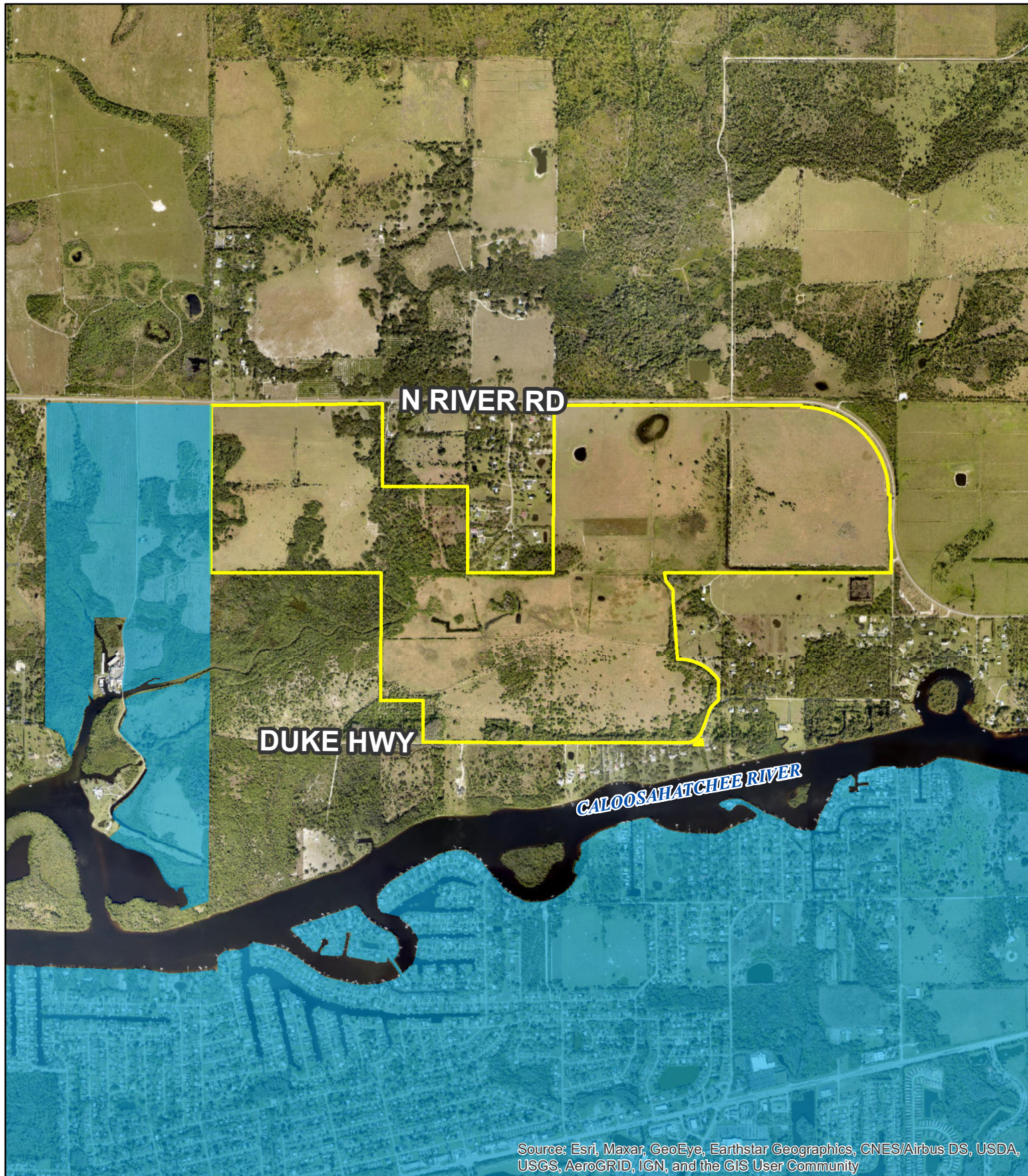
Wetlands



0 490 980 1,960  
Feet

Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.







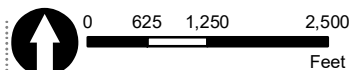
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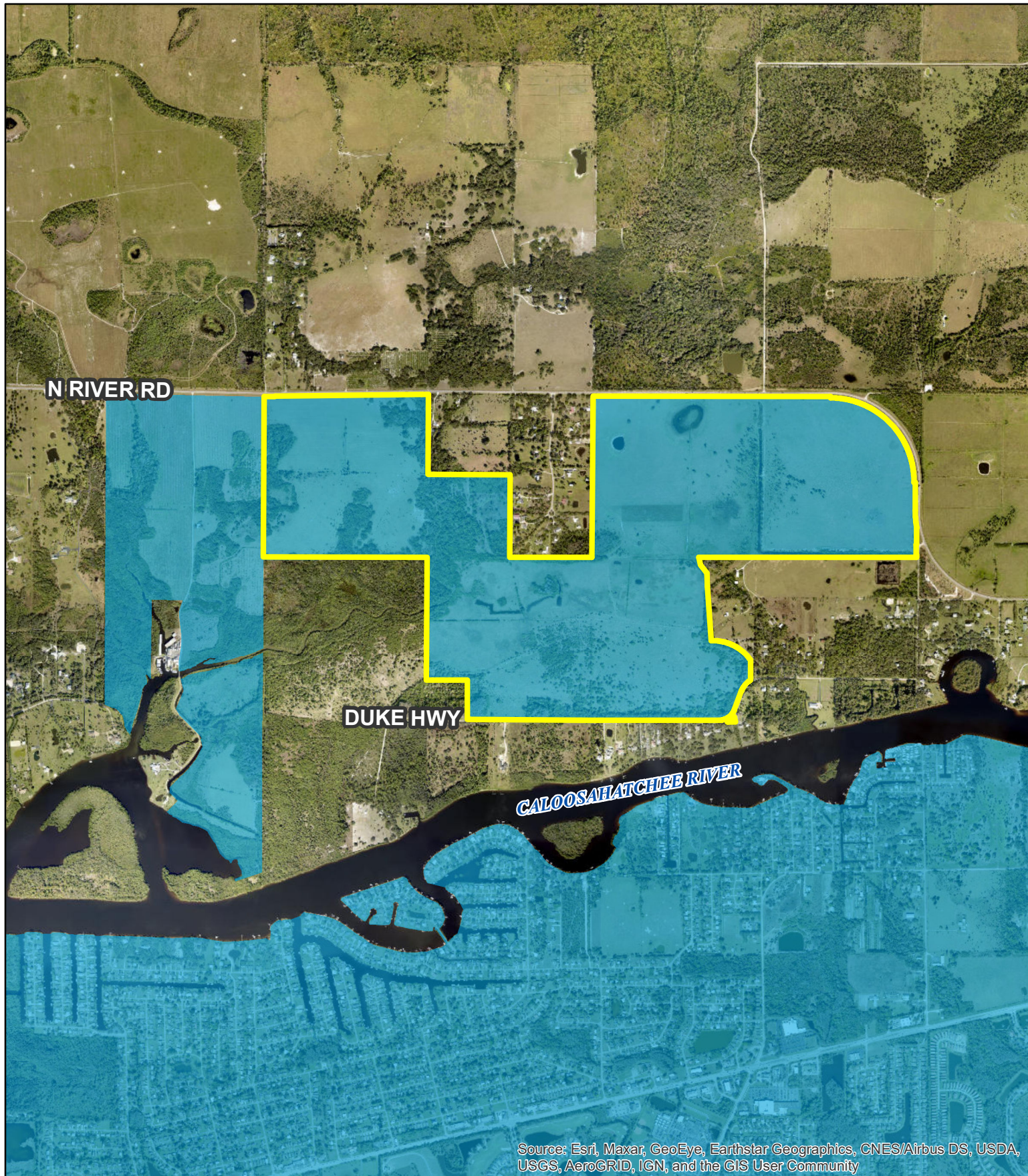
## CARY DUKE CPA/PD•CURRENT WATER SERVICE AREA MAP

- 📍 Lee County, FL
  - 📅 Date: 12/5/2022
  - # 22001300
  - 👤 Neal Communities SW FL Inc.
-  Subject Boundary
-  Future Water Service Area



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.





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Suite 220  
Tampa, FL 33610  
Tel: 813.443.8282  
www.rviplanning.com

## CARY + DUKE + POVIA CPA/PD • PROPOSED WATER SERVICE AREA MAP

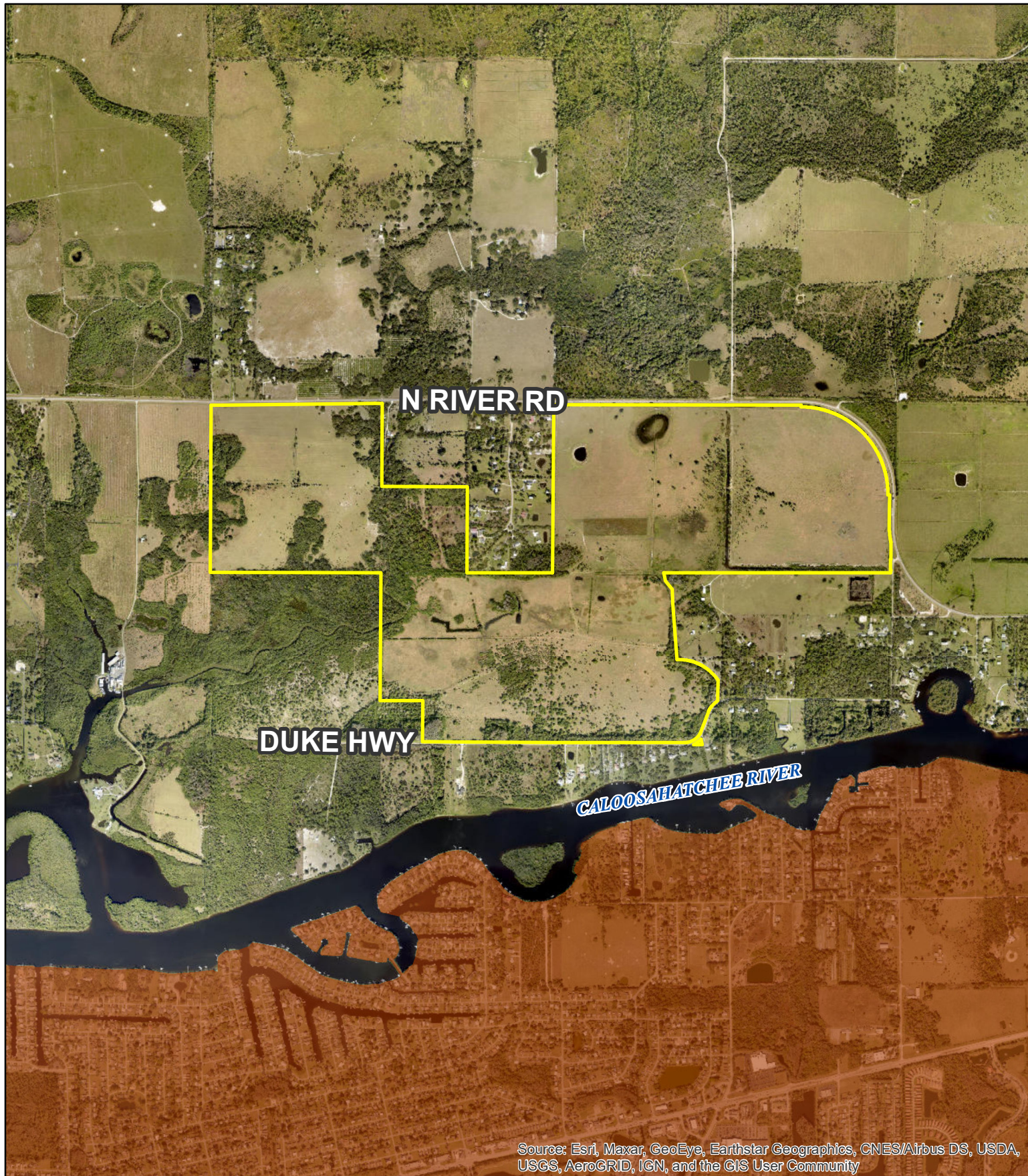
- 📍 Lee County, FL  Subject Boundary
- 📅 Date: 12/1/2022  Future Water Service Area
- # 22001300
- 👤 Neal Communities



0 650 1,300 2,600  
Feet

Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.





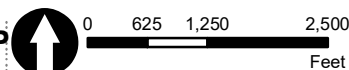
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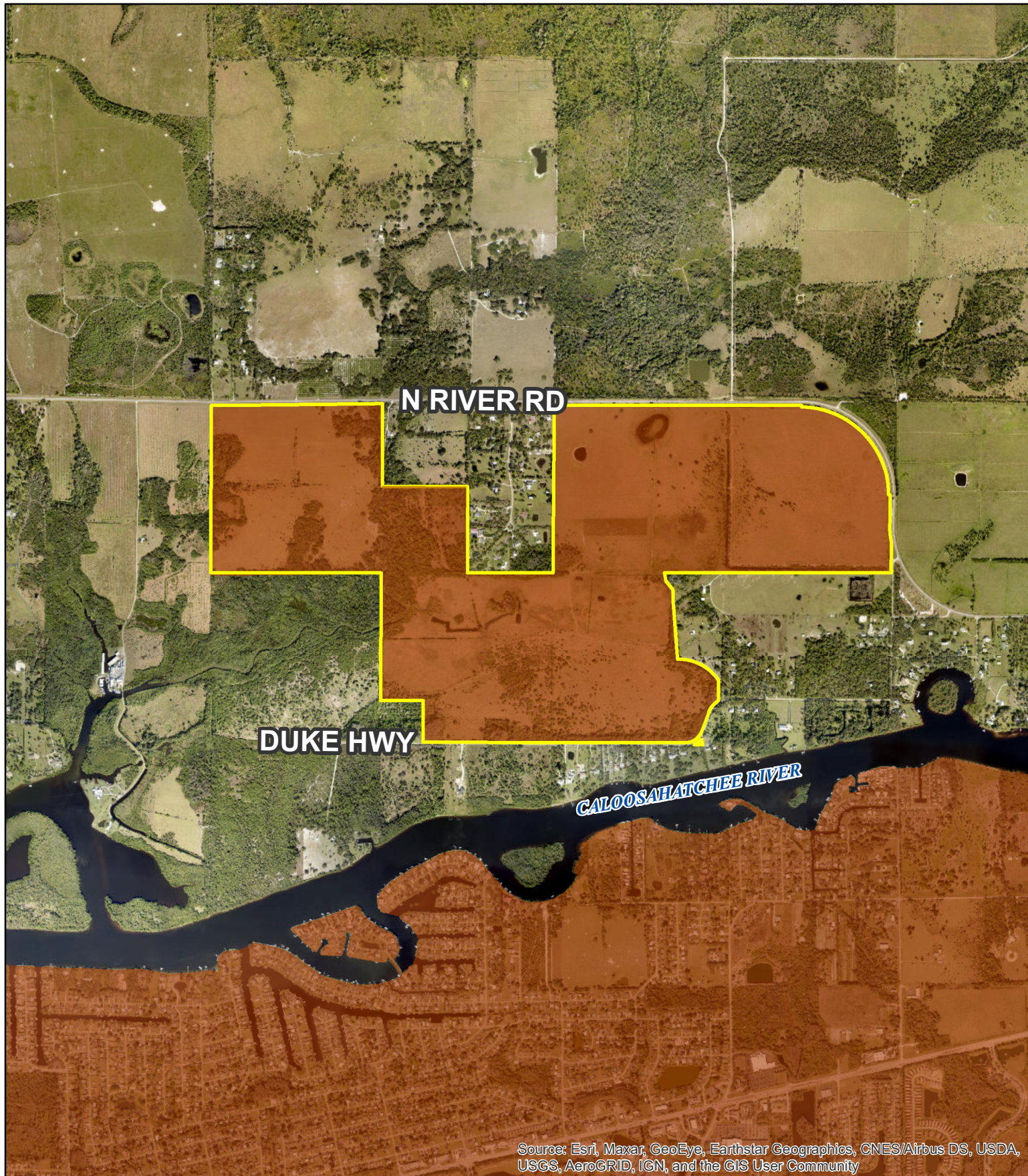
## CARY DUKE CPA/PD • CURRENT SEWER SERVICE AREA MAP

- Lee County, FL
  - Date: 11/29/2022
  - # 22001300
  - Neal Communities SW FL Inc.
- Subject Boundary
- Future Sewer Service Area



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.





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## CARY + DUKE + POVIA CPA/PD • PROPOSED SEWER SERVICE AREA MAP

📍 Lee County, FL

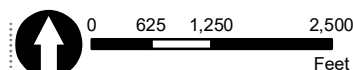
📅 Date: 12/1/2022

# 22001300

👤 Neal Communities SW FL Inc.

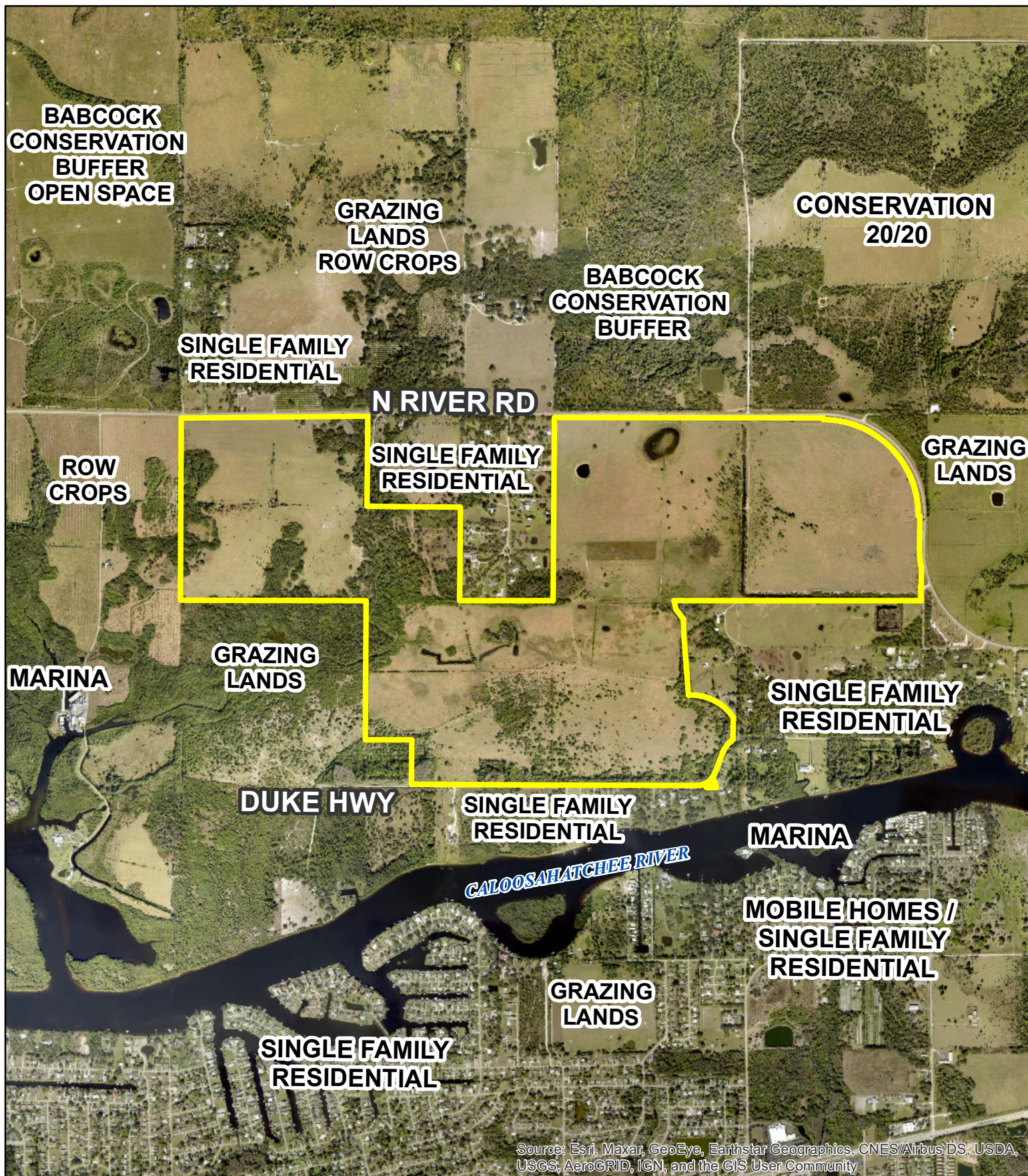
📐 Subject Boundary

📐 Future Sewer Service Area



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.





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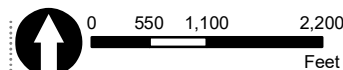
## CARY + DUKE + POVIA CPA/PD • SURROUNDING PROPERTIES MAP

📍 Lee County, FL  Subject Boundary

📅 Date: 12/1/2022

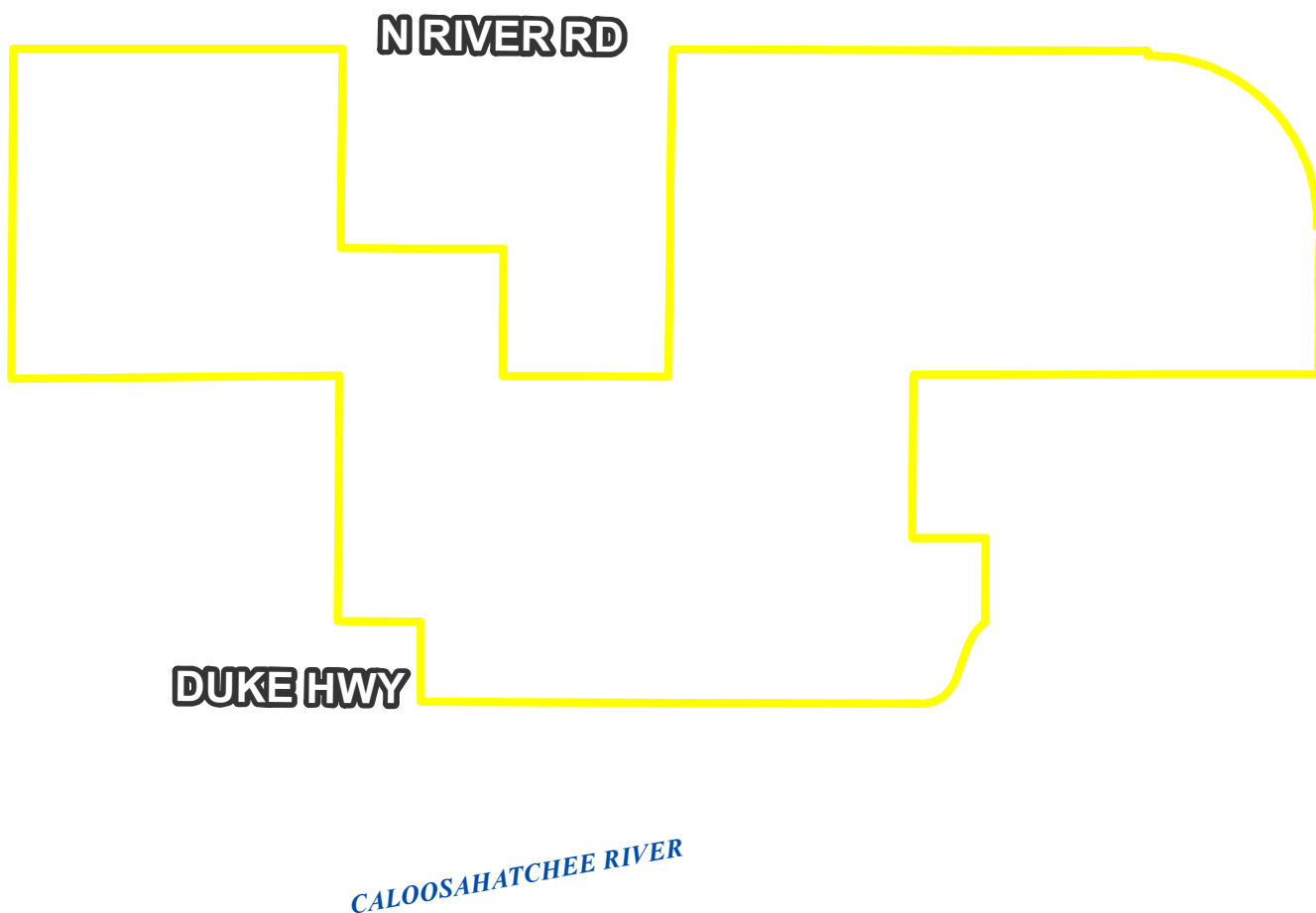
# 22001300

🏢 Neal Communities SW FL Inc.



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.





Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Copyright RVI

## CARY DUKE CPA/PD • CURRENT ZONING MAP

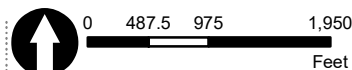
■ Lee County, FL ■ Subject Boundary

■ Date: 10/19/2022

■ 22001300

■ Neal Communities SW FL Inc.

AG-2	MH-2	RS-1	RS-5
C-1A	MPD	RS-2	TFC-2
CPD	RM-2	RS-3	
MH-1	RPD	RS-4	



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***RHODES & RHODES LAND SURVEYING, INC.***

***28100 BONITA GRANDE DRIVE, #107 NAPLES, FLORIDA 34135  
PHONE (239) 405-8166 FAX (239) 405-8163***

BEING A PORTION OF SECTION 16 AND 17, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE SOUTH 00°23'30" WEST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 16 A DISTANCE OF 50.00 FEET TO THE SOUTHERN RIGHT OF WAY LINE OF STATE ROAD NO. 78 (N. RIVER ROAD), ACCORDING THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP RECORDED IN SECTION 12560-2604 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. AND TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY OF STATE ROAD NO. 78 THE FOLLOWING 11 COURSES, COURSE (1) SOUTH 89°54'13" EAST, 3,853.85 FEET; COURSE (2) SOUTH 00°05'41" WEST, 25.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE (3) SOUTHEASTERLY, 2,144.24 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1,357.40 FEET, THROUGH A CENTRAL ANGLE OF 90°30'30" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 44°39'04" EAST, 1,928.15 FEET; COURSE (4) SOUTH 89°23'49" EAST, 25.00 FEET; COURSE (5) SOUTH 00°36'11" WEST, 451.22 FEET TO A POINT OF CURVATURE; COURSE (6) SOUTHERLY, 291.78 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1,482.40 FEET, THROUGH A CENTRAL ANGLE OF 11°16'39" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 05°02'09" EAST, 291.31 FEET; COURSE (7) SOUTH 00°30'35" WEST, 269.95 FEET; COURSE (8) NORTH 89°29'25" WEST, 6.10 FEET; COURSE (9) SOUTH 00°31'50" WEST, 163.49 FEET; COURSE (10) SOUTH 89°29'25" EAST, 6.16 FEET; COURSE (11) SOUTH 00°30'35" WEST, 40.31 FEET THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTH 89°58'44" WEST ALONG THE SAID SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 3,534.32 FEET; THENCE SOUTH 11°37'59" EAST, A DISTANCE OF 129.40 FEET; THENCE SOUTH 38°55'40" EAST, A DISTANCE OF 171.91 FEET; THENCE SOUTH 01°24'18" EAST, A DISTANCE OF 210.70 FEET; THENCE SOUTH 04°12'34" EAST, A DISTANCE OF 885.91 FEET TO A POINT ON A NON-TANGENTIAL CURVE; THENCE SOUTHEASTERLY, 744.14 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 735.02 FEET, THROUGH A CENTRAL ANGLE OF 58°00'23" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 63°44'29" EAST, 712.76 FEET; THENCE SOUTH 00°31'19" WEST, A DISTANCE OF 323.16 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF DUKE HIGHWAY, RIGHT OF WAY MAP DUKE HIGHWAY ACCORDING TO THE PLAT OR MAP RECORDED IN MAP BOOK 2, PAGES 1 THROUGH 9 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND TO A POINT ON A NON-TANGENTIAL CURVE; THENCE ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF DUKE HIGHWAY THE FOLLOWING 5 COURSES. COURSE (1) SOUTHWESTERLY, 241.09 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 370.00 FEET, THROUGH A CENTRAL ANGLE OF 37°20'01" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 39°14'38" WEST, 236.85 FEET; COURSE (2) SOUTH 20°31'56" WEST, 313.99 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE (3) SOUTHWESTERLY, 328.15 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 270.00 FEET, THROUGH A CENTRAL ANGLE OF 69°38'12" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 55°16'41" WEST, 308.33 FEET; COURSE (4) NORTH 89°54'59" WEST, 2,080.14 FEET; COURSE (5) NORTH 89°36'26" WEST, 2,006.30 FEET; THENCE NORTH 00°26'05" EAST LEAVING THE SAID NORTHERLY RIGHT OF WAY LINE OF DUKE HIGHWAY, A DISTANCE OF 635.18 FEET; THENCE NORTH 89°44'35" WEST, A DISTANCE OF 668.84 FEET

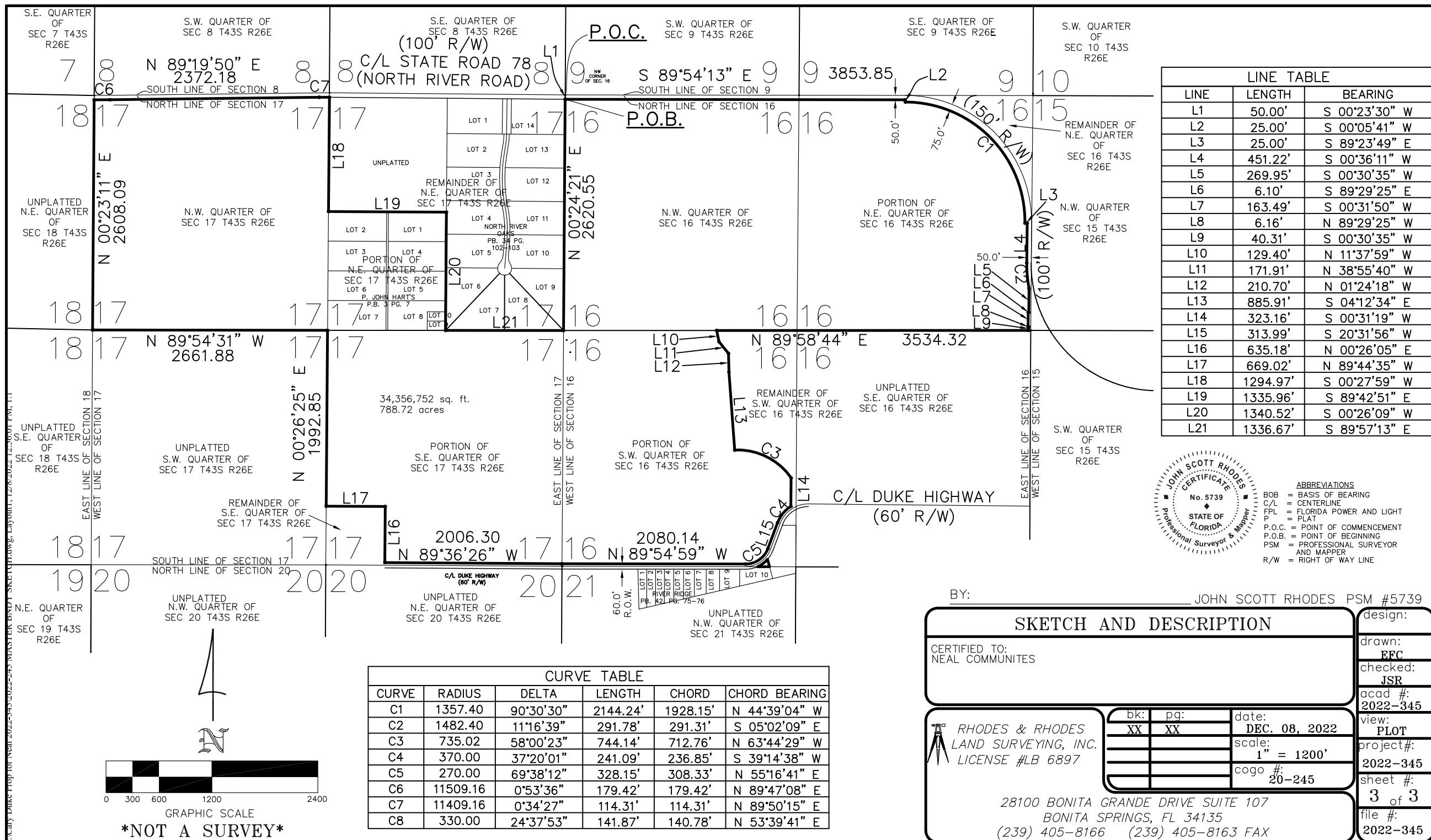
***RHODES & RHODES LAND SURVEYING, INC.***

***28100 BONITA GRANDE DRIVE, #107 NAPLES, FLORIDA 34135***

***PHONE (239) 405-8166 FAX (239) 405-8163***

TO A POINT ON THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 43 SOUTH, RANGE 26 EAST; THENCE NORTH  $00^{\circ}34'39''$  EAST ALONG THE SAID WESTERLY LINE OF SECTION 17, A DISTANCE OF 1,995.23 FEET TO THE NORTHWEST CORNER OF SOUTHEAST QUARTER OF SECTION 17 ALSO BEING THE CENTER OF SECTION 17; THENCE NORTH  $89^{\circ}58'05''$  WEST ALONG THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 2,666.94 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 17; THENCE NORTH  $00^{\circ}23'17''$  EAST ALONG THE WESTERLY SECTION OF SAID SECTION 17, A DISTANCE OF 2,608.51 FEET TO A POINT ON THE SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD 78 AND TO A POINT ON A NON-TANGENTIAL CURVE; THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF SECTION 17 THE FOLLOWING 3 COURSES, COURSE (1) EASTERLY, 179.42 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 11,509.16 FEET, THROUGH A CENTRAL ANGLE OF  $00^{\circ}53'36''$  AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH  $89^{\circ}47'08''$  EAST, 179.42 FEET; COURSE (2) NORTH  $89^{\circ}19'50''$  EAST, 2,372.18 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE (3) EASTERLY, 113.88 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 11,409.16 FEET, THROUGH A CENTRAL ANGLE OF  $00^{\circ}34'19''$  AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH  $89^{\circ}44'43''$  EAST, 113.88 FEET TO A POINT ON THE EASTERLY LINE OF NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH  $00^{\circ}26'50''$  WEST ALONG THE SAID EASTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 17, A DISTANCE OF 1,295.15 FEET TO THE NORTHWEST CORNER OF P. JOHN HART'S, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 7, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.; THENCE ALONG THE BOUNDARY LINE OF SAID P. JOHN HART'S THE FOLLOWING 2 COURSES, COURSE (1) SOUTH  $89^{\circ}42'51''$  EAST, 1,336.16 FEET; COURSE (2) SOUTH  $00^{\circ}25'09''$  WEST, 1,340.40 FEET TO THE SOUTHEAST CORNER OF SAID P. JOHN HART'S AND BEING THE SOUTHWEST CORNER OF NORTH RIVER OAKS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34 PAGES 102 AND 103, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.; THENCE ALONG THE BOUNDARY LINE OF SAID NORTH RIVER OAKS THE FOLLOWING 2 COURSES, COURSE (1) SOUTH  $89^{\circ}56'54''$  EAST, 1,336.09 FEET; COURSE (2) NORTH  $00^{\circ}24'21''$  EAST, 2,620.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 34,355,750 SQUARE FEET OR 788.699 ACRES, MORE OR LESS.



\\Caly Duke Prop for Neal 2022-343\2022-245 MASTER BINDY SKETCH.dwg, Layouth, 12/8/2022 12:36:01 PM, 1:1

This Instrument Prepared By: Shari M. Garcia

**PATRIOT TITLE SERVICES, LLC**

1705 Colonial Blvd. #A-2

Fort Myers, Florida 33907

File Number: **7538**

Strap Number: 16-43-26-00-00001.0000

## Warranty Deed

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

Made this 20 day of September, 2021, BETWEEN

**Povia Family, LLC, a Florida limited liability company**

whose post office address is: 5991 Buckingham Rd., Fort Myers, Florida 33905, **grantor**

and **Lee County, a political subdivision of the State of Florida**

whose post office address is: P.O. Box 398, Fort Myers, FL 33902-0398, **grantee**,

WITNESSETH: That the said grantor, for and in consideration of the sum of One Hundred Fifty Thousand dollars & no cents (\$150,000.00), and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs, successors and assigns forever, the following described land, situate, lying and being in Lee County, Florida to wit:

**See attached legal description**

Subject to easements and restrictions of record, if any, which are specifically not extended or reimposed hereby.

Said grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; that the land is free of all encumbrances except taxes accruing subsequent to December 31, 2020.


Acquisition approved by the Lee County Board  
of Commissioners action on August 17, 2021  
and accepted on behalf of the board by Leah Chin on September 30, 2021  
in accordance with Consent Agenda Item 6  
Project NLC WWTP Parcel 114  
Exp to 15 MG

File Number: 7538

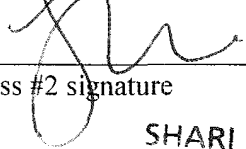
Strap Number: 16-43-26-00-00001.0000

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

Signed, sealed and delivered in the presence of:


  
\_\_\_\_\_  
Witness #1 signature

BREANNA SARVER  
\_\_\_\_\_  
Witness #1 print name

  
\_\_\_\_\_  
Witness #2 signature

SHARI M GARCIA  
\_\_\_\_\_  
Witness #2 print name

Povia Family, LLC, a Florida limited liability company

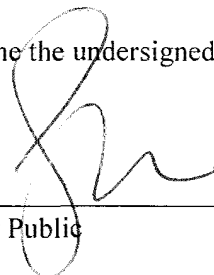
  
\_\_\_\_\_  
By: Mary Ellen Povia  
Title: Managing Member

STATE OF FLORIDA

COUNTY OF LEE

I HEREBY CERTIFY, that on this 20 day of September, 2021 before me personally appeared (by means of physical presence) **Mary Ellen Povia, as Managing Member of Povia Family, LLC, a Florida limited liability company**, who is personally known to me or who has provided Driver's License(s) as identification and who is the person described in and who executed the foregoing instrument and who after being duly sworn says and has acknowledged that the execution hereof is free act and deed for the uses and purposed herein mentioned.

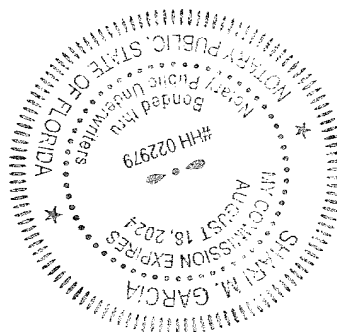
SWORN TO AND SUBSCRIBED before me the undersigned Notary Public by my hand and official seal, the day and year last aforesaid.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

(seal)

\_\_\_\_\_  
Notary printed



**LEGAL DESCRIPTION:** (AS DESCRIBED BY THIS OFFICE)

THE NORTH ONE-HALF (1/2) OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA LYING NORTHEASTERLY OF THE CURRENT RIGHT OF WAY OF NORTH RIVER ROAD LESS AND EXCEPT THE FORMER RIGHT OF WAY AS REFERENCED IN RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS ADOPTED FEBRUARY 15, 1967 AND SHOWN ON STATE ROAD RIGHT OF WAY MAP SECTION 12560-2604, DATED JULY 20, 1965 AND LESS THE TAKING PER OFFICIAL RECORDS BOOK 353, PAGE 829 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL 1**

BEGIN AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE S.00°35'48"W., ALONG THE EAST LINE OF SAID SECTION, FOR A DISTANCE OF 400.96 FEET TO A POINT ON THE MAINTAINED RIGHT OF WAY LINE AS SHOWN ON STATE ROAD RIGHT OF WAY MAP SECTION 12560-2604, DATED JULY 20, 1965 BEING A POINT ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 611.00 FEET; THENCE ALONG SAID MAINTAINED RIGHT OF WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 54°02'56", A CHORD BEARING OF N.43°40'59"W., A CHORD LENGTH OF 555.24 FEET AND AN ARC LENGTH OF 576.38 FEET; THENCE S.89°54'42"E. FOR A DISTANCE OF 387.66 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 52,738 SQUARE FEET, OR 1.211 ACRES, MORE OR LESS

TOGETHER WITH

**PARCEL 2**

COMMENCE AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N.89°54'42"W., ALONG THE NORTH LINE OF SAID SECTION, FOR A DISTANCE OF 700.72 FEET; THENCE S.27°33'00"W., A DISTANCE OF 30.43 FEET TO A POINT ON THE SOUTHERLY MAINTAINED RIGHT OF WAY AS SHOWN ON STATE ROAD RIGHT OF WAY MAP SECTION 12560-2604, DATED JULY 20, 1965 AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE S.89°54'42"E., ALONG SAID MAINTAINED RIGHT OF WAY, FOR A DISTANCE OF 126.11 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET; THENCE ALONG SAID RIGHT OF WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 90°30'30", A CHORD BEARING OF S.44°39'27"E., A CHORD LENGTH OF 781.26 FEET AND AN ARC LENGTH OF 868.82 FEET; THENCE S.00°35'48"W. FOR A DISTANCE OF 301.41 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1507.40 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°10'29", A CHORD BEARING OF N.41°51'46"W., A CHORD LENGTH OF 1060.11 FEET AND AN ARC LENGTH OF 1083.27 FEET; THENCE N.27°33'00"E. FOR A DISTANCE OF 76.47 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 194,758 SQUARE FEET, OR 4.471 ACRES, MORE OR LESS

COMBINED ACREAGE IS 5.682 ACRES, MORE OR LESS.

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
IN AND FOR LEE COUNTY, FLORIDA  
CIVIL ACTION

Harney, Raymond E, att Harney Revocable Trust Dated December 9 2005 etal  
Plaintiff  
vs  
North River Communities LLC etal  
Defendant

Case No. 09-CA-066359

**FILED**  
MAY 03 2010  
CHARLIE GREEN, CLERK  
CIRCUIT/COUNTY COURTS  
BY D.C.

**CERTIFICATE OF TITLE**

The undersigned clerk of the court certifies that he or she executed and filed a certificate of sale in this action on April 20, 2010 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in Lee County, Florida:

**See Exhibit "A" attached hereto**

Was sold to: Cary & Duke Properties, LLC a Florida limited liability Company

Address: 18451 North Olga Road, Ft Myers, FL 33920

WITNESS my hand and the seal of the court on May 03, 2010

Charlie Green, Clerk of Court

By: \_\_\_\_\_

*Serena Pitts*  
Deputy Clerk



Copies furnished to all parties

Charlie Green  
Clerk of Circuit Court

By: Serena Pitts  
Deputy Clerk



**Parcel One**

- A. The Southeast one-quarter of Section 17, Township 43 South Range 26 East, less and except the Southwest one-quarter of the Southwest one-quarter of the Southeast one-quarter of Section 17, Township 43 South, Range 26 East, and also less and except any portion of the subject property contained in the Order of Taking recorded in O.R. Book 353, Page 829, of the Public Records of Lee County, Florida.

AND

- B. The Southwest one-quarter of Section 16, Township 43 South, Range 26 East, less and except therefrom Parcel No. 1.003 as reflected on the Lee County, Florida Tax Assessmant Rolls, and also less and except the following parcels:
- (i) The East one-half of the Northeast one-quarter of the Southwest one-quarter of Section 16, Township 43 South, Range 26 East; and
  - (ii) The Easterly 60 feet of the Southeast one-quarter of the Southwest one-quarter of Section 16, Township 43 South, Range 26 East, Lee County, Florida.

**Parcel Two A**

The Northwest one-quarter of Section 17, Township 43 South, Range 26 East, less and except any portion of the subject property contained in the Order of Taking recorded in O.R. Book 353, Page 829, of the Public Records of Lee County, Florida.

**Parcel Two C**

Lots 3 through 7, inclusive, and Lots 9 and 10 of P. JOHN HARTS SUBDIVISION, a subdivision according to the plat thereof, as recorded in Plat Book 3, at Page 7, of the Public Records of Lee County, Florida.

**EXHIBIT "A"**

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
IN AND FOR LEE COUNTY, FLORIDA  
CIVIL ACTION

Harney, Raymond E, atf Harney Revocable Trust Dated December 9 2005 etal  
Plaintiff  
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Defendant

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Charlie Green, Clerk of Court

By: \_\_\_\_\_

*Serena Pitts*  
Deputy Clerk



Copies furnished to all parties

Charlie Green  
Clerk of Circuit Court

By: Serena Pitts  
Deputy Clerk

**Parcel One**

- A. The Southeast one-quarter of Section 17, Township 43 South Range 26 East, less and except the Southwest one-quarter of the Southwest one-quarter of the Southeast one-quarter of Section 17, Township 43 South, Range 26 East, and also less and except any portion of the subject property contained in the Order of Taking recorded in O.R. Book 353, Page 829, of the Public Records of Lee County, Florida.

AND

- B. The Southwest one-quarter of Section 16, Township 43 South, Range 26 East, less and except therefrom Parcel No. 1.003 as reflected on the Lee County, Florida Tax Assessmant Rolls, and also less and except the following parcels:
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Plaintiff  
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North River Communities LLC etal  
Defendant

Case No. 09-CA-066359

**FILED**  
MAY 03 2010  
CHARLIE GREEN, CLERK  
CIRCUIT/COUNTY COURTS  
BY D.C.

**CERTIFICATE OF TITLE**

The undersigned clerk of the court certifies that he or she executed and filed a certificate of sale in this action on April 20, 2010 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in Lee County, Florida:

**See Exhibit "A" attached hereto**

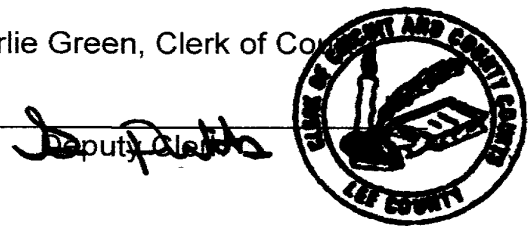
Was sold to: Cary & Duke Properties, LLC a Florida limited liability Company

Address: 18451 North Olga Road, Ft Myers, FL 33920

WITNESS my hand and the seal of the court on May 03, 2010

Charlie Green, Clerk of Court

By: \_\_\_\_\_



Copies furnished to all parties

Charlie Green  
Clerk of Circuit Court

By: Serena Pitts  
Deputy Clerk

**Parcel One**

- A. The Southeast one-quarter of Section 17, Township 43 South Range 26 East, less and except the Southwest one-quarter of the Southwest one-quarter of the Southeast one-quarter of Section 17, Township 43 South, Range 26 East, and also less and except any portion of the subject property contained in the Order of Taking recorded in O.R. Book 353, Page 829, of the Public Records of Lee County, Florida.

AND

- B. The Southwest one-quarter of Section 16, Township 43 South, Range 26 East, less and except therefrom Parcel No. 1.003 as reflected on the Lee County, Florida Tax Assessmant Rolls, and also less and except the following parcels:
- (i) The East one-half of the Northeast one-quarter of the Southwest one-quarter of Section 16, Township 43 South, Range 26 East; and
  - (ii) The Easterly 60 feet of the Southeast one-quarter of the Southwest one-quarter of Section 16, Township 43 South, Range 26 East, Lee County, Florida.

**Parcel Two A**

The Northwest one-quarter of Section 17, Township 43 South, Range 26 East, less and except any portion of the subject property contained in the Order of Taking recorded in O.R. Book 353, Page 829, of the Public Records of Lee County, Florida.

**Parcel Two C**

Lots 3 through 7, inclusive, and Lots 9 and 10 of P. JOHN HARTS SUBDIVISION, a subdivision according to the plat thereof, as recorded in Plat Book 3, at Page 7, of the Public Records of Lee County, Florida.

**EXHIBIT "A"**

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
IN AND FOR LEE COUNTY, FLORIDA  
CIVIL ACTION

Harney, Raymond E, att Harney Revocable Trust Dated December 9 2005 etal  
Plaintiff  
vs  
North River Communities LLC etal  
Defendant

Case No. 09-CA-066359

**FILED**  
MAY 03 2010  
CHARLIE GREEN, CLERK  
CIRCUIT/COUNTY COURTS  
BY D.C.

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**See Exhibit "A" attached hereto**

Was sold to: Cary & Duke Properties, LLC a Florida limited liability Company

Address: 18451 North Olga Road, Ft Myers, FL 33920

WITNESS my hand and the seal of the court on May 03, 2010

Charlie Green, Clerk of Court

By: \_\_\_\_\_

*Serena Pitts*  
Deputy Clerk



Copies furnished to all parties

Charlie Green  
Clerk of Circuit Court

By: Serena Pitts  
Deputy Clerk

**Parcel One**

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**EXHIBIT "A"**



IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
IN AND FOR LEE COUNTY, FLORIDA  
CIVIL ACTION

Harney, Raymond E, att Harney Revocable Trust Dated December 9 2005 etal  
Plaintiff  
vs  
North River Communities LLC etal  
Defendant

Case No. 09-CA-066364

**CERTIFICATE OF TITLE  
(AS to Count I)**

The undersigned clerk of the court certifies that he or she executed and filed a  
certificate of sale in this action on April 20, 2010 for the property described herein and that  
no objections to the sale have been filed within the time allowed for filing objections.

The following property in Lee County, Florida:

**See Exhibit "A" attached hereto**

Was sold to:

RAYMOND E. HARNEY and KATHY R. HARNEY, as  
Trustees of the HARNEY REVOCABLE TRUST dated  
December 9, 2005,

Address: 18451 N Olga Road, N Fort Myers, FL 33920

WITNESS my hand and the seal of the court on May 03, 2010

Charlie Green, Clerk of Court

By:

Deputy Clerk



Copies furnished to all parties

Charlie Green  
Clerk of Circuit Court

By: Serena Pitts  
Deputy Clerk

**FILED**

MAY 03 2010

CHARLIE GREEN, CLERK  
CIRCUIT/COUNTY COURTS  
D.C.

**EXHIBIT "A"**

**Parcel Two D**

Lot 8, P. JOHN HARTS SUBDIVISION, a subdivision according to the plat thereof, as recorded in Plat Book 3, at Page 7, of the Public Records of Lee County, Florida.

**EXHIBIT "A"**

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
IN AND FOR LEE COUNTY, FLORIDA  
CIVIL ACTION

Harney, Raymond E, att Harney Revocable Trust Dated December 9 2005 etal  
Plaintiff  
vs  
North River Communities LLC etal  
Defendant

Case No. 09-CA-066359

**FILED**  
MAY 03 2010  
CHARLIE GREEN, CLERK  
CIRCUIT/COUNTY COURTS  
BY D.C.

**CERTIFICATE OF TITLE**

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**See Exhibit "A" attached hereto**

Was sold to: Cary & Duke Properties, LLC a Florida limited liability Company

Address: 18451 North Olga Road, Ft Myers, FL 33920

WITNESS my hand and the seal of the court on May 03, 2010

Charlie Green, Clerk of Court

By: \_\_\_\_\_

*Serena Pitts*  
Deputy Clerk



Copies furnished to all parties

Charlie Green  
Clerk of Circuit Court

By: Serena Pitts  
Deputy Clerk

**Parcel One**

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- (i) The East one-half of the Northeast one-quarter of the Southwest one-quarter of Section 16, Township 43 South, Range 26 East; and
  - (ii) The Easterly 60 feet of the Southeast one-quarter of the Southwest one-quarter of Section 16, Township 43 South, Range 26 East, Lee County, Florida.

**Parcel Two A**

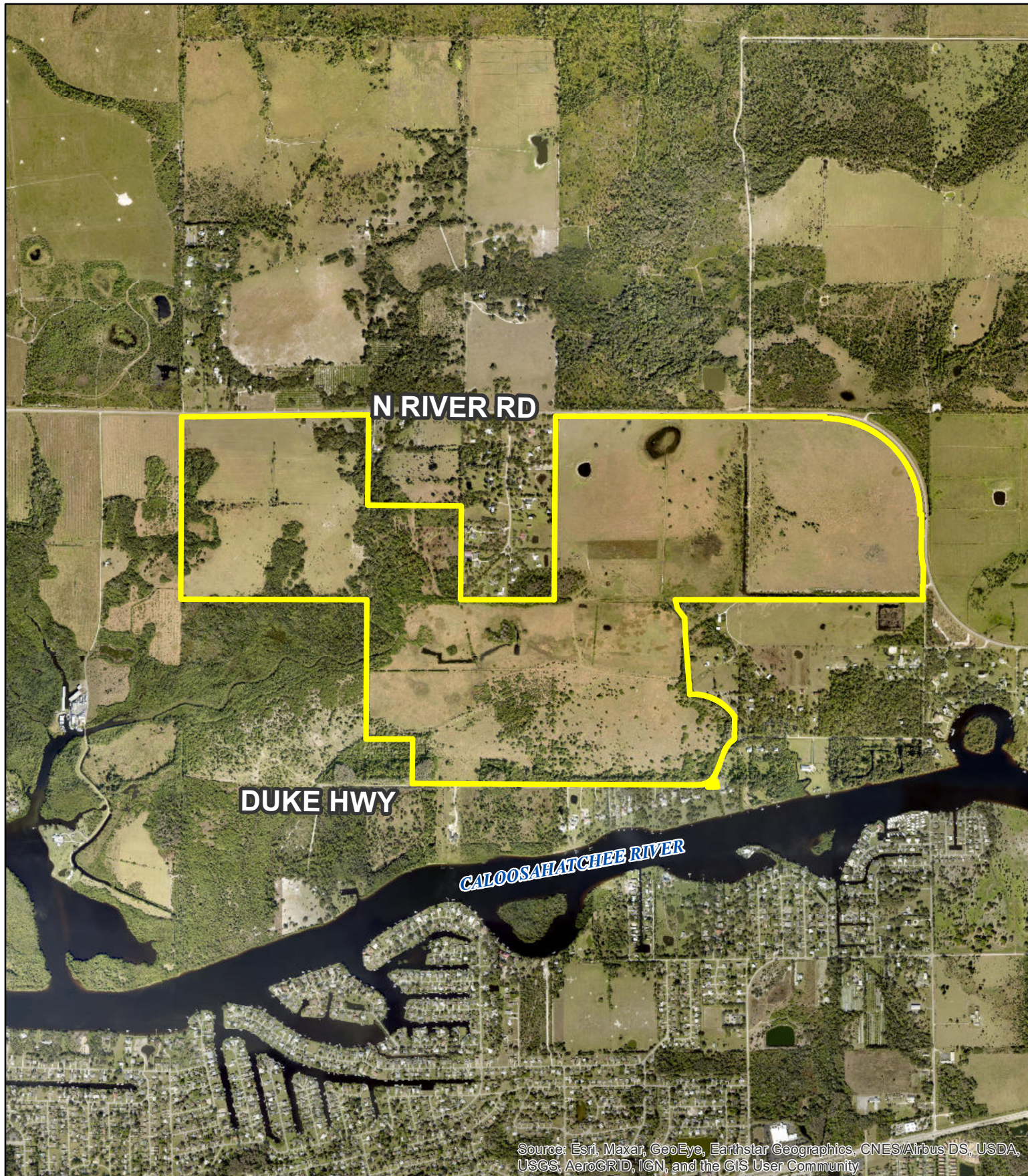
The Northwest one-quarter of Section 17, Township 43 South, Range 26 East, less and except any portion of the subject property contained in the Order of Taking recorded in O.R. Book 353, Page 829, of the Public Records of Lee County, Florida.

**Parcel Two C**

Lots 3 through 7, inclusive, and Lots 9 and 10 of P. JOHN HARTS SUBDIVISION, a subdivision according to the plat thereof, as recorded in Plat Book 3, at Page 7, of the Public Records of Lee County, Florida.

**EXHIBIT "A"**






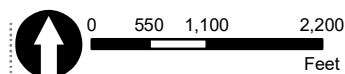
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10401 Highland Manor Dr.  
Suite 220  
Tampa, FL 33610  
Tel: 813.443.8282  
www.rviplanning.com

## CARY + DUKE + POVIA CPA/PD • AERIAL MAP

- 📍 Lee County, FL  Subject Boundary
- 📅 Date: 12/1/2022
- 🔢 # 22001300
- 👤 Neal Communities SW FL Inc.



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.



## LETTER OF AUTHORIZATION

To Whom It May Concern:

Please be advised that G. Keith Cary, an authorized persons with Cary & Duke Properties, LLC owner of the Subject Property, hereby authorizes Neal Communities of Southwest Florida, Inc. to act on its behalf in applying for a Lee County Comprehensive Plan Amendment. This authority to represent our interest includes any and all documents required as part of the Comprehensive Plan Amendment petition submitted on my behalf.

STRAP NUMBER(S) or LEGAL DESCRIPTION

STRAP #: 17-43-26-00-00001.0000; 17-43-26-01-00003.0000; 17-43-26-01-00009.0000; 16-43-26-00-00001.0040; 17-43-26-01-00004.0000; 16-43-26-00-00001.0070

G. Keith Cary  
Signature of Owner

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 07 day of Dec, 2022, by G. KEITH CARY, who is personally known to me, or has produced \_\_\_\_\_ as identification and who did not take an oath.

(Notary Seal)

Cynthia L. Trammell  
Signature of Notary Public

Commission No.

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



CYNTHIA L. TRAMMELL  
Commission # HH 322224  
Expires November 20, 2026

## LETTER OF AUTHORIZATION

To Whom It May Concern:

Please be advised that Mary Ellen Povia, an authorized persons with Povia Family, LLC owner of the Subject Property, hereby authorizes Neal Communities of Southwest Florida, Inc. to act on its behalf in applying for a Lee County Comprehensive Plan Amendment. This authority to represent our interest includes any and all documents required as part of the Comprehensive Plan Amendment petition submitted on my behalf.

STRAP NUMBER(S) or LEGAL DESCRIPTION

STRAP #: 16-43-26-00-00001.0000

Mary Ellen Povia

Signature of Owner

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of December, 2022, by Mary Ellen Povia, who is personally known to me, or has produced FLDL as identification and who did not take an oath. P100-586-45-842-0

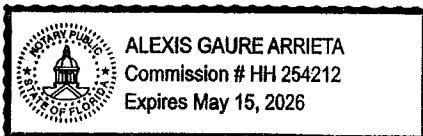
(Notary Seal)

Alexis Gaure Arrieta  
Signature of Notary Public

Commission No.

Alexis Gaure Arrieta

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





## LETTER OF AUTHORIZATION

To Whom It May Concern:

Please be advised that Raymond E. Harney/ Kathy R. Harney, an authorized persons with Harney Trust owner of the Subject Property, hereby authorizes Neal Communities of Southwest Florida, Inc. to act on its behalf in applying for a Lee County Comprehensive Plan Amendment. This authority to represent our interest includes any and all documents required as part of the Comprehensive Plan Amendment petition submitted on my behalf.

STRAP NUMBER(S) or LEGAL DESCRIPTION

STRAP #: 17-43-26-01-00008.0000

  
Signature of Owner

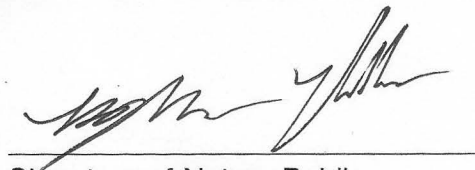
STATE OF ~~FLORIDA~~ WASHINGTON  
COUNTY OF ~~LEE~~ SNYDER

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of December 2022, by Raymond and Kathy Harney who is personally known to me, or has produced Driver License as identification and who did not take an oath.

(Notary Seal)

Commission No.

199726

  
Signature of Notary Public  
Bryan Peckham

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



## AFFIDAVIT OF AUTHORIZATION

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

I, Timothy Oak (name), as SWFL Regional President (owner/title) of Neal Communities of Southwest Florida (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

**\*Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

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



Signature

12/8/22

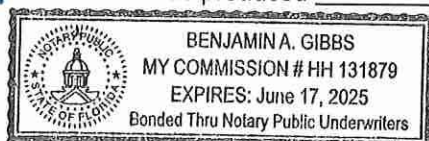
Date

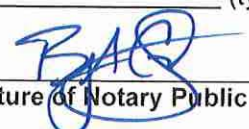
\*\*\*\*\*NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS\*\*\*\*\*  
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 9 day of DECEMBER, 2022, by Tim Oak (name of person providing oath or affirmation), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

STAMP/SEAL



  
Signature of Notary Public



# **Cary+Duke+Povia Map Amendment**

## **Lee Plan Analysis & State and Regional Policy Plan**

### **Exhibits M11 & M18**

#### **I. Lee Plan Analysis**

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

##### **STANDARD 4.1.1: WATER.**

***3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.***

A letter of availability dated 11/28/2022 was provided by Lee County Utilities identifying the facility's capacity for the development of projected water and sewer demand.

***4. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Fla. Admin. Code R. 62-555.***

The proposed waterline extensions shall be designed to meet minimum fire flows and provide adequate domestic service water flows as required by the Florida Administrative Code.

***6. If a development lies outside any service area as described above, the developer may:***

- ***request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;***
- ***establish a community water system for the development; or***
- ***develop at an intensity that does not require a community water system.***

The Property is immediately adjacent to the Lee County Utilities Service Area and while the companion rezoning application proposes a density below 2.5 dwelling units per acre, the incorporation of the Property into Map 4A facilitates benefits to the natural resources in the area. The proposed community design provides for a compact form of development which provides significant preservation, creation and restoration of rare and unique uplands, and wetland and floodplain preservation while also removing the potential for up to 788 private wells.

##### **STANDARD 4.1.2.**

***4. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility***

***cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer, the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.***

***5. If a development lies outside any service area as described above, the developer may:***

- ***request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;***
- ***establish a self-provided sanitary sewer system for the development;***
- ***develop at an intensity that does not require sanitary sewer service; or***
- ***if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.***

The Property is outside the current service area and while the companion rezoning application proposes a density below 2.5 dwelling units per acre, the incorporation of the Property into Map 4B facilitates benefits to the natural resources in the area. The proposed community design provides for a compact form of development which provides significant preservation, creation and restoration of rare and unique uplands, and wetland and floodplain preservation while also removing the potential for up to 788 septic systems.

The Applicant has also explored the potential to connect to alternative providers. The Property is also in the vicinity of the FGUA franchise area, however, the utility cannot provide service except at a clearly unreasonable cost to the applicant. Therefore, connection to the LCU system for sanitary sewer is the most cost-effective option for the applicant.

***POLICY 53.1.8: The costs of new or augmented potable water infrastructure that is developed by Lee County will be borne by those who benefit from the improved supply.***

***POLICY 53.1.9: New development will pay through appropriate financial mechanisms its fair share of the costs of providing standard potable water for that development.***

The proposed expansion of potable water service will be through developer funded improvements. The cost extend infrastructure to the Property will not be borne by Lee County.

***POLICY 61.1.6: When and where available, reuse water should be the first option for meeting irrigation needs of a development. Where reuse water is not available, surface***

***water or low-quality groundwater should be utilized for irrigation. All other potential water sources must be eliminated prior to selecting potable water as the sole source for meeting the irrigation needs of a development. New developments will coordinate with County staff regarding the source of irrigation water.***

Surface water will be used for all irrigation of landscaping within the community. The proposed community will not use potable water provided as a result of this amendment for irrigation purposes.

***POLICY 95.3.3: Financing of public facilities and services will utilize appropriate revenue sources. The cost for the provision and expansion of services and facilities will be borne primarily by those who benefit, using funding mechanisms such as impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and capital construction, operation, and maintenance funds.***

The proposed extension of water and sanitary sewer services to the Property will be privately funded by the development.

***POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.***

Incorporation of the Property into Map 4A and Map 4B removes the potential for groundwater withdrawals and potential impacts from up to 788 private wells and septic systems.

## **II. State Comprehensive Plan Consistency**

The Community Planning Act of 2011 (HB7207) removed the requirement to address consistency with the local comprehensive plan and state comprehensive plan, however, the proposed amendment is consistent with the State Comprehensive Land Use Plan's intent to ensure the protection of natural resources. Specifically, the amendment is consistent with the following guiding policies:

### ***187.201 (15) Land Use.***

***(a) Goal.—In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.***

***(b) Policies.—***

- 1. Promote state programs, investments, and development and redevelopment activities which encourage efficient development and occur in areas which will have the capacity to service new population and commerce.***

**2. *Develop a system of incentives and disincentives which encourages a separation of urban and rural land uses while protecting water supplies, resource development, and fish and wildlife habitats.***

As identified in the attached letter of availability there is service capacity in place to serve the project in terms of potable water and sanitary sewer service. The proposed amendment does not affect the capacity to serve solid waste, law enforcement, fire, parks, and school services for the development.

No changes to the current, Rural Future Land Use Category of the subject property are proposed and the proposed density is consistent with the allowable density in the Lee Plan. Therefore, the proposed extension of water and sewer services supports rural land uses while also reducing the need for individual well and septic systems for the Cary+Duke+Povia RPD.

**187.201 (17) PUBLIC FACILITIES.—**

**(a) Goal.—**Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner.

**(b) Policies.—**

- 1. Provide incentives for developing land in a way that maximizes the uses of existing public facilities.**
- 3. Allocate the costs of new public facilities on the basis of the benefits received by existing and future residents.**

The proposed extension of services will provide service to residents concurrently with new development. Additional planned extensions of service are planned for the adjacent Owl Creek Reserve RPD to the west of the subject property. The extension also supports to companion rezoning request which will allow for the creation of additional dwelling units through a clustered community design with significant preservation areas on site.

The proposed extension of water and sewer services to the Cary+Duke+Povia RPD will be privately funded by the developer.

**III. Regional Policy Plan Consistency**

The proposed amendment is consistent with the Southwest Florida Regional Policy Plan (SWFRPP) as follows:

**Water Resources**

***Goal 3: Water Management Districts and local governments must have programs based on scientific modeling to protect surface water, potable water wells, wellfields and contributing areas from contamination.***

The proposed map amendment will result in a reduction in the number of private wells servicing the potable water needs in this area allowing for more frequent maintenance and monitoring of water quality and quantity to protect against surface water contamination.





This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at [CompliancePermits@dos.MyFlorida.com](mailto:CompliancePermits@dos.MyFlorida.com) for project review information.

September 21, 2022

Lindsey E. W. Craig  
Planner  
RVI Planning + Landscape Architecture  
10401 Highland Manor Dr, Suite 220 • Tampa FL 33610  
407.488.0051 Mobile • 813.372.6244 Direct • 813.443.8282 Main

In response to your request on September 21, 2022, the Florida Master Site File lists two archeological sites and one standing structure recorded for T43S R26E Sections 16 & 17, in Lee County, Florida.

#

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.**
- **While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at [CompliancePermits@dos.MyFlorida.com](mailto:CompliancePermits@dos.MyFlorida.com)**

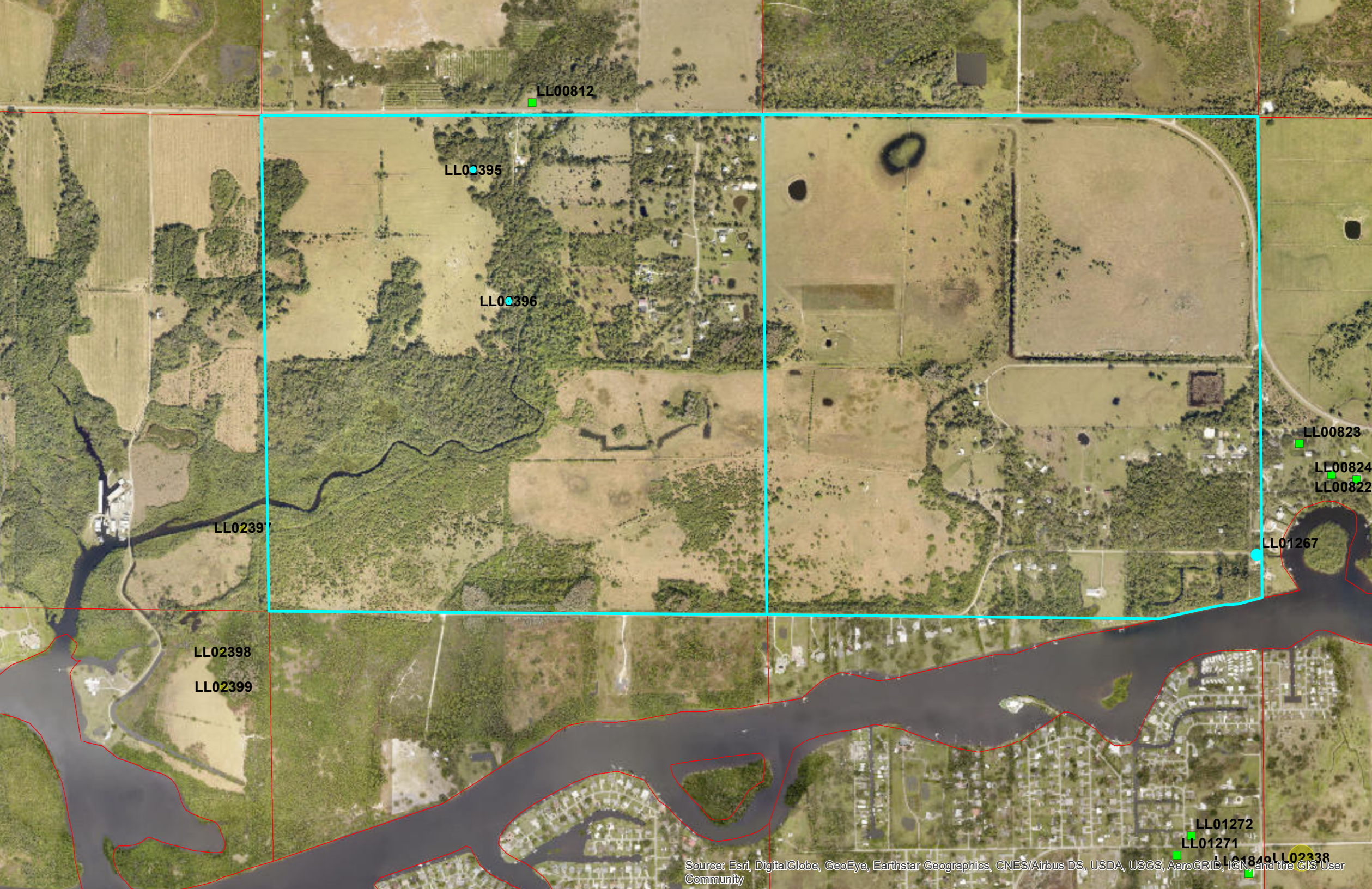
Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

A handwritten signature in black ink, appearing to read "Eman M. Vovsi".

Eman M. Vovsi, Ph.D.  
Florida Master Site File  
[Eman.Vovsi@DOS.MyFlorida.com](mailto:Eman.Vovsi@DOS.MyFlorida.com)





LL00812

LL00395

LL00396

LL02397

LL02398

LL02399

LL00823

LL00824

LL00822

LL01267

LL01272

LL01271

LL01840

LL02338



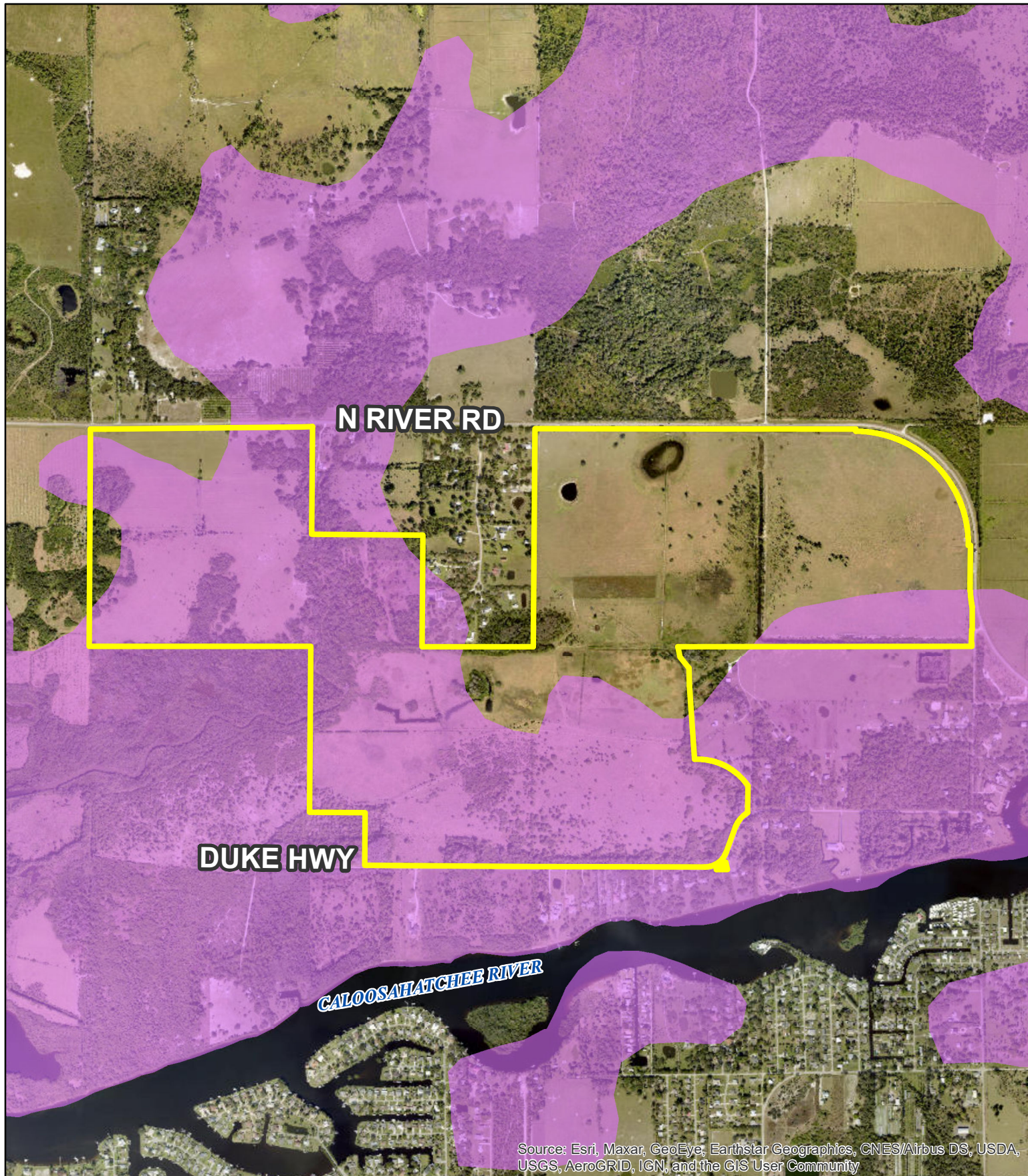


AR=2  
SS=1  
CM=0  
RG=0  
BR=0  
Total=3

## Cultural Resource Roster

SiteID	Type	Site Name	Address	Additional Info	SHPO Eval	NR Status
LL01267	SS	RT 2 BOX 234A OLGA DR N	RT 2 BOX 234A OLGA DR N, OLGA			
LL02395	AR	Twisted Oak Site	Fort Meyers		Eligible	
LL02396	AR	Trout Creek Site	Fort Meyers		Not Eligible	







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10401 Highland Manor Dr.  
Suite 220  
Tampa, FL 33610  
Tel: 813.443.8282  
www.rviplanning.com

## CARY DUKE CPA/PD • ARCHAEOLOGICAL SENSITIVITY MAP

- 📍 Lee County, FL     Subject Boundary     Archaeological\_Sensitivity
- 📅 Date: 11/29/2022
- # 22001300
- 👤 Neal Communities SW FL Inc.



0    490    980    1,960  
Feet

Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.





# **Cary+Duke+Povia Map Amendment**

## **Analysis of Impacts from Proposed Changes**

### **Exhibits M14, M16**

#### **1) Traffic Circulation Analysis**

The proposed amendment will not impact traffic circulation.

#### **2) Sanitary Sewer**

##### Franchise Area, Basin, or District

The property is located in the vicinity of both the Florida Governmental Utilities Authority (FGUA) North Fort Myers Service Area and the Lee County Utilities (LCU) CFM-Central Wastewater Treatment Plant (WWTP) Service Area. The LCU service area is proposed to be amended to include this property.

##### Levels of Service

According to the 2021 Concurrency Report, LCU WWTPs are reported as one central system for concurrency purposes and both the FGUA and LCU systems are operating within capacity and meet the LOS standard for unincorporated Lee County.

Lee Plan Policy 95.1.3 establishes an LOS standard for Sanitary Sewer of 200 GPD per Equivalent Residential Connection (ERC).

The proposed sanitary sewer use of the development is calculated as follows:

$$1,099 \text{ ERC} \times 200 \text{ GPD} = 219,800 \text{ GPD}$$

The attached letter of availability from LCU indicates there is sufficient capacity within the existing plant to serve the 219,800 GPD increase in demand.

##### Existing infrastructure

The nearest wastewater forcemain is located on the south side of the Caloosahatchee River. Service to the property by LCU will be provided by developer funded improvements to extend the existing forcemain into the Property for service.

##### Programmed Improvements/Expansions

The 2021 Concurrency Report indicates there are two projects to increase LCU central system capacity in the Lee County CIP. A 2.0-MGD expansion of the Three Oaks Water Reclamation Facility is scheduled for completion in fiscal year 2023/2024 and a 4.0-MGD capacity expansion to the Southeast Water Reclamation Facility is scheduled for completion in fiscal year 2027/2028.

##### Letter of Availability

Please see the enclosed letter from LCU confirming the availability of centralized sewer service (Exhibit M17).

### 3) **Potable Water Service**

#### Franchise Area, Basin, or District

The Property is located adjacent to the Lee County Utilities (LCU) Franchise Area and the North Lee County Water Treatment Plant (WTP) Service Area. The water service area is proposed to be amended to include this property.

#### Levels of Service

According to the 2021 Concurrency Report, LCU WTPs operate as one central system and capacity is adequate to meet the LOS standard for the five-year CIP planning period

The 2021 Concurrency Report indicates that LCU WTPs have a capacity of 50.9 MGD. In 2020, the actual average daily flow was 30.2 MGD. The 2025 projected demand is 32.6 MGD. The projected excess capacity in 2025 is 18.3 MGD.

Lee Plan Policy 95.1.3 establishes an LOS standard for Potable Water of 250 GPD per Equivalent Residential Connection (ERC).

The proposed water use of the development is calculated as follows:

$$1,099 \text{ ERC} \times 250 \text{ GPD} = 274,750 \text{ GPD}$$

Therefore, there is sufficient capacity within the existing plant to serve the 274,750 GPD increase in demand.

#### Existing infrastructure

The nearest LCU water distribution main is located within the Bayshore Rd. right-of-way approximately 4.5 miles west of the subject property. Service to the property will be provided by developer funded improvements to connect to the existing water main and extending mains into the Property for service.

#### Programmed Improvements/Expansions

The Capital Improvement Program Update (2021) allocates funding to an expansion project for the North Lee County WTP to expand the facility's treatment capacity from the currently permitted 11.6 MGD to 15 MGD. The 2021 Concurrency Report estimates the completion date of the project in 2023.

#### Letter of Availability

Please see the enclosed letter from LCU confirming the availability of centralized potable water (Exhibit M17).

### 4) **Surface Water/Drainage Basins – South Florida Water Management District**

The proposed amendment will not impact surface water/drainage basins.

### 5) **Parks, Recreation, Open Space**

The proposed amendment will facilitate a community design which includes enhanced open space (60%), but will not impact existing parks, recreation or open space.

**6) Public Schools**

The proposed amendment will not increase the need for public schools.



**BOARD OF COUNTY COMMISSIONERS**

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*County Chief  
Hearing Examiner*

November 28, 2022

Via E-Mail

Jeremy Frantz  
RVI Planning  
28100 Bonita Grande Drive  
Bonita Springs, FL 34135

RE: **Potable Water and Wastewater Availability  
Cary Duke RPD  
STRAP # 17-43-26-00-0001.0000; 17-43-26-01-00003.0000;  
17-43-26-01-00009.0000; 16-43-26-00-00001.0040; 17-43-26-01-00004.0000;  
17-43-26-01-00008.0000; 16-43-24-00-00001.0000**

Dear Mr. Frantz:

The subject properties are not located within Lee County Utilities Future Service Area as depicted on Maps 4A and 4B of the Lee County Comprehensive Land Use Plan. The nearest potable water north of the Caloosahatchee River is located on Bayshore Road approximately 4.5 mile west of the subject parcels. The nearest wastewater is on the south side of the Caloosahatchee River. In order to provide service to the subject parcels completion of a comprehensive plan amendment and developer funded system enhancements such as, but not limited to, line extensions will be required.

Your firm has indicated that this project will consist of 1,099 single family residential units with an estimated flow demand of approximately 274,750 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our North Lee County Water Treatment Plant.

Sanitary sewer service will be provided by the City of Fort Myers North Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

There are no reuse mains in the vicinity of these parcels.

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



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

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Comprehensive Plan Amendment and Zoning only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

**LEE COUNTY UTILITIES**



Mary McCormic  
Technician Senior  
239-533-8532  
UTILITIES ENGINEERING





# **Cary+Duke+Povia Map Amendment**

## **Justification of Proposed Amendment**

### **Exhibit M19**

#### **I. Request**

Neal Communities of Southwest Florida, Inc. ("Applicant") is requesting approval of a Large-Scale Comprehensive Plan Map Amendment to add the 788 +/- acres subject property to the Lee County Utilities, Future Water Service Areas Map (Map 4A) and Future Sewer Service Areas Map (Map 4B).

The Applicant is filing a companion Residential Planned Development (RPD) rezoning application to allow the development of a maximum of 1,099 residential dwelling units, with amenities, expansive upland and wetland preservation areas, and supportive infrastructure. The proposed Map Amendments will allow for the privately funded expansion of water services that would benefit existing and future residents of the area.

#### **II. Background Information**

##### *Existing Conditions & Property History*

The Property is located south of North River Road, west of N. Olga Drive, and approximately one mile east of SR 31 in unincorporated Lee County, FL. The Property has a Future Land Use designation of Rural and Wetlands and contains some areas that are located within the Coastal High Hazard Area. The Property is currently zoned Agricultural (AG-2) and is located within the Northeast Lee County - North Olga Lee County Community Planning Area. The Property consists of grazing lands and natural areas and is bisected by Trout Creek.

The parcels under ownership by Cary+Duke Properties, LLC and Povia Family, LLC have historically been used for agricultural purposes. The properties are currently vacant or used for cattle grazing. A portion of the Property is made up of the P. John Hart's Subdivision (Plat Book 3 Page 7) and is owned by Harney Trust. This subdivision was recorded in 1911 and while the lots have been partially cleared of vegetation in the past, there has not been further development activity.

There are no other past zoning actions, comprehensive plan land use changes, environmental mitigation, uses, subdivisions, platting, structures built, etc.

The property is adjacent to existing planned water and sewer extensions to the west of the Property which was recently approved for the Owl Creek Reserve MPD.

##### *Surrounding Land Use Pattern*

The Property is in a rapidly changing area of Lee County due to proximity to the Town of Babcock Ranch. While there are several large tracts of agricultural properties and large-lot rural subdivisions in the area, several large tracts are converting to residential and mixed use development, in a manner that upholds the rural character and protects North Olga's unique environmental resources.

Lands to the immediate north of North River Road are zoned for 1,630 dwelling units and 1.17M square feet of non-residential uses.

Similarly, Owl Creek Reserve MPD immediately to the west of the Property was approved for 380 dwelling units. As part of this approval the developer also received approval to expand water services to the area via companion Comprehensive Plan Map Amendment which added 342 +/- acres to the Lee County Utilities, Future Water Service Area Map. The developer did not propose to extend the Sewer Service Map boundary to include their property as sanitary sewer service was anticipated to be provided by FGUA at the time of their application.

Table 1 below further defines the surrounding Future Land Use designations, zoning districts and existing land uses.

**Table 1: Inventory of Surrounding Lands**

	<b>FUTURE LAND USE</b>	<b>ZONING DISTRICT</b>	<b>EXISTING LAND USE</b>
<b>NORTH</b>	Rural; DR/GR (Private Recreational Facilities Overlay); New Community; Conservation Lands Uplands	AG-2; MH-1; MPD	Right of Way (North River Road), single-family residential homes, row crops; Babcock MPD' Conservation 20/20 (Bob Janes Preserve)
<b>SOUTH</b>	Rural, Wetlands	AG-2(Agricultural)	Right of Way (Duke Highway), single-family residential homes, grazing lands
<b>EAST</b>	Rural	AG-2 (Agricultural)	Right of Way (North River Road), single-family residential homes, grazing lands
<b>WEST</b>	Rural; Wetlands	AG-2 (Agricultural)	Single-family residential homes, row crops, grazing lands

### **III. Justification of Proposed Amendment**

The map amendment request will allow for the 788+/- acre residential development to connect to Lee County Utilities via the inclusion within the Lee County Utilities, Future Water Service Areas Map (Map 4A) and Sewer Map (Map 4B). No future land use designation change or text amendment is being requested as part of this comprehensive plan map amendment. The companion rezone request allows for a maximum of 1,099 units along with associated infrastructure and amenities. The addition of the Property to Maps 4A and 4B facilitates the design of this community in a compact form of development with significant buffering, and preservation and enhancement of rare and unique upland habitats.

Supporting this compact form of development will also eliminate the potential for over 700 wells and septic systems, providing a significant benefit to water quality and natural resource values in North Olga. Additionally, reducing wells and septic systems in areas proximate to the Caloosahatchee

River mitigate the potential impacts to water quality from development in the area. The potential for numerous wells on the property would be contrary to intent of protecting aquifers in the Lee Plan.

The proposed extension of water and sewer services will support development of the property in a manner consistent with the Lee Plan as recently amended in Lee Plan Policy 123.2.17, to ensure demand for housing is accommodated while providing significant environmental preservation in the form of 60 percent open space, 50 percent wetland preservation, and 420 acres of preserves, including over including over 300 acres of Rare and Unique Upland habitat restoration. The plan also provides for the protection of the Trout Creek flowway through the Property and provides floodplain mitigation. The compact development also serves to protect the rural character and natural viewsheds through large buffers and setbacks along an arterial roadway.

The proposed Lee Plan Map Amendment furthers the intent of the Lee Plan and represents an opportunity to continue previously approved privately funded expansion of water and sewer services within the North Olga Community. This amendment provides protection to the environment and benefits the public health safety and welfare of existing and future residents, at no cost to the County.

For these reasons, the Applicant respectfully requests approval of this Lee Plan Map Amendment as proposed.



## **Cary+Duke+Povia Map Amendment Planning Communities/Community Plan Area Requirements - Exhibit M20**

### ***GOAL 27 NORTHEAST LEE COUNTY COMMUNITY PLAN:***

**OBJECTIVE 27.1: AGRICULTURAL AND RURAL CHARACTER.** Maintain and enhance the viability of the existing and evolving commercial agricultural operations, preserve open space, and retain the rural character of Northeast Lee County. For the purposes of this objective, rural character is defined as those characteristics that convey a sense of rural lifestyle such as large lots or clustered development, ample views of wooded areas, open spaces, and river fronts, working farms and productive agricultural uses, and the protection of environmentally sensitive lands.

**POLICY 27.1.1:** Support the agricultural and rural character within Northeast Lee County by encouraging continued commercial agricultural operations and encourage new development to be clustered to conserve large areas of open lands.

**POLICY 27.1.5:** In all discretionary actions, consider the effect on Northeast Lee County's commercial agricultural operations and rural character.

The addition of the Property to the Future Water and Sewer Service Area maps supports the development of a clustered residential development which will include 420 acres of native habitat preserve areas, including over 300 acres of rare and unique upland preservation. Significant portions of these preserves are adjacent to public rights-of-way ensuring that the rural character of the area is preserved in perpetuity. In contrast, if central water and sewer is not extended to the Property, the existing AG-2 zoning could allow for over 700 large lot residential dwelling units with no requirement for open lands to be preserved.

**POLICY 27.1.8:** The owner or agent of a rezoning or special exception request within the Northeast Lee County Community Plan area must conduct two public information meetings, in accordance with Policies 17.3.3 and 17.3.4, prior to the application being found sufficient. One meeting must be held within the Alva Community Plan area boundary and the other in the North Olga Community Plan area boundary.

The Applicant has gone above and beyond in meeting with the North Olga Community Planning Panel and individual property owners along Duke Hwy. in advance of filing this petition to gain early feedback that informed the proposed project design. The Applicant has attended the past three (3) North Olga meetings and held a community meeting with Duke Hwy residents on August 13, 2022. All of these meetings were conducted to assist in preparation of this application.

Additionally, the applicant is in the process of scheduling the required legally advertised public information meetings within the Alva and the North Olga community plan area

boundaries following filing of this application. A meeting summary document will be submitted containing the date, time, and location of each meeting, a list of attendees, a summary of any concerns raised, and the applicant's response prior to the application being found complete.

**OBJECTIVE 27.2: RURAL PLANNING TOOLBOX.** To develop and further the use of a rural toolbox of incentives, programs, and regulations that enhance and maintain Northeast Lee County's sense of place and provide for the long-term preservation of large tracts of contiguous natural resource and open space areas, while providing the regulatory flexibility needed to support commercial agricultural operations.

**POLICY 27.2.1:** *Work with Alva and North Olga to develop and refine rural planning tools including but not limited to: transfer of development rights and purchase of development rights programs, conservation and agricultural easements, farmland trusts, and LDC regulations.*

The proposed Map Amendment allows for significant private investment in the extension of water and sewer services. Additionally, the companion rezoning request utilizes unique planning tools available in Policy 123.2.17 which includes development incentives in exchange for significant preservation areas to be placed under conservation easement.

**OBJECTIVE 27.3: NATURAL RESOURCES.** To enhance, preserve and protect the physical integrity, ecological standards, and rural character of Northeast Lee County by focusing on: water basins; native vegetation; wildlife habitat and resources; and areas designated for long-term conservation.

**POLICY 27.3.2:** *Identify, maintain, and enhance appropriate public access to Northeast Lee County's public lands and surface waters, balanced with new and ongoing efforts to protect and enhance the community's water quality and natural resources.*

The addition of the Property to the Future Water and Sewer Service Area Maps will eliminate the potential for over 700 wells and septic systems, providing a significant benefit to water quality and natural resource values in North Olga.

Additionally, the companion rezoning request preserves and enhances the rural character of Northeast Lee County through the enhanced buffers, setbacks preservation and the extension of utility services to the Property.

As a result, the project will provide significant ecological benefits at no cost to the County. The plan proposes 60 percent open space, of which 50 percent will be native vegetation. Additionally, the native preservation areas include 420 acres, including over 300 acres of preservation, restoration or creation of Rare and Unique upland habitat. This is entirely consistent with the intent of the above policy to preserve natural resources in North Olga.

**GOAL 29: NORTH OLGA COMMUNITY PLAN.** Promote and support the unique rural character, heritage, economy, quality of life, and natural resources in the North Olga Community Plan area.

**POLICY 29.1.1:** Protect the community's rural aesthetic qualities, preserve the natural and historic resources, and support a diverse rural economy by promoting compact or clustered development areas that maintain large, contiguous tracts of open space, while supporting commercial agricultural businesses.

**OBJECTIVE 29.2: RESIDENTIAL LAND USES.** Protect and enhance the rural character of the North Olga Community by evaluating residential development proposals for consistency with the community's rural character and sense of community. Rural character is defined as those characteristics that convey the rural lifestyle such as: large lots or clustered development, ample view of wooded areas, open spaces, and river fronts, working farms, productive agricultural uses, and the protection of environmentally sensitive lands.

**POLICY 29.2.1:** Proposed planned developments will be encouraged to provide a mix of unit types and flexible lot sizes to allow for clustering, affordability, preservation of open space, natural assets, and diversity of choice within the community.

As identified above, addition of the Property to the Future Water and Sewer Service Area maps supports the development of a clustered residential development which will include 420 acres of native habitat preserve areas, including over 300 acres of rare and unique upland preservation. Significant portions of these preserves are adjacent to public rights-of-way ensuring that the rural character of the area is preserved in perpetuity. In contrast, if central water and sewer is not extended to the Property, the existing AG-2 zoning could allow for over 700 large lot residential dwelling units with no requirement for open lands to be preserved.

**OBJECTIVE 29.7: CONSERVATION.** Preserve, protect, and, where possible, enhance the physical integrity, rural character, ecological values, and natural beauty of the North Olga Community Plan area, focusing upon the Caloosahatchee River, native vegetation, wildlife resources, and areas designated for long-term conservation.

**POLICY 29.7.3:** Proposed planned developments will consider the incorporation of "Firewise" principles in site design, including building orientation, access management, landscaping type and placement. For the purposes of this policy, Firewise principles are those guidelines developed by the National Fire Protection Association to mitigate the risk of wildland fire to homes in the wildland/urban interface.

The extension of water and sewer services to the Property will help to mitigate the risk of wildland fire to homes by providing access to water lines in an area that does not currently have infrastructure in place. Other development characteristics detailed in the companion

rezoning request will ensure the use of buffers to vegetated areas, compliance with current building codes, and the use of native vegetation in landscaping.